



# Council Agenda

# AGENDA

## NOTICE OF MEETING

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

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

**Tuesday 12 October 2021 at 7.00pm**

A stylized, handwritten signature in black ink, consisting of several overlapping loops and a long tail.

**Roberto Bria  
CHIEF EXECUTIVE OFFICER**



## Ordinary Council Meeting Agenda

### 1. OPENING

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

### 2. KAURNA ACKNOWLEDGEMENT

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

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

### 3. SERVICE TO COUNTRY ACKNOWLEDGEMENT

*The City of Holdfast Bay would like to acknowledge all personnel who have served in the Australian forces and services, including volunteers, for our country.*

### 4. PRAYER

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

### 5. APOLOGIES

5.1 Apologies Received

5.2 Absent – Councillor P Chabrel (Leave of Absence)

### 6. ITEMS PRESENTED TO COUNCIL

### 7. DECLARATION OF INTEREST

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

### 8. CONFIRMATION OF MINUTES

#### Motion

**That the minutes of the Ordinary Meeting of Council held on 28 September 2021 be taken as read and confirmed.**

Moved Councillor \_\_\_\_\_, Seconded Councillor \_\_\_\_\_

**Carried**

### 9. PUBLIC PRESENTATIONS

9.1 **Petitions - Nil**

9.2 **Presentations** - Nil

9.3 **Deputations** - Nil

**10. QUESTIONS BY MEMBERS**

10.1 **Without Notice**

10.2 **On Notice** - Nil

**11. MEMBER'S ACTIVITY REPORTS**

11.1 Mayors Activity Report for August 2021 to September 2021 (Report No: 336/21)

**12. MOTIONS ON NOTICE**

12.1 Renaming of Hindmarsh Lane to Bouchee Lane– Mayor Wilson (Report No: 346/21)

**13. ADJOURNED MATTERS** - Nil

**14. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL**

14.1 Information Report – Southern Region Waste Resource Authority Board Meeting – 20 September 2021 (Report No: 338/21)

**15. REPORTS BY OFFICERS**

15.1 Items in Brief (Report No: 342/21)

15.2 Section 270 Draft Representations Review Report (Report No: 345/21) (to be provided separately)

15.3 Green Adelaide National Park City Charter (Report No: 329/21)

15.4 Statutes Amendment (Local Government Review) Act 2021 – Implementation of Commenced Provisions (Report No: 337/21)

15.5 Request by Brighton Sports and Social Club to Affix Plaques to Brighton Football Field Picket Fence (Report No: 341/21)

15.6 Regional Public Health Plan 2021-2026 (Report No: 343/21)

15.7 Alpine Winter Festival 2021 (Report No: 344/21)

**16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS**

*Presented for the information of Members is a listing of resolutions subject to formal resolutions, for Council and all Standing Committees, to adjourn or lay on the table items of Council business, for the current term of Council.*

**17. URGENT BUSINESS – Subject to the Leave of the Meeting**

**18. ITEMS IN CONFIDENCE****18.1 Hoarding Fee Relief (Report No: 339/21)**

*Pursuant to Section 90(2) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:*

- b. Information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest.**
- d. Commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.**

**18.2 Somerton SLSC Development Application (Report No: 340/21)**

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- b. Information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest.**
- d. Commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.**

**19. CLOSURE**

**ROBERTO BRIA  
CHIEF EXECUTIVE OFFICER**



Item No: **11.1**

Subject: **MAYOR'S ACTIVITY REPORT FOR AUGUST 2021 TO SEPTEMBER 2021**

Date: 12 October 2021

Written By: Executive Assistant to the CEO and Mayor

General Manager: Chief Executive Officer

### SUMMARY

Presented for the information of Members is the Activity Report for the Mayor for August 2021 to September 2021.

### RECOMMENDATION

**That the Mayor's Activity Report for August 2021 to September 2021 be received and noted.**

### REPORT

Date	Activity	Location
3/08/2021	Senior Constable Megan Mitchell 58078	Henley Beach Police Station
3/08/2021	JRMC Weekly WIP	VIA Microsoft Teams
4/08/2021	JRMC Meeting	VIA Zoom
4/08/2021	5049 Coastal Community Meeting	VIA Zoom
7/08/2021	Glenelg vs Norwood	ACH Group Stadium
7/08/2021	Launch of Patawalonga Parkrun	Glenelg Baseball Club car park
9/08/2021	Meet police at Town Hall - Ben Flynn and Deputy Mayor	Glenelg Town Hall - Mayors Parlour
10/08/2021	City Activation Monthly Update	Mayor's Office Brighton
10/08/2021	Amanda and CEO Agenda catch up	VIA Microsoft Teams
10/08/2021	Council Meeting	Glenelg Town Hall - Council Chambers
10/08/2021	Workshop - Statutes Amendment (Local Government Review ) Act 2021	Glenelg Town Hall - Mayors Parlour
10/08/2021	Meeting with Andrew Taplin re Proposed building cnr Jetty Road & Colley Tce	On-site - Moseley Square
11/08/2021	Council Meeting Wrap Up Video	On-Site
13/08/2021	Glenelg Probus Club	Holdfast Bowling Club
13/08/2021	Meeting Rachel Swift	Cibo, Glenelg

<b>Date</b>	<b>Activity</b>	<b>Location</b>
14/08/2021	Glenelg vs Central District	ACH Group Stadium
17/08/2021	Council Workshop - Proposed Sale of Lynton and Lynmouth and Investment Prioritisation	Brighton Civic Centre - Kingston Room
17/08/2021	Coastal Strategy Steering Committee - Directions Statement Meeting 1 [DLM=For-Official-Use-Only]	VIA Microsoft Teams
17/08/2021	JRMC Weekly WIP	VIA Microsoft Teams
18/08/2021	Glenelg Brass Band AGM	Glenelg North Community Centre East Hall
19/08/2021	Coast FM Interview	Studio
19/08/2021	Art Exhibition @ Brighton Dunes	The Pavilion at Brighton Dunes 2 Jack Fox Drive Brighton
20/08/2021	Cr Mikki Bouchee's Funeral	Our Lady of Victories Church
23/08/2021	Meal On Wheels SA Glenelg Branch- AGM	Glenelg North Community Centre - Alison Street Glenelg North
23/08/2021	Filming at SMRF	SRWRA
24/08/2021	Council Meeting	Glenelg Town Hall - Council Chamber
24/08/2021	Amanda and CEO Agenda catch up	VIA Phone
24/08/2021	Interview 891	VIA Phone
25/08/2021	Council Meeting Wrap Up Video	On-Site
31/08/2021	Coastal Strategy Steering Committee - Directions Statement Meeting 2	DEW:81 Waymouth 4.7 Dr Bob Culver Room - Teams VC (10)
31/08/2021	COVID-19 vaccination roll out briefing	VIA Zoom
31/08/2021	Directions Statement Steering Committee	VIA Microsoft Teams
31/08/2021	Council Workshop - Strategic Plan and Councils in Focus Website	Brighton Civic centre - Kingston Room
1/09/2021	JRMC Meeting	Mayor's Parlour, Glenelg Town Hall
3/09/2021	His Excellency the Honourable Hieu Van Le AC, Governor of South Australia - State Dinner	Adelaide Convention Centre
8/09/2021	Dinner with Penny Wong	Halifax Street, Adelaide
10/09/2021	Coast Protection Board Meeting	VIA Microsoft Teams
11/09/2021	FOGO Bingo	Somerton Park Surf Life Saving Club Cnr Esplanade &, Repton Rd, Somerton Park
13/09/2021	SRWRA Tour	Southern Region Waste Resource Authority Seaford Heights
14/09/2021	City Activation Monthly Update	Mayor's Office Brighton
14/09/2021	Amanda and CEO Agenda catch up	CEO's Office
14/09/2021	Council Meeting	Glenelg Town Hall - Council Chambers
14/09/2021	Pre- Council Workshop - SRWRA	Glenelg Town Hall - Chambers

<b>Date</b>	<b>Activity</b>	<b>Location</b>
14/09/2021	Brighton Secondary School Middle School Building - Tarni Warra Opening	Tarni Warra building - Brighton Secondary School Middle School Building
15/09/2021	Council Meeting Wrap Up Video	On-Site
16/09/2021	Coast FM Interview	Studio
18/09/2021	Brighton SLSC 2021 Presentation Dinner	Brighton Surf Life Saving Club
21/09/2021	Council Workshop - Encroachment and Hoarding Fee Relief and Boundary Realignment for Cement Hill	Brighton Civic Centre - Kingston Room
23/09/2021	Blind and Low Vision Tennis Gala Day	Somerton Park Tennis Club
23/09/2021	Citizenship Ceremony	Stamford Grand Ballroom 1 – 3
24/09/2021	ERD Court re Seawall Apartment Appeal	Adelaide
24/09/2021	Brighton Bowling Club – Opening Season	Brighton Bowling Club 13 Keelara Street Brighton
25/09/2021	SABCA to SABCA Spring Festival 2021	Brighton Concert Hall, Brighton Concert Hall, 305 Brighton Rd, North Brighton
28/09/2021	Council Meeting	Glenelg Town Hall - Council Chambers
28/09/2021	Amanda and CEO Agenda catch up	CEO's Office
28/09/2021	Meeting with Louise Miller-Frost	Cibo Glenelg
29/09/2021	Council Meeting Wrap Up Video	On-Site
30/09/2021	Meeting Lan Le	Cibo Burnside

Item No: **12.1**

Subject: **MOTION ON NOTICE – RENAMING OF HINDMARSH LANE TO BOUCHEE LANE – MAYOR WILSON**

Date: 12 October 2021

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### **PROPOSED MOTION**

Mayor Wilson proposed the following motion:

That Hindmarsh Lane be renamed Bouchee Lane in honour of the late Councillor Mikki Bouchee's 25 years of service to Local Government.

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### **BACKGROUND**

A motion was passed asking administration to investigate a suitable place for a memorial for Councillor Bouchee.

I understand that the construction at Hindmarsh Lane will be completed this week and the Lane will be officially opened at the end of October.

A situation has now presented itself where it would be appropriate to rename the Lane at this point of time.

I understand that Hindmarsh Lane was named after Governor Hindmarsh who already has a square in the city and a suburb named after him.

### **ADMINISTRATION COMMENT**

Council resolved on 10 August 2021 for "Administration to prepare a report containing suggestions for a suitable permanent memorial to honour the significant contribution made by Councillor Bouchee". The effect of the above motion, if endorsed, will negate the need for a report to come back to Council.

However, the proposed motion is consistent with Council's Naming of Public Places Policy. Under the Policy only one public place, reserve, or road within the City will be named after any one group or individual, unless specifically approved by Council. At this stage, it is understood that Hindmarsh Lane is not a designated road reserve, and therefore changing the name will not have a direct impact on businesses within the vicinity.

Item No: **14.1**

Subject: **INFORMATION REPORT – SOUTHERN REGION WASTE RESOURCE AUTHORITY BOARD MEETING – 20 SEPTEMBER 2021**

Date: 12 October 2021

Written By: Chief Executive Officer

Chief Executive Officer: Mr R Bria

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### **SUMMARY**

The information reports of the Southern Region Waste Resource Authority (SRWRA) Board meeting held on 20 September 2021 are attached and provided for information.

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### **RECOMMENDATION**

1. **That the Information Reports of the Southern Region Waste Resource Authority Board meeting held on 20 September 2021 be noted.**

### **RETAIN IN CONFIDENCE – Section 91(7) Order**

2. **That having considered Attachment 2 to Report No: 338/21 Information Report – Southern Region Waste Resource Authority Board Meeting – 20 September 2021 in confidence under Section 90(2) and 3(b) and 3(d) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the Act orders that Attachment 2 be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.**
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### **COMMUNITY PLAN**

Economy: Supporting and growing local business  
Economy: Harnessing emerging technology  
Environment: Building an environmentally resilient city  
Environment: Using resource efficiently  
Environment: Fostering an environmentally connected community  
Culture: Being financially accountable

### **COUNCIL POLICY**

Not Applicable.

**STATUTORY PROVISIONS**

Not Applicable.

**BACKGROUND**

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the "Constituent Councils"), pursuant to Section 43 of the *Local Government Act, 1999*. The functions of SRWRA include providing and operating waste management services on behalf of the constituent Councils.

In accordance with Section 2.5.2 of the SRWRA Charter - 2015, there shall be at least six ordinary meetings of the Board held in each financial year. Furthermore, Section 2.5.22 states that prior to the conclusion of each meeting of the Board, the Board must identify which agenda items considered by the Board at that meeting will be the subject of an information report to the Constituent Councils.

In accordance with the above, identified agenda items from the Board Meeting held on 20 September 2021 are attached for Members information as Attachments 1 and 2 (Constituent Council Information Report –Public and Confidential).

*Refer Attachments 1 and 2*

**BUDGET**

Not Applicable

**LIFE CYCLE COSTS**

Not Applicable

# Attachment 1



# Constituent Council Information Report

- PUBLIC -

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**Board Meeting Date:** 20 September 2021

**Report By:** Chief Executive Officer

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## Report

In accordance with Section 2.5.22 of the *Southern Region Waste Resource Authority Regional Subsidiary Charter - 2015*, the SRWRA Board identified the following Agenda Items to be the subject of a Public Information Report to the Constituent Councils:

Agenda Item	Report
1.3	<p><b>Board Meeting Schedule 2021</b>  <b>Summary</b> – The Board determined to schedule a meeting on Monday 25 October 2021. The Board also determined to move the scheduled meeting for 1 November 2021 to Monday 6 December 2021 to allow for comprehensive financial review for BR1.</p>
2.2.2	<p><b>Acquisition of Land Adjacent to South Road</b>  <b>Summary</b> – DIT have provided a final design proposal for the Main South Road/Bakewell Drive and Victor Harbor Road/Ostrich Farm Road intersections. SRWRA is greatly concerned with the plans to remove the right hand turn onto both Main South Road or Victor Harbor Roads from Bakewell Dr and Ostrich Farm Roads.            SRWRA and City of Onkaparinga representatives are engaging with DIT Chief Engineer regarding this proposal. A meeting is scheduled for 28.09.21 to advocate for a better outcome. If this advocacy fails, a political advocacy campaign will be required. Support from Constituent Councils and SRWRA Joint Venture Partners will also be sought to support the campaign.</p>
2.3	<p><b>Policy Review</b>  <b>Summary</b> - SRWRA has recognised the need to have a policy in place to ensure sound management of SRWRA’s financial transactions with regards to borrowings and investments and ensuring compliance with current legislation. Following presentation to the SRWRA Audit Committee for comment, the Treasury Management Policy – Draft was presented for adoption.</p>
2.4	<p><b>SRWRA Audit Committee – Appointment of Independent Member</b>  <b>Summary</b> - The term for existing Independent Audit Committee Member for City of Marion, Greg Connor, expires at the end of September 2021. The City of Marion has confirmed the nomination of Greg Connor for a period of 2 years following the SRWRA 2021 AGM. The Board endorsed the nomination.</p>



- 3.1 Board and Chair Performance Evaluation**  
**Summary** - SRWRA Management has requested from the Board, on an annual basis, a performance assessment as part of SRWRA's commitment to good governance practices.  
McArthur have been requested to provide a draft document that outlines a contemporary Board self-assessment performance evaluation process. Management presented the SRWRA Board and Chair Performance Evaluation – Draft for discussion.
- 3.4 Risk Management Report**  
**Summary –**  
Skytrust –  
Incidents - SRWRA recorded 6 incidents from 01 July 2021 to 31 August 2021 with no incidents currently under investigation. 2 minor personal injuries were recorded by stakeholders with other incidents being minor property damage, near miss and minor environmental incidents such as hydraulic spills. All figures include stakeholders on site such as sideliner installers and SMRF construction labour.  
Hazards - 5 identified hazards were recorded with 4 addressed through a “Fixed in Field” protocol. 1 hazard remains open awaiting a contractor to attend site to remove overgrown trees.  
EPA Licence Related Register shows 1 complaint received between 1 July 2021 and 31 August 2021. The complaint was noise related and has been addressed by Management.  
WHS & IM Plan - The 2021 Plan is progressing and due for completion by end of September 2021.  
Tailored Implementation Program (TIP) –SRWRA will apply for a TIP grant in the 2021 – 2022 financial year.  
Fraud & Cyber Awareness – SRWRA is scheduled to participate in training sessions on 29 September 2021.  
Risk Incentive Fund – SRWRA currently has funding available and is investigating the best application of the funds.  
Governance Policy Review – SRWRA is undertaking a comprehensive review of Policies.  
General Management - The easing of COVID 19 restrictions has meant SRWRA is able to transition to some face to face Administration and Operational meetings, where appropriate, whilst still practicing social distancing.  
Human Resources - SRWRA currently has no Workcover Claims in progress.  
Public Interest Disclosure – no disclosures or issues have been reported.
- 3.5 Operations Report**  
**Summary –**  
Leachate - Continues to be tinkered off site to maintain pond levels.  
Watercart Upgrade - The site watercart has been upgraded for improved fire response and water filling.  
Litter Fences - New fences installed on the southern area of the landfill successfully contained litter during severe wind events throughout the last month.  
Landfill Works– Focus has been on preparing for the fire season with slashing and spraying around critical infrastructure and haul routes.  
Drone Imagery – Used at regular intervals and stored in a web portal. Comparison between surveys allows surface area and volumetric assessment to be completed for EPA compliance and long term planning.

Item No: **15.1**

Subject: **ITEMS IN BRIEF**

Date: 12 October 2021

Written By: Personal Assistant

General Manager: Strategy and Corporate, Ms P Jackson

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## **SUMMARY**

These items are presented for the information of Members.

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

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## **RECOMMENDATION**

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

1. **Community Alliance SA Inc. Request**
  2. **Release of Green Adelaide's Regional Landscape Plan 2021-26 and Annual Business Plan 2021/2022**
  3. **Library Services Activation**
  4. **Community Shed**
  5. **Duke of Edinburgh Award**
  6. **HoldUp Youth Committee Update**
  7. **Youth Development – Pilot Program**
  8. **Memorial to Recognise Impacts of War – Update on Progress**
  9. **Post COVID Kick Start Program**
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## **COMMUNITY PLAN**

Culture: Supporting excellent, efficient operations

## **COUNCIL POLICY**

Not applicable

## **STATUTORY PROVISIONS**

Not applicable

## REPORT

### 1. **Community Alliance SA Inc. Request**

Council has received a request from Community Alliance SA Inc. (CASA), which is an organisation representing residential action groups across South Australia, asking that it make representation to the Greater Adelaide Regional Organisation of Councils (GAROC) for the local government sector to seek a review into the recently enacted Planning Reforms. Specifically, CASA is seeking Council's support for an independent review of the Planning Development and Infrastructure (PDI) Act with respect to the perceived lack of local government and community participation in planning outcomes, reduced protection of local heritage, and the loss of neighbourhood character through compromised design standards (refer Attachment).

The City of Holdfast Bay has previously made a number of submissions in response to the Planning Reforms during the various consultation stages between 2014 and 2020. However, now that the reforms have passed with bipartisan support through both houses of State Parliament, it is Administration's view that there are greater benefits in working constructively and directly with the State Government to influence change on specific issues affecting the City of Holdfast Bay rather than lobby the LGA for a general review.

The City of Holdfast Bay has seen benefits in an evidence-based approach that advocates its position directly with the State Government for enhancements to both the PDI Act and Planning and Design Code. Specifically, the City of Holdfast Bay successfully petitioned the Minister for Planning to allow a Local Heritage Places Development Plan Amendment to elevate the heritage status of 27 properties as a means to compensate for the shortcomings of the new legislation with respect to heritage protection. Furthermore, the City of Holdfast Bay was afforded recognition of its flood prone areas through the addition of a mapping layer to the Planning and Design Code to ensure that building design responds to the specific risks of the council area. Most recently, the State Government and local councils have worked together to change the community consultation platform to make it easier for the public to be engaged on contentious development applications, moving away from the generic Consult-24 format to a more user-friendly model. A wholesale request to review the entire PDI Act is therefore not seen as a practical way to address any identified shortcomings with the current legislation, which is better managed by Council directly advocating for change with the State Government. Community Alliance SA Inc. will be advised of this preference accordingly.

*Refer Attachment 1*

### 2. **Release of Green Adelaide's Regional Landscape Plan 2021-26 and Annual Business Plan 2021/2022**

Correspondence was received from Green Adelaide on 30 September 2021 to thank the Council for its input into the development of their inaugural Regional Landscape Plan 2021-2026.

The Board also provided Council with its Regional Landscape Plan and the projects to be delivered in 2021/22.

*Refer Attachment 2*

### **3. Library Services Activation**

Library Services have responded well to COVID challenges with community confidence noticeably growing over the last 6 months, increasing library use and attendance at programs. For the 2020-2021 year 450,709 items were borrowed, an increase of 9%, with visits of 182,971 saw a 2% increase, even with COVID restrictions in place. Significantly, the use of online eBooks and eAudio books increase by 196% with 17,110 items accessed.

Creating welcoming spaces and encouraging participation has been the focus since February. The Quality of Life survey saw satisfaction increased from 8.35 to 8.7, reflecting the support and place of connection that libraries provide. Continuing to activate services the library has increased purchasing of high demand express loan items and increased social media activity to welcome the community back as events recommenced. The visibility of the Glenelg library will be improved with exterior artwork and lighting to be installed for summer. The Brighton Library garden has been renewed by the Open Space team creating a tranquil garden and seating space in honour of Councillor Susan Grace Benny.

To activate our services programs have expanded in 2021 with digital come and try sessions, Lego club and movie sessions are underway. Regular early literacy sessions continue to be well attending, a toy collection introduced and participation in events including Australia Reads and Nature Festival. The library will begin activating the Glenelg Community Centre with youth sessions from 3.30pm for tech and maker sessions to commence in term four.

The Future Libraries Strategy is being developed to identify service directions for the next 5 years, with feedback sessions to gather community views to be held in October and November. The strategy will explore how our services reflect our community, continue to innovate and deliver greater diversity across library collections and programs to reach new audiences. Facilities, hours, staffing levels and skills required will also be reviewed. The strategy will be presented to Council in early 2022.

### **4. Community Shed**

Following numerous requests from local residents since 2019 for establishment of a local men's shed; investigation, research and community consultation has resulted in Holdfast Baptist Church approaching council with the proposal to work in partnership with council to develop a community shed using the existing shed onsite at the church.

A Memorandum of Understanding is currently being developed to outline the roles the Holdfast Baptist Church (lead on operational, governance, management, resourcing) and Council (community development support) agree to undertake in moving forward with the establishment of the shed that will eventually host a comprehensive and diverse community program.

## **5. Duke of Edinburgh Award**

The International Duke of Edinburgh Award is a leading structured (non-formal education) youth development program, empowering all young Australians aged 14-24 to explore their full potential and find their purpose, passion and place in the world, regardless of their location or circumstance.

To achieve an Award, each young person must learn a skill, improve their physical wellbeing, volunteer in their community and experience a team adventure in a new environment. As well as providing opportunity for skill development, leadership and increased employability, the Duke of Edinburgh award is a recognised program by the South Australian Certificate of Education (SACE) board. This means that achieving the award earns SACE credits. Two HoldUp committee members are currently participating in the program, with their participation in HoldUp counting towards their 'volunteering' credits.

## **6. HoldUp Youth Committee Update**

With eight new committee members in 2021, the HoldUp Youth Committee consists of eleven young people aged between 13-23 years. This passionate and committed team of young people is a good representation of youth across the city and have established a solid platform for the planning and implementation of youth led activities and projects within the City of Holdfast Bay.

Most notably, in the first 6 months of this year, this committee has run the first large scale E-sports tournament in the City of Holdfast Bay and delivered a series of PC building workshops through the innovative recycling of electronic waste and peer to peer learning. Both these events were held in collaboration with the City of Marion Youth Committee and engaged over 350 young people.

The committee is currently leading the review of the Youth Policy and will table the policy for council endorsement at a meeting in October.

## **7. Youth Development – Pilot Program**

The Community Wellbeing, Libraries and Innovation & Technology teams are collaborating on a pilot project to activate the Glenelg Community Centre on a Wednesday afternoon between 3.30pm – 5.30pm. The project aims to provide youth focused activities targeting young people aged 12-18 years during term 4 (11 October to 10 December 2021). It is envisaged that the space will be an 'innovation centre/maker space' with a key focus on technology, in order to utilise the vast array of equipment that the library has on offer. A full report detailing the result of the pilot project will be tabled at a council meeting early in 2022.

## **8. Memorial to Recognise Impacts of War – Update on progress**

Following Council Resolution C130721/2345, which included the installation of memorial plaques honouring soldiers who continue to suffer psychological trauma as a result of service, administration confirms that plaques were inlaid in the ground

at the Brighton Memorial Arch and the soldiers' memorial in Moseley Square in September 2021.

The Local Heroes Memorial wall at the William Kibby Veterans Shed is currently in progress, with work estimated to be completed in time for Remembrance Day in November 2021.

#### **9. Post COVID Kick Start Project**

The City of Marion is currently auspicing a joint regional project that is grant funded through the Age Friendly SA Grants program.

The project aims to engage older people who have self-identified as becoming socially isolated and physically deconditioned over the last 12 months as a direct result of the isolation and restrictions brought about by the Covid-19 pandemic. Most recognise they have lost confidence and are anxious to reengage in community activities or address their decline.

Working in partnership with Southern Cross Care, the cities of Mitcham, Marion, Onkaparinga and Holdfast Bay will identify older residents who may be suitable candidates for a short-term intervention that relies on Allied Health interventions to help them regain confidence and functional capacity to re-engage with programs and activities in their local community. This intensive, time limited and goal-focused intervention will allow clients to quickly experience benefits to their physical and psychological wellbeing.

The re-engagement project aligns with State Government's Plan for Ageing Well 2020 -2025 that acknowledges the impact of the COVID-19 pandemic on older people, and the need to support ageing in place, meaningful connections in local communities and building resilience. The project will also support active participation of older people in our local communities that will challenge subtle and underlying attitudes of ageism.

# Attachment 1



Community Alliance SA Inc  
PO Box 520  
Goodwood, SA 5034  
ABN: 56 505 508 381

Engaging for Reform



24<sup>th</sup> September, 2021

Mayor Amanda Wilson  
Brighton Civic Centre  
24 Jetty Road  
BRIGHTON, SA.

[council@holdfast.sa.gov.au](mailto:council@holdfast.sa.gov.au)

Dear Mayor Wilson

We write to you to you to express our deep concern over the lack of local government representation and loss of democratic processes evidenced within the current state wide planning system.

These are enshrined in the *Planning, Development and Infrastructure Act 2016*, Regulations and Planning & Design Code (Code). As a result, councils and residents have lost a voice and a balanced structure of local/state partnerships in planning significantly through:

- The membership of the State Planning Commission lacking **unconflicted** representation of local government and community
- Development assessment processes removed from council as the local planning authority except for financial responsibility of implementing and operating Assessment Panels and undertaking compliance
- Council Assessment Panels membership of elected members reduced to one from three, with four independent members.
- Local participation in development assessment significantly reduced through lack of notification, loss of rights of representation and appeal provisions
- Loss of prior council strategic planning and policy content in the Code, resulting in in a Code that does not reference local council strategic planning that addresses heritage, infrastructure, public health, economic, social and environmental services issues.



Can you help to change this situation? We ask that your council consider the following recommendation :

*That the Greater Adelaide Regional Organisation of Councils (GAROC) considers the following motion at its next meeting:*

**MOTION**

*The LGA calls on the State Government for an independent and comprehensive review of the Planning Development and Infrastructure Act and associated documents with respect to maintaining effective and defensible democratic process related to:*

- 1. Local participation in planning*
- 2. Local government representation in planning*
- 3. The protection of local heritage places and items; and*
- 4. The preservation of neighbourhood character through consideration of appropriate design principles*

By actioning this suggestion prior to the state election, all stakeholders can be clear about the support candidates will have with respect to democratic processes in planning.

We submit that our members and supporters have consistently raised concerns over the manner in which the planning reform process has ignored specific concerns regarding engagement, lack of acknowledgement to loss of notification and comment for development proposals, and the excessive costs expended by the SPC. There has been little inclusive and thorough training of the public and councils prior to activation of the Code. Consequently the activation involved a premature and problematic on-line system, with the Commission ignoring submissions raising key concerns, inclusive of process, heritage content and climate change response.

We ask this on behalf of our members. The Community Alliance SA Inc (CASA) is an umbrella organisation for over 35 residential action groups in South Australia. CASA was formed in 2011 following a number of controversial Ministerial Development Plan Amendments that caused widespread community concern. We advocate for our member groups, including lobbying for reform of government, planning and related legislation, and for genuine community engagement.

We would be grateful if you could respond to this request, and are available should you have any further questions,

Yours sincerely



Dr Iris Iwanicki  
PhD, [M.Env.Law](#), GDTP, BA, M.ICOMOS, Life Fellow RPIA  
President, Community Alliance SA Inc.  
Board Member, Graham F. Smith Peace Foundation Inc.  
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Cc: CEO, City of Holdfast Bay

# Attachment 2



GA-D00000065

Mayor Amanda Wilson  
City of Holdfast Bay  
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Dear Mayor Wilson

**Re: Release of Green Adelaide's Regional Landscape Plan 2021-26 and Annual Business Plan 2021/22**

On behalf of the Green Adelaide Board, I would like to thank your Council for its input into the development of our inaugural Regional Landscape Plan 2021-2026. It is an important first step in our pathway towards 'a cooler, greener, wilder, and climate resilient Adelaide that celebrates our unique culture'.

Over 700 people were actively involved in our engagement process that comprised a community forum, targeted stakeholder workshops, conversations with young people, a survey, webinar and social media campaigns. You can find out more about the engagement process, what we heard and how we responded in our [Consultation Report](#).

I am pleased to advise that the Minister for Environment and Water has approved Green Adelaide's [Regional Landscape Plan 2021-26](#) and [Annual Business Plan 2021/22](#) for public release.

Our annual business plan outlines how Green Adelaide will allocate its funding this financial year to implement programs and projects across its region. The consultation feedback that we received on potential project ideas has helped inform the preparation of this year's annual business plan. This feedback will also be used to inform the development of future annual business plans.

The Board has also prepared an [A3 summary](#) of its Regional Landscape Plan and the projects to be delivered in 2021/22. To discuss further, please contact Brenton Grear (Green Adelaide Director) via 0428 823 622 or [Brenton.Grear@sa.gov.au](mailto:Brenton.Grear@sa.gov.au).

We look forward to further building on our partnership with your Council as the Board embarks on the delivery of this ambitious vision.

Yours sincerely

A handwritten signature in blue ink that reads "Chris Daniels".

**CHRIS DANIELS**

Presiding Member, Green Adelaide

30 / 9 / 2021

Cc. Mr Roberto Bria



# GREEN ADELAIDE

## Regional Landscape Plan

Consultation Report | June 2021







*Smoking ceremony before the Community Forum – 7 April 2021*

### **For further information**

**Green Adelaide**  
**Department for Environment and Water**  
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# 1. Executive summary

## About Green Adelaide

The Green Adelaide (GA) region and Board are established under the *Landscape South Australia Act 2019*. The board is an expert, skills-based board charged with achieving positive and innovative environmental outcomes across metropolitan Adelaide.

GA's region spans 17 metropolitan councils (from Gawler River in the north to Sellicks Beach in the south) and covers about a third of Gulf St Vincent. GA will deliver practical outcomes across seven key priorities.

Under the Act, Green Adelaide is required to develop a Regional Landscape Plan to set its five year strategic direction. The initial draft was based on feedback from: the NRM system reform consultation (2018), initial GA stakeholder consultation (in mid-2019) and further stakeholder consultation (in late 2020).

## Broad consultation on the draft Regional Landscape Plan

The draft plan was released for broad community and stakeholder consultation from 10 March 2021 to 20 April 2021. The engagement objectives included:

- testing and refining the draft plan (including: vision, goals, focus areas and performance indicators)
- identifying key project concepts and collaboration opportunities for future annual business plans
- discussion with key stakeholders and potential partners about how Green Adelaide can best undertake future planning and collaboration
- raising the profile of Green Adelaide (which began as a new governmental organisation in July 2020).

The following engagement activities were undertaken:

- a Cooler, Greener, Wilder community forum (175 people in person; 112 people engaged online)
- four targeted stakeholder workshops (110 people across the four workshops)
- conversations with young people (40 young people from six pre-schools and schools)
- an online YourSAY survey (223 people responded) and discussion page (14 people participated, 19 comments)
- an online information session (13 people attended)
- social media (reach of 33,380 people).

In total, 42 written submissions were received in addition to the above.

## Engagement outcomes

Key parts of the draft Regional Landscape Plan which received feedback during consultation were Green Adelaide's proposed:

- vision
- iconic projects (i.e. projects needing multiple partners and large scale)
- seven priorities (including narrative, key focus areas and outcomes)
- role in regards to each of the seven priorities
- outcome indicators.



Numerous potential project ideas were received across the seven different priorities – these have also been captured in this consultation report for consideration in the 2021-22 Annual Business Plan and future annual business plans.

## Green Adelaide's Vision

Overall, there was strong support for the draft vision. It received 4.6 stars on average (out of 5) from online survey respondents. Feedback highlighted the urgency and appetite for action. Many respondents saw how well the vision contributed significantly to human wellbeing and connections with nature, biodiversity and water sensitive urban design.

The vision was also seen as an anchor point for the ongoing relationship between the Kaurna community and Green Adelaide (along with other people / communities of Green Adelaide). It has therefore been strengthened to recognise the importance of Kaurna knowledge and relationships:

'Green Adelaide's vision is for a greener, cooler, wilder and climate-resilient Adelaide **that celebrates our unique culture**'.

## Iconic projects

There was strong support for all of the proposed iconic projects, with feedback received regarding the scope and other details. For example, online survey results found overwhelming support, particularly for the proposed 'Greening our streets and backyards' project for which it was suggested there should be a focus on both public and private open space.

'Rewilding our rivers and coastline' also received very strong support, with many locations for on-ground works and a focus on a few large projects suggested. It was also recommended that this project be broadened beyond just rivers and coastlines. The project has therefore been renamed to 'Rewilding our landscapes'. 'Making Adelaide a National Park City' and 'Reigniting culture' were supported well, however feedback suggested further understanding of these projects is required.

## Seven priorities

Support for Green Adelaide's proposed key areas of focus across each of its seven key priorities was strong – over 80% for all proposed areas. Several wording changes to focus areas and outcomes were suggested (and have been adopted for the final version of the Regional Landscape Plan).

Words that described the 'role' in some focus areas – for example, 'encourage' or 'facilitate' – was commented on as being too passive across many of the priorities (and has been made stronger where deemed appropriate).

The interconnectivity of priorities and focus areas was also commented on, in particular for nature education which runs across the other priorities.

## Green Adelaide roles

Some feedback was received in relation to the roles and responsibilities of the Green Adelaide Board, with questions raised as to whether it has actual political power or is just an advisory body.

Many stakeholders, in particular local government, would like Green Adelaide to lead real change in important environmental issues in the urban environment across State Government. Others recommended the board be careful to avoid duplication and look to influence and enable others wherever possible.

## Measuring our impact

Measurement of GA's outcomes received significant feedback, in particular the need for measurable targets and indicators. Coordinated data collection and evaluation was considered particularly important in this regard with GA taking the lead on collection, synthesis, analysis and sharing of data.

It was also suggested that GA's 'Performance Framework' be linked to other State Government and Commonwealth Government reporting, such as the urban green cover canopy target in *The 30-Year Plan for Greater Adelaide*, and *State of the Environment* reporting. In addition, in recognition of the importance of monitoring its progress and to meet legislative requirements, GA has developed a separate stand-alone Performance Framework. This framework will be available on its website.

## Overall

Overwhelmingly, feedback has been enthusiastic, determined and positive. The engagement process has unearthed a willingness and openness to new opportunities and a growing sense of urgency that the board needs to get this 'right' for future generations.

There was optimism about the creation of GA, and what may be possible over the coming years through partnerships for collective action. The challenge now is to bring this to fruition.

This report details the feedback received (as well as changes to the Regional Landscape Plan in response). Feedback on potential project ideas has been considered as part of the preparation of GA's 2021-22 Annual Business Plan and will also inform the development of future annual business plans.

Comments about how to measure Green Adelaide's progress have informed the preparation of GA's Performance Framework.

## 2. Introduction

This consultation process focused on the preparation of the inaugural Regional Landscape Plan for Green Adelaide. Formal consultation on the draft Regional Landscape Plan commenced on Wednesday 10 March and concluded on Tuesday 20 April 2021.

This report covers the:

- engagement approach and process (including who participated)
- key themes heard from the submissions and other feedback methods
- key recommendations in response to the consultation outcomes\*.

\* The consultation outcomes have also provided valuable input into Green Adelaide's preparation of the associated Performance Framework (2021-26) and the upcoming annual business plan (2021-22). It will also inform preparation of future community material and annual business plans.

## 3. Background

Green Adelaide (GA) is one of nine landscape boards. It was created on 1 July 2020 under the *Landscape South Australia Act 2019*, following a range of reforms to the natural resource management (NRM) system.

Green Adelaide's region spans 17 metropolitan councils (from Gawler River in the north to Sellicks Beach in the south) and about a third of Gulf St Vincent. You can view the Green Adelaide region boundary and local council areas on this interactive map ([www.environment.sa.gov.au/topics/green-adelaide/region-map](http://www.environment.sa.gov.au/topics/green-adelaide/region-map)).

For the first time, metropolitan Adelaide has a government organisation sharply focused on making progress towards a climate-resilient and ecologically vibrant city stretching from the hills to the sea.

The Act requires the Green Adelaide Board to prepare a five-year Regional Landscape Plan to deliver practical outcomes across the seven key priorities (see Figure 1).

The draft Regional Landscape Plan was developed based on feedback from:

- the NRM system reform consultation during 2018
- stakeholder\* consultation during mid 2019
- stakeholder\* consultation during November and December 2020.

\*Stakeholders included representatives from local councils, government agencies, the environmental sector, industry peak bodies and Warpulai Kumangka (Green Adelaide's Kurna Advisory Group).

Green Adelaide is primarily funded by the Landscape Levy, which is collected through local councils. The levy is paid by all ratepayers across the state to fund their local landscape boards to protect and enhance the environment.

The levy recognises that all residents and landowners have important roles and responsibilities around enjoying, managing and protecting our landscapes. Everyone across the region is both an investor and a beneficiary.

Figure 1: Green Adelaide's seven priorities

# Green Adelaide will deliver practical outcomes across seven key priorities



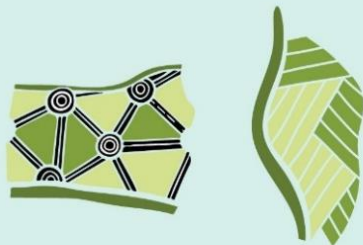
## Coastal management

We will conserve and restore Adelaide's unique coastline to benefit our way of life, our economy and provide vital habitat for native plants and animals.



## Water resources and wetlands

We will protect, enhance and restore Adelaide's water resources (our rivers, wetlands and lakes) to help preserve these essential ecosystems and the wildlife that call them home.



## Green streets and flourishing parklands

We will increase tree canopy cover and green spaces to create cooler urban areas that encourage biodiversity and improve community health and wellbeing.

## Biodiversity sensitive and water sensitive urban design

We will build industry and community capacity to design cooler, greener and nature-friendly developments and infrastructure.



## Fauna, flora and ecosystem health in the urban environment

We will create more urban spaces for plants and animals to thrive in which in turn provides people a better quality of life.



## Controlling pest animals and plants

We will help coordinate management of invasive pests to support an Adelaide that is rich with healthy biodiversity.



## Nature education

We will grow nature and sustainability education in Adelaide to support children and adults to connect with the environment.



# 4. Engagement approach

## 4.1 Engagement objectives

Engagement objectives were to test and refine elements of the draft Regional Landscape Plan, in particular:

- Green Adelaide's proposed vision, goals and key focus areas
- understanding metropolitan Adelaide's environmental opportunities and challenges
- the role of Green Adelaide in achieving its vision and working with its partners
- proposed decision making criteria to prioritise funding in future annual business plans
- how success is measured e.g. five year and annual performance indicators.

The engagement process also aimed to generate interest from stakeholders to work with the newly formed board.

The consultation process also informed Green Adelaide's annual business planning process through:

- providing an opportunity to identify potential new projects, and prioritising which existing ones to continue
- identifying how Green Adelaide can deliver future planning and collaboration.

## 4.2 Approach and outreach

There were two key stages of engagement: pre-release engagement and formal engagement.

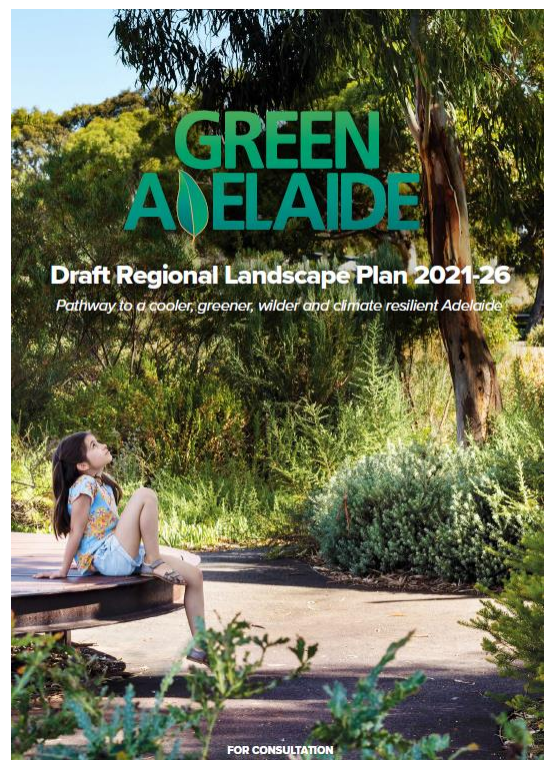
### Pre-release engagement – October / November 2020

This stage focused on seeking input from key stakeholders to inform the development of the draft Regional Landscape Plan. Activities included:

- workshops with Warpulai Kumangka (Green Adelaide's Kurna Advisory Group)
- regional workshops with local government chief executive officers and mayors
- online workshop and meetings with representatives from local councils, government agencies, the environmental sector and industry peak bodies.

### Broad engagement – March / April 2021

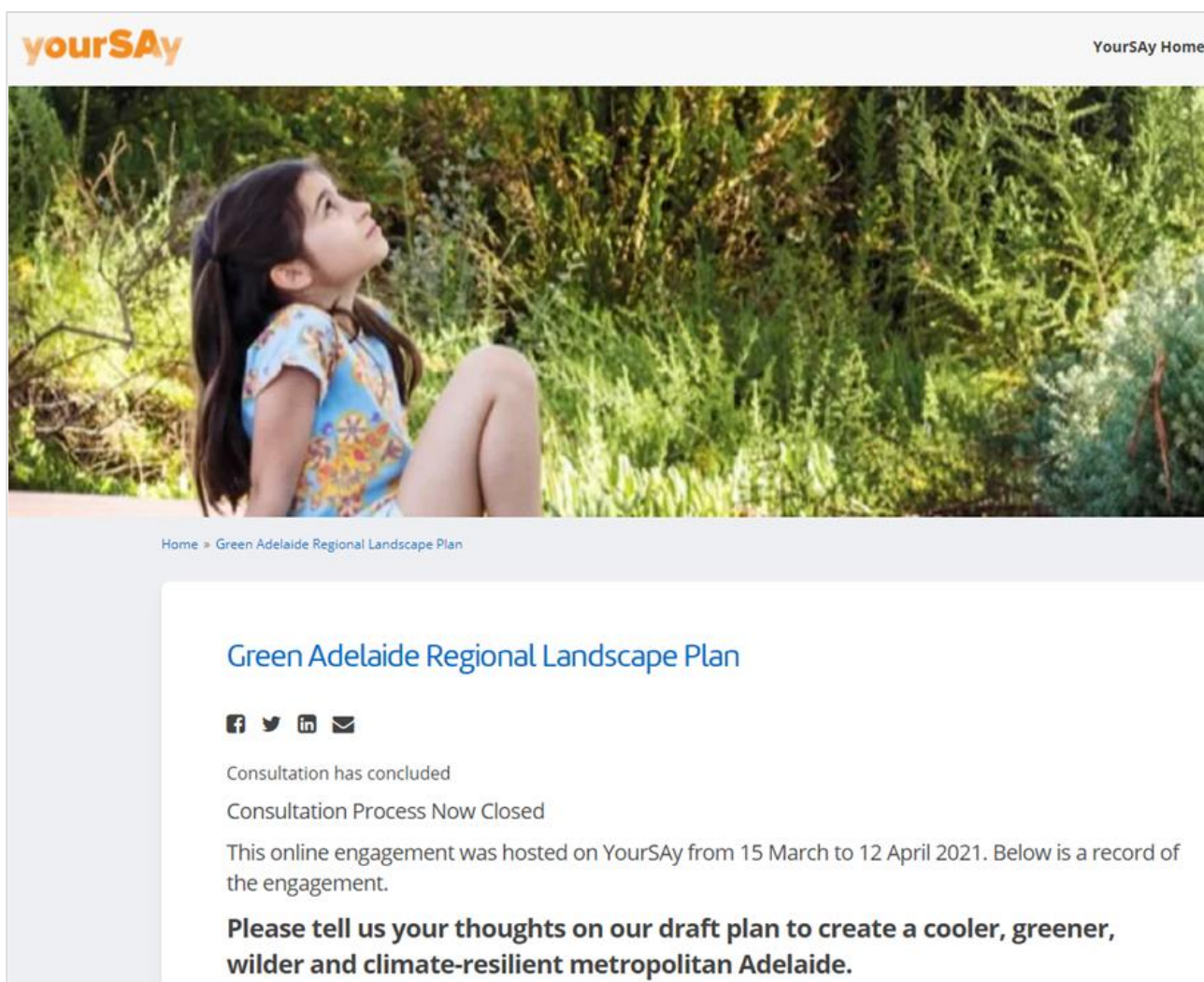
Broad engagement sought community and stakeholder feedback on the draft Regional Landscape Plan. The draft plan was made available on the YourSAy website and accompanied with background information, a draft summary of the plan, other supporting communication materials and links to engagement activities.



Communication tools included:

- A3 summary of the draft plan
- YourSAy webpage page
- two videos introducing Green Adelaide priorities
- one video explaining the Kaurna inspired artwork depicting Green Adelaide's vision
- 31 posts on Facebook and Instagram, including Facebook Live, Stories at the forum, Instagram TV videos and Feed posts.
- two ads in the Sunday Mail and The Advertiser
- emails to targeted stakeholders
- word of mouth through stakeholder networks.

The broad engagement activities are summarised in Table 1 overleaf.



yourSAy YourSAy Home

Home > Green Adelaide Regional Landscape Plan

## Green Adelaide Regional Landscape Plan

[f](#) [t](#) [in](#) [✉](#)

Consultation has concluded  
Consultation Process Now Closed

This online engagement was hosted on YourSAy from 15 March to 12 April 2021. Below is a record of the engagement.

**Please tell us your thoughts on our draft plan to create a cooler, greener, wilder and climate-resilient metropolitan Adelaide.**

Table 1: Engagement activities undertaken during consultation on Green Adelaide's draft Regional Landscape Plan

Type of activity	Engagement activity	Date / place	Participants
<b>YourSAy online consultation hub</b>	Online survey	10 March – 20 April 2021, via Survey Monkey	Open to everyone 223 people responded
	Written submissions	10 March – 20 April 2021, via email dew.greenadelaide@sa.gov.au	Open to everyone 42 submissions received
	Online discussion	10 March – 20 April 2021, via YourSAy website	Open to everyone 14 people participated 19 comments received
<b>Online information session</b>	<p>Online presentation and Q&amp;A, with Green Adelaide's:</p> <ul style="list-style-type: none"> <li>• Presiding Member, Professor Chris Daniels</li> <li>• Deputy Chair, Dr Felicity-ann Lewis</li> <li>• Director, Brenton Gear</li> </ul>	6 pm to 8.30 pm, 23 March 2021, via Zoom	Open to everyone 13 people attended
<b>Targeted stakeholder workshops</b>	Wilding	10 am to 1 pm, 29 March 2021	Targeted stakeholders
		Osmond Terrace Function Centre 97 The Parade, Norwood	31 people registered <ul style="list-style-type: none"> <li>• Local government (11 people)</li> <li>• State government (9 people)</li> <li>• NGO (6 people)</li> <li>• Tertiary education (4 people)</li> <li>• Social enterprise (1 person)</li> </ul>
	Nature education	9.30 am to 12.30 pm, 30 March 2021	Targeted stakeholders

Type of activity	Engagement activity	Date / place	Participants
		Eliza Hall 128 Prospect Road, Prospect	30 people registered: <ul style="list-style-type: none"> <li>• NGO (9 people)</li> <li>• Tertiary education (5 people)</li> <li>• Local government (4 people)</li> <li>• Nature based business (4)</li> <li>• State government (4 people)</li> <li>• Social enterprise (2 people)</li> <li>• Community (1 person)</li> </ul>
Urban greening		9.30 am to 12.30 pm, 31 March 2021 National Wine Centre Corner of Botanic and Hackney roads, Adelaide	Targeted stakeholders 41 people registered <ul style="list-style-type: none"> <li>• Local government (22 people)</li> <li>• State government (7 people)</li> <li>• Tertiary education (5 people)</li> <li>• Community group (3 people)</li> <li>• Social enterprise (2 people)</li> <li>• NGO (2 people)</li> </ul>
Kaurna perspectives		10 am to 1 pm, 1 April 2021 Thebarton Community Centre corner South Road and Ashwin Parade, Torrensville	Targeted stakeholders 14 people registered <ul style="list-style-type: none"> <li>• Local government (8 people)</li> <li>• Aboriginal business (2 people)</li> <li>• Kaurna community (2 people)</li> <li>• Heritage business (1 person)</li> <li>• Energy business (1 person)</li> </ul>



Type of activity	Engagement activity	Date / place	Participants
<b>Conversations with young people</b>	<p>Interviews with groups of young people</p> <p>See video recap on young people's views (4:45): <a href="https://www.youtube.com/watch?v=NYvnmz77FM4">youtube.com/watch?v=NYvnmz77FM4</a></p>	<ul style="list-style-type: none"> <li>• Between 10 March – 20 April 2021</li> <li>• government schools</li> <li>• catholic schools</li> <li>• independent schools</li> </ul> <p>From northern, central and southern parts of the Green Adelaide region</p>	<p>Young people</p> <ul style="list-style-type: none"> <li>• 40 people from six pre-schools and schools (aged between 4 and 18 years)</li> </ul>
<b>Cooler, greener, wilder – community forum</b>	<p>Panel discussion followed by workshop. Panellists:</p> <ul style="list-style-type: none"> <li>• Professor Chris Daniels, Presiding Member GA</li> <li>• Aunty Lynette Crocker, Kurna Elder</li> <li>• Sophie Thomson, Gardening Commentator, Sophie's Patch</li> <li>• Mellissa Bradley, Program Manager Water Sensitive SA</li> <li>• Dr Sheryn Pitman, Programme Manager Inspiring South Australia, at SA Museum</li> <li>• Daniel Bennett, President SA Chapter Australian Institute of Landscape Architects</li> </ul> <p>Panellist discussion was also streamed online via Facebook Live, see recording (1:38:29) here:</p> <p><a href="https://www.facebook.com/watch/live/?v=289768479190239&amp;ref=watch_permalink">facebook.com/watch/live/?v=289768479190239&amp;ref=watch_permalink</a></p> <p>See recap video (2:35): <a href="https://www.youtube.com/watch?v=a9FH1wc_GK0">youtube.com/watch?v=a9FH1wc_GK0</a></p>	<p>6 pm to 8.45 pm, 7 April 2021</p> <p>Sanctuary Adelaide Zoo</p> <p>Plane Tree Drive, Adelaide</p>	<p>Open to everyone</p> <p>Sold out to 200 people</p> <ul style="list-style-type: none"> <li>• Participants attended in person: 175</li> <li>• Online engagement: <ul style="list-style-type: none"> <li>○ 112 people engaged (e.g. through comments, shares, likes)</li> <li>○ peaked at 50 viewers at one time</li> <li>○ 3.8k News Feeds on Facebook</li> </ul> </li> </ul>

Type of activity	Engagement activity	Date / place	Participants
Social media	Facebook	10 March – 20 April 2021, via <a href="https://facebook.com/GreenAdelaide">facebook.com/GreenAdelaide</a>	<ul style="list-style-type: none"> <li>• Reach of 31,807 people</li> <li>• Engagement of 1913 people (includes link clicks, reactions, likes, shares, comments and shares)</li> <li>• 115 comments on posts (excluding shares of our posts)</li> </ul>
	Instagram	10 March – 20 April 2021, via <a href="https://instagram.com/greenadelaidesa">instagram.com/greenadelaidesa</a>	<ul style="list-style-type: none"> <li>• Reach of 1573 people for Feed posts</li> <li>• 8 comments</li> </ul>



*Photos from the Community Forum – 7 April 2021*



# 5. Analysis of consultation outcomes

This section of the report outlines the findings of the consultation process and subsequent refinement of the Regional Landscape Plan under the following categories:

- vision
- Kurna
- these seven priority areas:
  - Coastal management
  - Water resources and wetlands
  - Biodiversity sensitive and water sensitive urban design
  - Green streets and flourishing parklands
  - Fauna, flora and ecosystem health in the urban environment
  - Controlling pest plants and animals
  - Nature education
- iconic projects
- measuring impact
- other issues raised.



Photos from the Community Forum – 7 April 2021

## 5.1 Vision

Overall, the appetite and enthusiasm for the draft vision was strong.

For many, the vision also highlighted the urgency and appetite for action arising from the recognition that human life is dependent on nature. The notion of 'Leaving a legacy for the next generation' echoed through many of the comments received on the vision.

The theme of 'greening' a city ran through many comments received on the vision. This included the importance for thriving ecosystems, biodiversity corridors, noises of fauna (not just vehicles) and living coasts and waterways.

The vision was also seen as contributing significantly to:

- the wellbeing of the population
- improved biodiversity and actions that addressed species loss
- the role that nature can play in connecting people and communities to the environment
- biodiversity and water sensitive design.

However, for a small number of attendees, it was perceived that emotive language is missing from the vision (love... beauty... lushness).

There was also the note by some attendees that for the vision to come to life, legislative and institutional change will need to occur. Many saw Green Adelaide playing a central role in achieving these shifts over time.

Other comments / observations included widespread recognition that Green Adelaide's vision could lead to economic benefits, playing a key role in food, energy and water security.

The vision was also seen as an anchor point for the ongoing relationship between the Kurna community and Green Adelaide (and other people / communities of Green Adelaide).

A recognition and valuing of Kurna knowledge and the role of education came through clearly. Participants at the Kurna Stakeholder workshop suggested that recognition of this explicitly in the vision would be valuable.

### **Green Adelaide's vision of 'A cooler, greener, wilder, and climate resilient Adelaide' received a high level of support from on-line survey respondents (4.5 weighted average out of 5)**

***[the Vision] promises a partnership and collaborative approach***

***The Vision promises a future for the city ... otherwise I'm off to Tasmania!***

***A voice for nature in our future!***

***It is hopeful and I want to be part of it!***

***I am very excited to see the words 'cooler, greener, and wilder' within the vision!***

***The vision represents a connection to nature in a pleasantly liveable city and community***

***A city dripping in local greenery! A place with diverse plants and non-plant life... beautiful....***

***The vision will need cultural change, institutional change, legislation and upscaling of systems***

***Be single minded in delivery of the vision – challenge and remove barriers to implementation***

***Ensure that we see and value nature as not only 'nice to have' but important, integral and a mandated part of experience, planning and decision making***

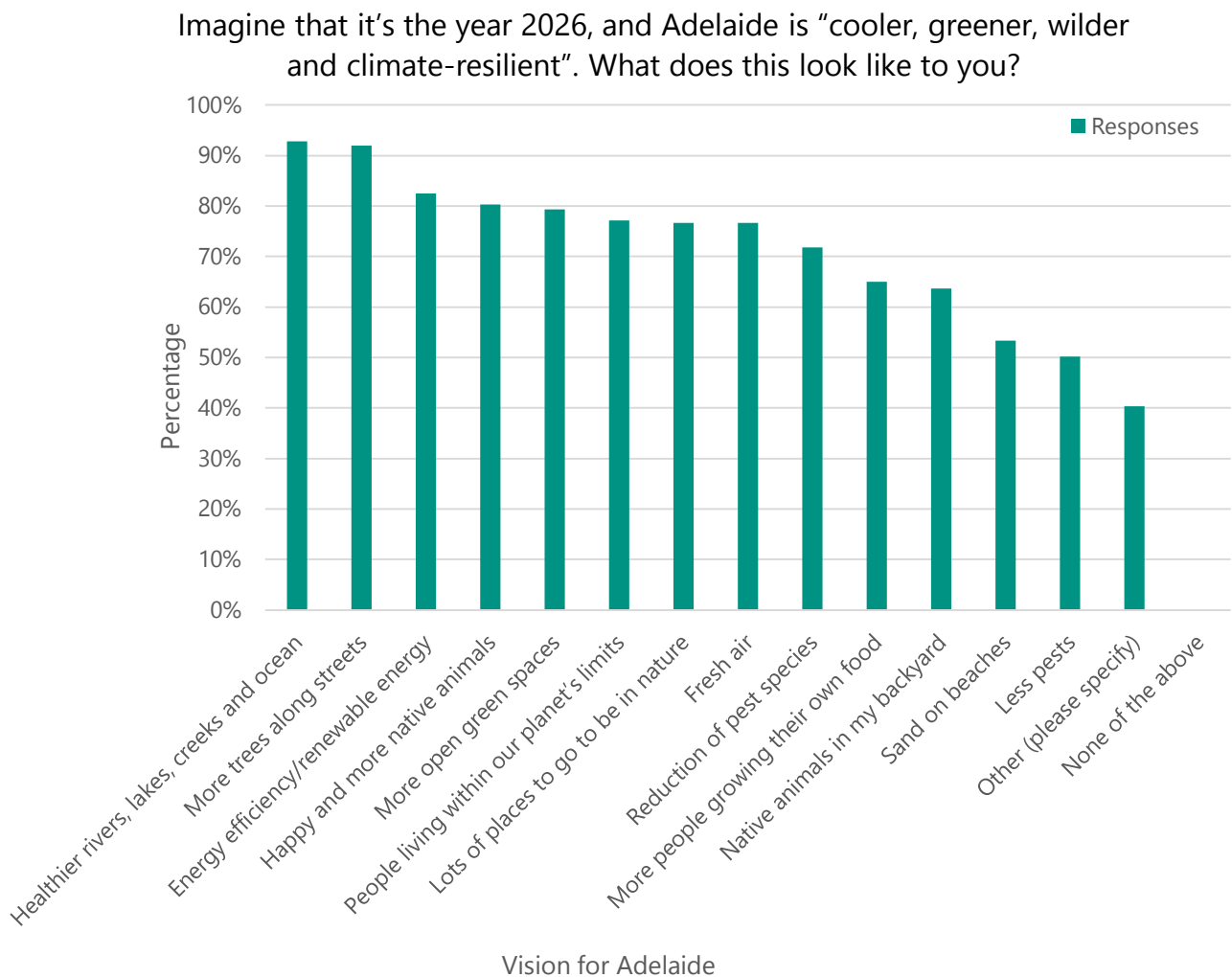
***The board's vision is great / beautiful / well categorised with the potential to support / identify the many complex threads of actions needed....***

Stakeholder and community forums  
Online survey respondents

Online survey respondents were also asked to imagine what metropolitan Adelaide would look like in five years if the vision to be cooler, greener, wilder and climate-resilient was achieved.

Respondents were able to select as many options as they liked. Figure 2 shows that the top three elements were healthier rivers, lakes and creeks, more tree lined streets and more energy efficiency / use of renewables.

Figure 2: Online survey question about how respondents saw Green Adelaide's vision being achieved



Refer to the appendices for more detailed feedback received from the stakeholder workshops, community forum, submissions and online survey.

### Response

Due to the high level of positive feedback received regarding the vision, no amendment will be made except the following:

'Green Adelaide's vision is for a cooler, greener, wilder and climate-resilient Adelaide **that celebrates our unique culture**'.

## 5.2 Kurna

The focus on Kurna within the draft plan was well supported throughout consultation. In particular, it was recommended that the vision should include reference to culture. This would complement the visual representation of the board's seven key priorities, by Allan Sumner, which was seen as a powerful symbol of the interconnection of the priorities across the Green Adelaide landscape.

The following key feedback was received:

- The location of the recognition for Kurna Miyurna and Yarta at the back of the plan is perceived to be detrimental to the ongoing relationship with the Kurna community. It was suggested several times throughout consultation that this be moved to the front of the plan.
- It is recognised and valued that the GA Board and staff are working hard to 'walk together' (Warpulai Kumangka). There is a desire, in particular among local government partners, to continue to explore how to build greater Kurna involvement into projects, and there is a significant opportunity to work through Warpulai Kumangka to do this.
- Linked to the above, there is a need for adequate and continued resourcing to increase Kurna capacity and allow for early, meaningful and ongoing engagement and relationship building. There is also a need to provide guidance to project partners on how best to work with Kurna.
- While the iconic project Reigniting Kurna Culture was supported, it was suggested that the name be changed to avoid interpretation that Kurna culture has been 'extinguished' or is not currently present. The ethos of 'ignite' is for everyone to benefit by embracing Traditional Knowledge.
- The importance of education of the general public was highlighted. Individuals commented that they would actively seek to learn more about Kurna history and culture.
- The plan can be strengthened through working with Kurna and expanding an appreciation and understanding for the interconnected relationship that humans have with the land (Kurna lore says that humans are physically and spiritually intertwined with Country/Yarta).
- Further references to Kurna throughout the plan would be useful if possible.
- Translation of all Kurna words in the plan were sought.
- Nature education can play a role in increasing the understanding and knowledge of Kurna culture, lore and language - it creates cultural safety.

***If it is expected that councils actively engage in a meaningful way, it would be helpful to have some protocols and capacity building included to enable this.***

Refer to the appendices for more detailed feedback from the stakeholder workshops (in particular the Kurna Stakeholder workshop), the community forum, submissions and online survey.

### Response

In response to feedback received during consultation, the following changes were undertaken to finalise the plan:

- the recognition of Kurna Miyurna and Yarta was moved to the front of the document
- the board's vision was amended to acknowledge the importance of culture i.e. the following text: '...that celebrates our unique culture'.
- the iconic project was renamed from 'Reigniting Culture' to 'Restoring Kurna Cultural Practices by Warpulai Kumangka' and the description text was updated
- more translation of Kurna place names was included.



## 5.3 Coastal management

### Feedback on the draft Regional Landscape Plan

Overall the goal and focus areas for this priority received a high level of support from respondents. For example, Figure 3 illustrates that the majority of online survey respondents 'strongly support' the proposed key focus areas for coastal management.

The following key feedback was received:

- Request that terminology is defined and more community education about new concepts e.g. blue carbon.
- Clarification was sought on what role GA plays in estuaries and blue carbon (including shellfish).
- More emphasis on the marine environment is needed.
- Concern that the plan only covers GA's footprint
- The importance of building knowledge through education and citizen science.
- Use stronger language e.g. 'enable or ensure', rather than 'facilitate'.
- Individual focus areas should have supporting action plans.
- Importance of continuing existing partnerships and referencing how GA will work with other relevant statutory bodies such as the Coast Protection Board.

Feedback was also received during the consultation process, seeking clarification about whether Green Adelaide could also focus on areas such as:

- reducing vehicles on beaches
- setting up fish protection areas and increase marine sanctuaries
- the emerging issue of microplastics
- sand carting and beach replenishment.

***How will our coastal habitat be protected (dunes, samphire, mangroves and wetlands and all associated species) that make it unique?***

Community Forum, 7 April

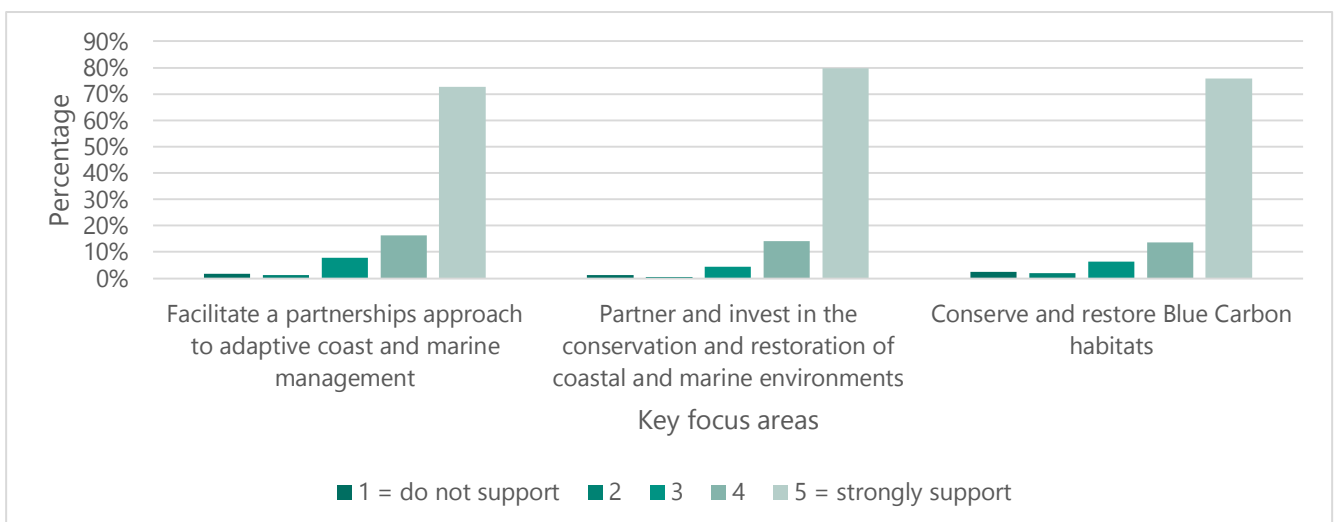
***Facilitate and promote systemic projects that engage systems e.g. rivers, coasts, specific ecosystems.***

***I imagine connected landscapes managed for biodiversity that are enjoyable for people and will take us into the future - well prepared for a changing climate.***

***A biologically diverse city where people are educated about what we have and are inspired to play their part in conserving.***

Wilding stakeholder workshop, 29 March

Figure 3: Level of support for the proposed focus areas for the Coastal management priority





## Ideas for future annual business plans

The consultation process also provided an important opportunity to hear feedback on potential project ideas as well as which existing programs/projects are vital to continue.

### Key suggestions included:

- Dune protection / stabilising.
- Living shoreline / biodiversity enhancement and protection.
- Introduction of stronger development controls in coastal area to protect habitat and vegetation.
- Catchment to coast (whole of catchment) need to be factored into all projects.
- GA to take a lead / more vocal role in policy and protection: opportunity (and urgency) to work more closely with councils to increase protection policy.
- Keep coastal habitat on the radar in 'green / biodiversity' conversations
- Importance of GA continuing to support existing partnerships.
- Continue to host external staff as enriching for all.
- Support science more as a communication tool.
- Identify and protect priority coastal biodiversity sites.
- Opportunity at Dry Creek for blue carbon, stormwater management and coastal ecosystem retreat.
- Support for the existing GA Coast and Seas programs.
- GA should take the lead on the review and implementation of a metropolitan coastal action plan.
- Protect St Kilda mangroves
- Provide incentives to citizens to e.g. pick up rubbish on beaches.
- Current gap on biodiversity loss along coast / marine environs (e.g. mangroves)... a role for GA is to strengthen the policy and legislation?
- Undertake research into blue carbon.
- Designation of coastal bird biodiversity hot spots at estuary sites.

For further detail about feedback relevant to the Coastal Management Priority, refer to the summaries of the stakeholder workshops, submissions and online survey results in the appendices.

## Response

In response to the feedback, the draft Regional Landscape Plan has been updated to include:

- a blue carbon definition
- more active language
- a new marine fast fact next to the map of the region.

Feedback received about potential project ideas will be used to inform the 2021-22 Annual Business Plan, as well as the development of future annual business plans.

Feedback from the consultation will also inform the preparation of future communication material, particularly where clarification about GA's role in a particular priority area needs further clarification.

## 5.4 Water resources and wetlands

### Feedback on the draft Regional Landscape Plan

Overall the goal and focus areas for this priority received a high level of support from respondents. For example, Figure 4 illustrates that the majority of online survey respondents 'strongly support' the proposed key focus areas for water resources and wetlands.

The following key feedback was received:

- Restoration, protection and establishment of wetlands to include a focus on the value of watercourses and what they provide for people and other species.
- Support for wetland development for multiple benefits (harvesting, stormwater clean-up and biodiversity).
- Strong support for GA leading the establishment of a clear governance framework for the management of waterways – there was concern raised that there was a lack of governance and coordination across the system (e.g. Torrens and Port rivers etc.).
- Consider use of alternative water sources (e.g. grey and black and whether legislative changes are required).
- Include a reference to the changing climate and the impacts on the water cycle and system.
- Focus area W2 won't meet its outcome if doesn't include specific capacity building targeting developers.
- Provide translation for Kaurna terms.
- Does GA manage invasive species in wetlands?
- Clarification was sought about GA's role in number of areas such as: water recycling, managing urban environmental flows, water quality and stormwater and water infrastructure.
- The recreational value of creeks and wetlands should be acknowledged and increased over time.
- Recommend particular consideration to remnant indigenous trees (and all other remnant flora).
- A distinction should be made between different management approaches which differ depending on the water resource and geographical location in question.
- Identify other water sources and resources, namely groundwater, blackwater and stormwater harvesting.
- Need to ensure actions include both private and public realm, and aim to increase the thinking that private property is part of the ecosystem and links public realm greening and water together.

***Rewilding of water courses (including drains and creeks) is exciting***

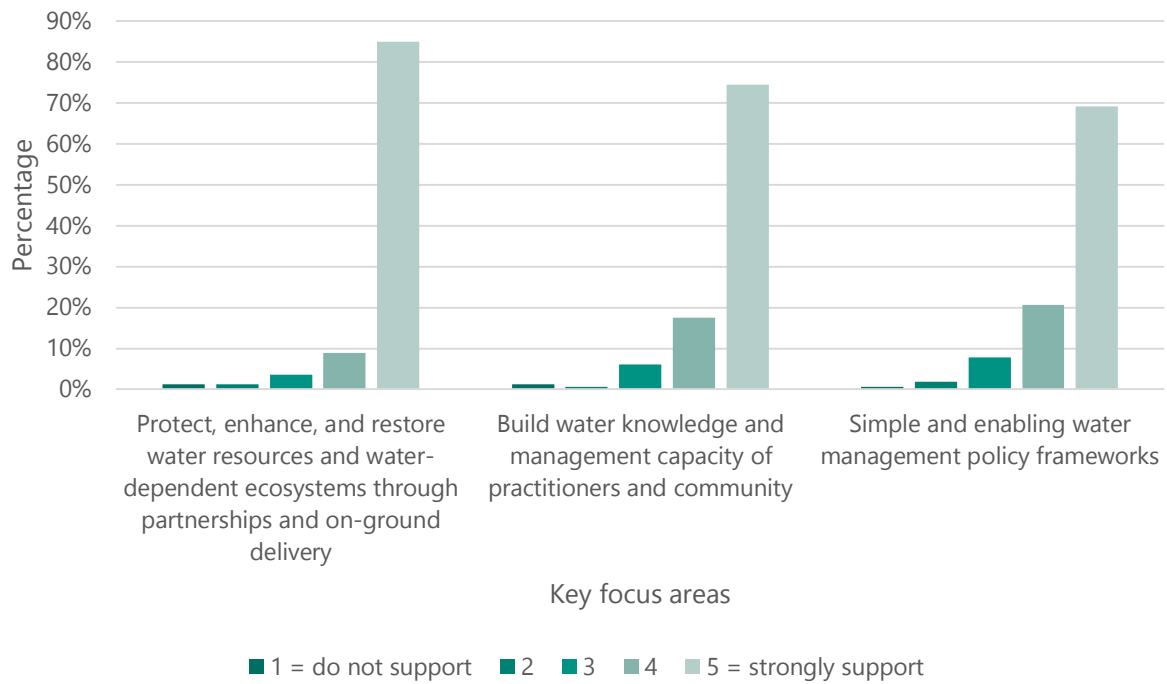
Wilding stakeholder forum, 29 March

***Leaving a legacy for future generations is exceedingly important***

Community forum, 7 April



Figure 4: Level of support for the proposed focus areas for the Water resources and wetlands priority



Refer to the appendices for more detailed feedback received from the stakeholder workshops, community forum, submissions and online survey.

## Response

In response to feedback received during consultation, the following changes were undertaken to finalise the plan:

- broaden the narrative by adding in a recognition of ‘...the importance of recreational and cultural values of water resources and wetlands’
- amend the W1 Outcome to add in ‘public and private realm’ to be explicit that covers both
- expand the list of stakeholders in Focus Area W2 to make explicit that it also includes a focus on capacity building for developers and local government
- amend the W3 Focus Area to add the word ‘influence’ to make it more active.

Feedback received about potential project ideas (including potential ‘iconic projects’) will be used to inform the 2021-22 Annual Business Plan, as well as the development of future annual business plans.

Feedback from the consultation will also inform the preparation of future communication material, particularly where clarification about GA’s role in a particular priority area needs further clarification.

## 5.5 Biodiversity sensitive and water sensitive urban design

### Feedback on the draft Regional Landscape Plan

Overall the goal and focus areas for this priority received a high level of support from respondents. For example, Figure 5 illustrates that the majority of online survey respondents 'strongly support' the proposed focus areas for biodiversity and water sensitive urban design.

The following key feedback was received:

- BSUD and WSUD play an important role in refugia across the urban landscape.
- Involvement of the community in BSUD and WSUD is essential if changes in values and behaviours is to occur.
- Misalignment between the *Planning, Development and Infrastructure Act* and what council and GA want - how do we merge this gap?
- Grants don't encourage collaboration.
- GA has a prospective role with partnerships.
- Mandate WSUD and BSUD in new development and transport corridors.
- Protection of trees needs to be embedded in development.
- Urban infill and climate change are core challenges to meeting WSUD and BSUD outcomes.
- Maximise habitat development everywhere: in yards, verges, green spaces, across neighbourhoods.
- This priority will only work if all players / parts of the development cycle are included and on board (engineers, architects, designers, developers and councils).
- BSUD is not a term widely used and understood in planning and development sector, so certainly support the focus area of building industry knowledge.
- How do we encourage nature in small spaces? e.g. backyards, verges, between buildings, in schools
- Expand BW2 to include urban greening as well as WSUD and BSUD outcomes.
- An industry perspective is that many developers are committed to implementing WSUD and the State Planning Commission has already undertaken considerable consultation and thus there is caution for any unnecessary additional changes.

***Focus on supporting people having 'experiences' of Wilding including in small spaces.***

***Need to reframe the thinking and design with wildlife in mind all the time.***

***That we see a green, lush and biodiverse environment that is climate resilient.***

Community forum, 7 April

***Recognise that BSUD is behind / lagging WSUD in terms of understanding and application.***

Urban greening workshop, 31 March

Figure 5: Level of support for the proposed focus areas for the Biodiversity sensitive and water sensitive urban design priority

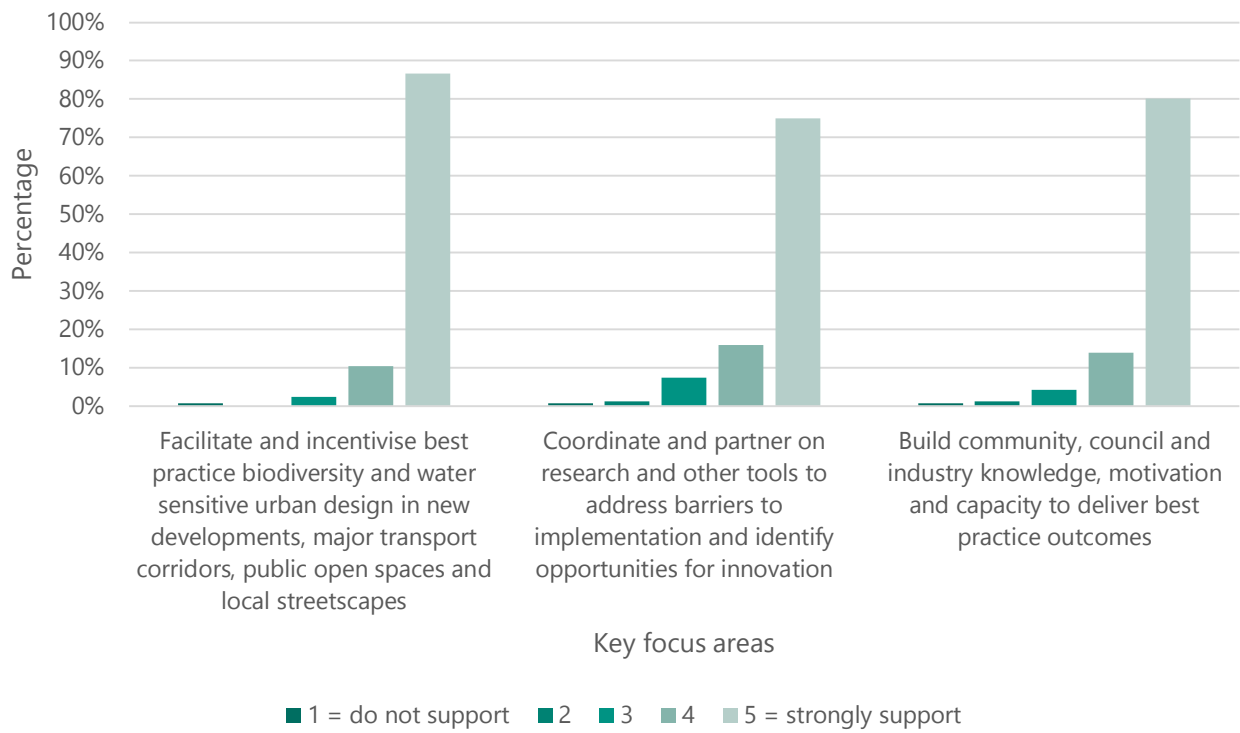


Photo from the Community Forum – 7 April 2021

## Ideas for future annual business plans

The consultation process also provided an important opportunity to hear feedback on potential project ideas as well as which existing programs / projects are vital to continue.

### Key areas for future project work included:

- Undertake biodiversity corridors linked with tree asset management.
- Develop incentives to promote this infrastructure and integration of systems.
- Develop a process to identify the best spots to undertake BSUD and WSUD.
- There is a huge opportunity to work with Renewal SA and City of Onkaparinga on a new large scale housing development.
- GA to work across government with other entities to a shared vision definition and implementation.
- Water Sensitive SA could be expanded to include BSUD.
- There is a need for more BSUD conversations - GA has a role in this (promoting / showcasing / bringing together etc.).
- Develop best practice guidelines (Water Sensitive SA already doing some of this).
- More master planning is required that promotes and supports integration of systems and elements: GA has a role to assist with bridging the policy gaps.
- Create a network of 'Mini Botanic Gardens' that include all of the elements that enhance passive and active education about biodiversity, ecosystems, human impact and habitat restoration.
- Work with developers and improve planning legislation.
- Develop pilot / iconic biodiversity sensitive and water sensitive urban design gardens.
- Create a green corridor through Adelaide – linking habitat.
- GA to lead advocating for changes to legislation that protects biodiversity and addresses climate change.
- Major multi-party initiatives to support greening along transit corridors and future major upgrades (e.g. South Road T2D) would be a key opportunity.
- Contribute to small-scale incentive / grant schemes for small scale WSUD on private property - support innovative ways of developing programs that can then be scaled.

Refer to the appendices for more detailed feedback received from the stakeholder workshops, community forum, submissions and online survey.

## Response

In response to feedback received during consultation, the following changes were undertaken to finalise the plan:

- inclusion of more active language in Key Focus Areas BW1 and BW2
- added 'urban greening' to BW2 to make sure it is explicit that GA will focus on solving implementation barriers and seizing opportunities to urban greening.

Feedback received about potential project ideas will be used to inform the 2021-22 Annual Business Plan, as well as the development of future annual business plans.

Feedback from the consultation will also inform the preparation of future communication material, particularly where clarification about GA's role in a particular priority area needs further clarification.



## 5.6 Green streets and flourishing parklands

### Feedback on the draft Regional Landscape Plan

Overall the goal and focus areas for this priority received a high level of support from respondents and the largest amount of feedback about project ideas. For example, Figure 6 illustrates that the majority of the online survey respondents 'strongly support' the proposed focus areas for green streets and flourishing parklands priority.

The following key feedback was received:

#### *GA provide leadership and coordination*

- To actively bring together diverse interests in urban greening.
- To support stakeholders to work together (rather than compete) to access grants and leverage impactful long-term change.
- On cross-agency and sector projects and provide financial support.
- In building greening capacity at the local neighbourhood level.

#### *Advocate for legislative change*

- The board is perceived to be in prime position to set long-term goals and to advocate for legislative change... to ensure greening is valued correctly (monetarily and personally).

#### *Recommended changes to the plan*

- Potentially a missing focus area is on the need to value, educate, promote and celebrate urban green cover.
- Highlight the economic value of greening to health and social equity.
- The *language is too soft*... it needs to focus on 'lead', 'drive', 'deliver' and 'create'.
- Discussion on water appears to be missing in this priority.
- Need to also focus on commercial development, car parks and backyards, not just infill development.
- Ensure climate resilience is explicit in the outcomes of G1 and G3.

#### *Other feedback*

- Need to emphasise the importance of working together.
- While councils are considering canopy cover, they also need to focus on ground cover / verges.
- Concern that urban infill development is being blamed for loss of greenery (industry group perspective).
- Get more industry representatives / developers to input to bring divergent views into the thinking.
- Council concern about the needs of SA Water and SAPN in regards to the planting / maintenance of street trees.

***Opportunities such as road corridors and changing mindsets of owners and developers are important.***

***A diversity of types of greening, including trees, irrigated open space. The right greening in the right place to achieve a broad range of outcomes.***

***Incentives for developers to provide green space and canopy.***

***A lack of plantable space is a leading barrier to achieving canopy cover target.***

***The aspiration of this is great but legislation works against it!***

Urban greening workshop, 31 March

Figure 6: Level of support for the proposed focus areas for Green streets and flourishing parklands priority

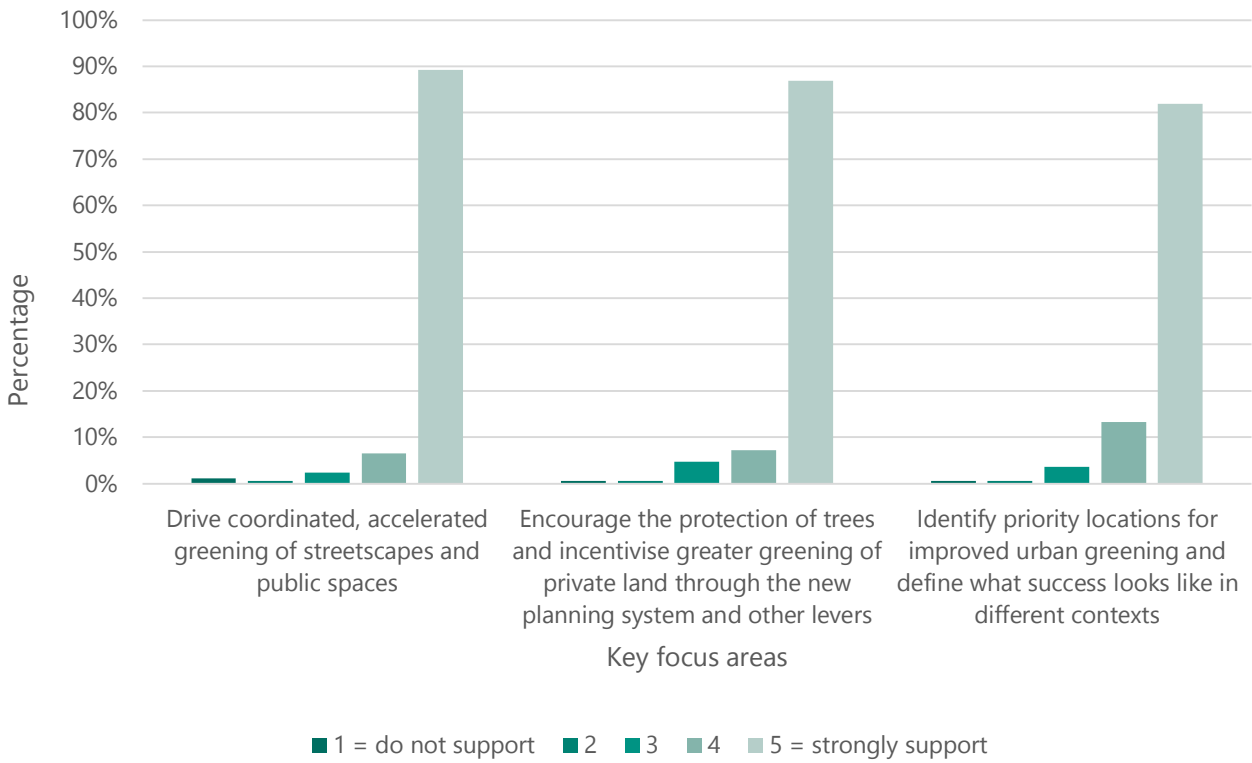


Photo from the Urban greening stakeholder workshop – 31 March 2021



## Ideas for future annual business plans

The consultation process also provided an important opportunity to hear feedback on potential project ideas as well as which existing programs / projects are vital to continue. The feedback for this priority focused significantly on the importance of Green Adelaide playing a leadership role and being clear about what role it would play working together with other government agencies and local government.

### Key areas for future project work included:

- Develop an overarching strategy/prioritisation of State Government investment for greening metropolitan Adelaide (geographically and temporally).
- Champion for a consistent approach to state leadership on green infrastructure, including: identifying a lead agency, green infrastructure leadership for State Government-led projects and proactive consultation on green infrastructure with local government and other relevant entities.
- Coordinate and communicate regional mapping of tree canopy / land surface temperature data trends.
- Develop a business case for State Government investment for a strong focus on green infrastructure.
- Important planning levers include: lower site cover ratios in developments; greater requirements for tree retention, planting and deep soil zones in developments; and accurately monetising the value of trees, vegetation and open green space for replacement and offsetting schemes.
- Shape legislation and policy e.g. through Planning and Design Code, strengthen the offset scheme, improve WSUD policy, develop new regional plans, review Significant and Regulation tree legislation, influence state infrastructure policy and include climate risk into all projects.
- Advocate for strategic use of offset scheme funds collected: consistent with overarching strategy.
- Advocate for legislative change: increased value on trees – significant / other valuable mature trees.
- Role for GA to assist with legislative change to redefine verges.
- Identify best climate resilient species and most suitable vegetation types throughout the canopy.
- Develop engaging material that councils can share to help householders to choose a tree for small backyards.
- Council and community guidance to help prioritise species selection and approaches for urban greening that consider environmental context: particularly microclimates, soil conditions, water availability.
- Provide advice about how to maintain / nurture new planted trees and encourage native species.
- Work with the development sector and other policy influencers to increase the prescribed contribution amount or explore other incentives that may be more cost effective in encouraging the establishments and retention of trees in urban infill development contexts - offset schemes.
- Work with developers to encourage creation of future-proof communities that councils inherit.
- How do we find / make suitable space for tree planting? What role can GA play?
- Trees and urban greening = identify new biodiversity corridors.
- Work with SA Power Network and SA Water to ensure trees take priority over infrastructure.

- Update standards and guidelines for planting in proximity to infrastructure, by building the evidence on actual costs, risks and co-benefits.
- Create a new system that links green assets to the financial system (State or Federal Government)).
- Develop greening typologies for different blocks / configurations.
- Work with Renewal SA to establish tree canopy targets for all greenfield sites planned for development.
- Create a tree resilience index for metropolitan Adelaide.
- Drive a partnership project aimed at including trees in the accounting system and therefore asset system, giving them a consistent true value across our region.
- Conduct research on the financial value of greening (trees and other) in regards to the environmental, social and economic benefits, in the context of metropolitan Adelaide.
- Develop a monetised benefits tool for greening (this may build on / adapt the existing monetised benefits tool for water sensitive urban design).
- Buy open space where people need it.
- Drive collaborative partnership research projects such as:
  - giving trees legislative rights, including underground space rights, similar to those currently held by utility services
  - with utility providers as to the true risks of tree canopy and root systems to public safety and practical solutions around these rather than simply using the blunt policy instrument of large exclusion zones.

Refer to the appendices for more detailed feedback received from the stakeholder workshops, community forum, submissions and online survey.

## Response

In response to feedback received during consultation, the following changes were undertaken to finalise the plan:

- strengthen and broaden the narrative to cover the following:
  - The important role that Green Adelaide will play to drive coordinated strategic areas in urban greening across local government, other agencies and the community.
  - Water will be important to encouraging that vegetation is resilient and grows well.

Feedback received about potential project ideas will be used to inform the 2021-22 Annual Business Plan, as well as the development of future annual business plans.

Feedback from the consultation will also inform the preparation of future communication material, particularly where clarification about GA's role in a particular priority area needs further clarification.

## 5.7 Fauna, flora and ecosystem health in the urban environment

### Feedback on the draft Regional Landscape Plan

Overall the goal and focus areas for this priority received a high level of support from respondents. For example, Figure 7 illustrates that the majority of the online survey respondents 'strongly support' the proposed focus areas for fauna, flora and ecosystem health in the urban environment.

Key feedback relevant to this priority included:

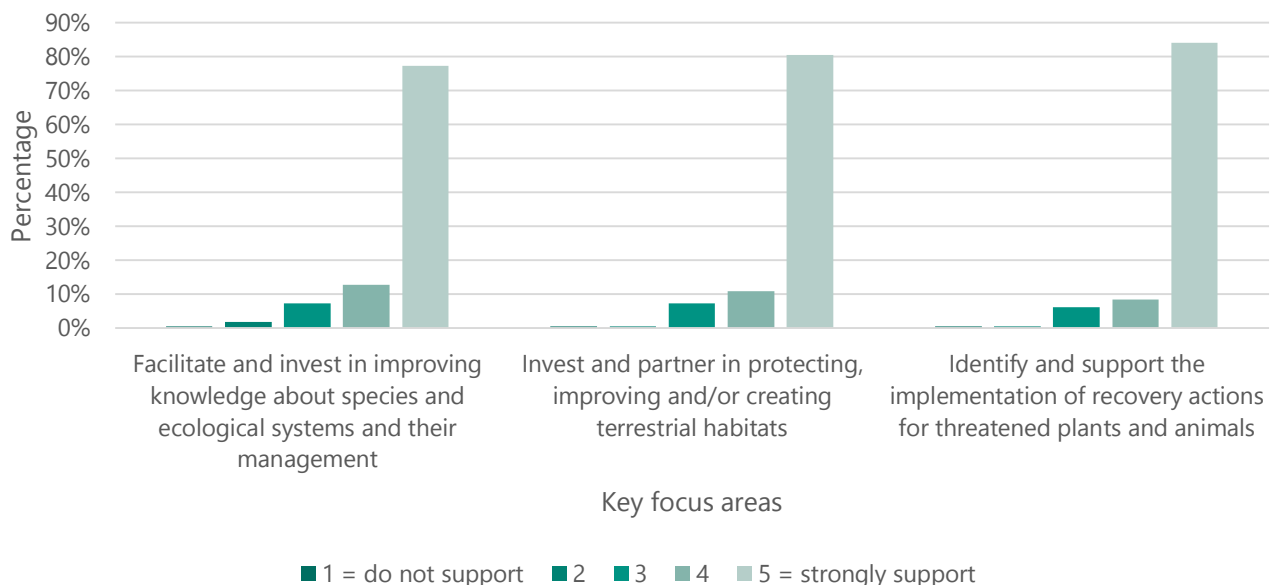
- Better to focus on the 'ecosystems health' and the interconnectedness of things rather than fauna and flora.
- Where possible focus on 'functioning' / healthy systems and protect / manage these as the first priority.
- Improve connectedness of systems (e.g. wildlife corridors).
- Other facets to consider include soil health, microbiomes and invertebrates.
- Emphasis should be on urban biodiversity rather than threatened species.
- Maximise habitat development everywhere: in yards, verges, green spaces and across neighbourhoods.
- Let's focus on what we have and how to protect it rather than going straight to restoring.
- How do we know which threatened species to focus on? Would like more data.
- How do we get genuine collaboration across councils?
- What are the 'flagship' opportunities within each ecosystem?
- Lots of overlap with other priorities.
- Recommend rewriting 'outcome' areas to focus more on particular / novel habitats (rather than an inference of 'natural' habitats).
- Emphasis system health rather than just greening and highlight the economic value of nature
- Need to focus more on protection of native vegetation in metropolitan areas.
- GA to assist with knowing which trees to plant and the right trees for a changing climate.
- Need to educate people on terminology e.g. wilding.

***Trees provide refuge for species in the city ... therefore they are very valuable.***

***Connect more with universities (Flinders and Adelaide) to advance 'Wilding' research (applied research and or social science approaches.***

Wilding workshop, 29 March

Figure 7: Level of support for the proposed focus areas for the Fauna, flora and ecosystem health in the urban environment priority



## Ideas for future annual business plans

The consultation process also provided an important opportunity to hear feedback on potential project ideas as well as which existing programs / projects are vital to continue.

### Key areas for future project work included:

- Embed citizen science activities in GA work.
- Need to take invertebrates and microbiome into account when planning prescribed burns and fire breaks.
- Better analysis required of soil health.
- Explore more paid traineeships.
- Create a 'Wilding' handbook / guide to help people connect to the environment and to highlight where we might head.
- Fund pilot programs across organisations with ambitious goals and promote outcomes.
- Coordinated social science approach to achieve an understanding of the community's passion and perceptions (e.g. via a survey).
- Undertake applied research (e.g. State Herbarium partnership).
- Create interconnected wildlife corridors e.g. 300m wide east to west and coast to hills.
- Plant bushfire resilient species.
- Undertake more environmental burns.
- Support every council to have a bee hotel in every park.
- Co-management with Kaurna of national parks.
- Particularly protect remnant vegetation.
- Undertake research – ecology, wildlife disease, wildlife rehabilitation and monitoring.
- Better mapping of native vegetation cover.
- Provide guidance on urban design to enhance biodiversity.
- Provide coordination and funding support across the LGA to work towards the regional eradication of targeted species.
- Support councils to buy badly managed private land to create a linked publically owned green belt across the hills face which can be well managed for biodiversity and fire fuel reduction.
- Support all councils to undertake a biodiversity audit followed by the preparation of an action plan to specify all potential conservation and restoration sites in their area and the appropriate approaches.

Refer to the appendices for more detailed feedback received from the stakeholder workshops, community forum, submissions and online survey.

## Response

In response to feedback received during consultation, the following changes were undertaken to finalise the plan:

- The narrative of the priority was strengthened to highlight the importance of protecting remnant indigenous trees and other vegetation.
- More active language added to Focus Areas F1 and F3.
- Focus Area F3 was expanded to include 'ecological communities'.
- Add a definition for rewilding – included in the descriptive text for the Rewilding our Rivers and Coastline iconic project.

Feedback received about potential project ideas will be used to inform the 2021-22 Annual Business Plan, as well as the development of future annual business plans.

## 5.8 Controlling pest plants and animals

### Feedback on the draft Regional Landscape Plan

Overall the goal and focus areas for this priority received a high level of support from respondents. For example, Figure 8 illustrates that the majority of the online survey respondents 'strongly support' the proposed key focus areas for controlling pest plants and animals.

Key feedback relevant to this priority included:

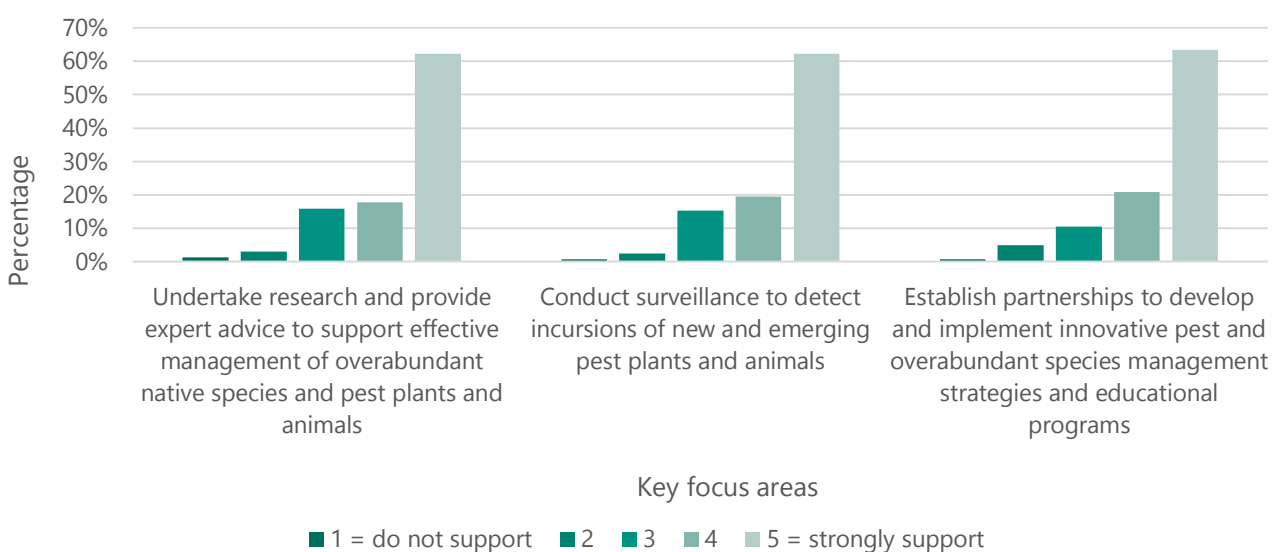
- Recognise that a coordinated approach is required to manage this (e.g. councils, State Government, private landholders and Traditional Owners).
- Control needs to be underpinned with compliance.
- Role for GA in using / promoting 'weeds as habitat' - possible interface with Adelaide as a national park.
- Provide greater clarity about what GA's role is.
- People and education are key e.g. citizen science.
- How to best manage over abundant species, include humane and best practice?
- More energy required to collaborate across research and management regimes.
- Emphasis is on controlling overabundant native species when environmental problems are caused almost entirely by overabundant introduced species, the control of which is presently under-resourced.
- None of the key focus areas include the most important area, which is to continue supporting and carrying out weed control programs on roadsides, public spaces and in private lands.
- Recommend using the term 'impact causing native species' rather than 'overabundance'.
- A broader landscape approach is needed for biodiversity and for pest management.
- Controlling pest plants and animals is a contradiction to 'Wilding'.
- The goal is to reach a coordinated approach with a range of partners (councils, landholders etc.).
- What are the strategies and practices required for humane and best practice control?
- What is role of GA in cat management and the eradication of carp?

***The issue of control is complex and involves a range of different agencies... how can GA bring priorities and practices together?***

***How can the community assist? How does GA harness community power to help with pest management?***

Urban greening workshop, 31 March

Figure 8: Level of support for the proposed focus areas for the Controlling pest animals and plants priority



## Ideas for future annual business plans

The consultation process also provided an important opportunity to hear feedback on potential project ideas as well as which existing programs/projects are vital to continue.

### Key areas for future project work included:

- Need more resources to implement compliance of pest plants and animals.
- Allocate more funding to research over abundant species.
- Ensure longevity of control programs so more effective.
- Ensure that any pest management work is underpinned with compliance.
- Pest management programs' focus should be on prevention as if leave to eradication, it is then too late.
- Create more partnerships at a landscape scale - including private landholders.
- GA has a role to play in making information available / more obvious (e.g. where people go get information to control pests?).
- GA to offer active and practical support for landholders e.g. landscape officers.
- GA to host "Design Labs" to facilitate cross collaborations
- Scale up volunteer programs / engagement.
- Support landscape weed management plans.
- Better education about pests.
- Better management of weeds of national significance.
- Work to get feral birds under control and European wasps eliminated.
- Undertake olive tree control.
- Develop financial incentives for private landowners to undertake pest control.
- Use minimal pesticides on weed control and use fire to control pest plants.
- Companion planting as natural pest control.
- Create dedicated habitat areas.
- Develop a pest plant and animal control plan to identify strategic priorities.
- Undertake a clear communication strategy for landowners about expectations.

Refer to the appendices for more detailed feedback received from the stakeholder workshops, community forum, submissions and online survey.

## Response

In response to feedback received during consultation, the following changes were undertaken to finalise the plan:

- Amend the goal for this priority to: 'Manage the effects of pests and impact causing native species'.
- The narrative of the priority was updated to give further clarity about GA's role in regards to controlling pest plants and animals and the importance of a coordinated response.
- Focus Area P1 was broadened to include 'compliance'.
- Terminology change - replace the word 'overabundance' with 'impact causing'.

Feedback received about potential project ideas will be used to inform the 2021-22 Annual Business Plan, as well as the development of future annual business plans.

Feedback from the consultation will also inform the preparation of future communication material, particularly where clarification about GA's role in a particular priority area needs further clarification.

## 5.9 Nature education

### Feedback on the draft Regional Landscape Plan

Overall the goal and focus areas for this priority received a high level of support from respondents. For example, Figure 9 illustrates that the majority of the online survey respondents 'strongly support' the proposed focus areas for the nature education priority.

Key feedback includes:

- Mentorship and leadership needed across all ages.
- Nature education needs to include education of decision makers (e.g. elected members, local and state government personnel, chief executives etc.).
- Recognising the role of nature education in increasing people's value of nature and therefore their desire / willingness to protect it.
- Provide opportunity to connect with migrant communities.
- Important to target developers as well.
- Be bolder in vision for biophilia.
- Increase the explicit focus on the broader concepts of sustainability and urban food.
- Does not seem to capture CALD communities.
- Like the prominence of Aboriginal culture.
- People who learn and know more about their environment then protect it.
- What role can GA play in longevity beyond specific projects?
- Consider running nature ed across the other six priorities.
- 'Steward' feels old fashioned – use different term?
- Expand building awareness about aboriginal cultural knowledge, values and lore beyond just community-led programs.
- Establish networks that connect with schools outside of GA region.

**Remind people that nature is just outside their house, they can go and see a street tree quickly and easily, nature doesn't have to be a trek to a national park.**

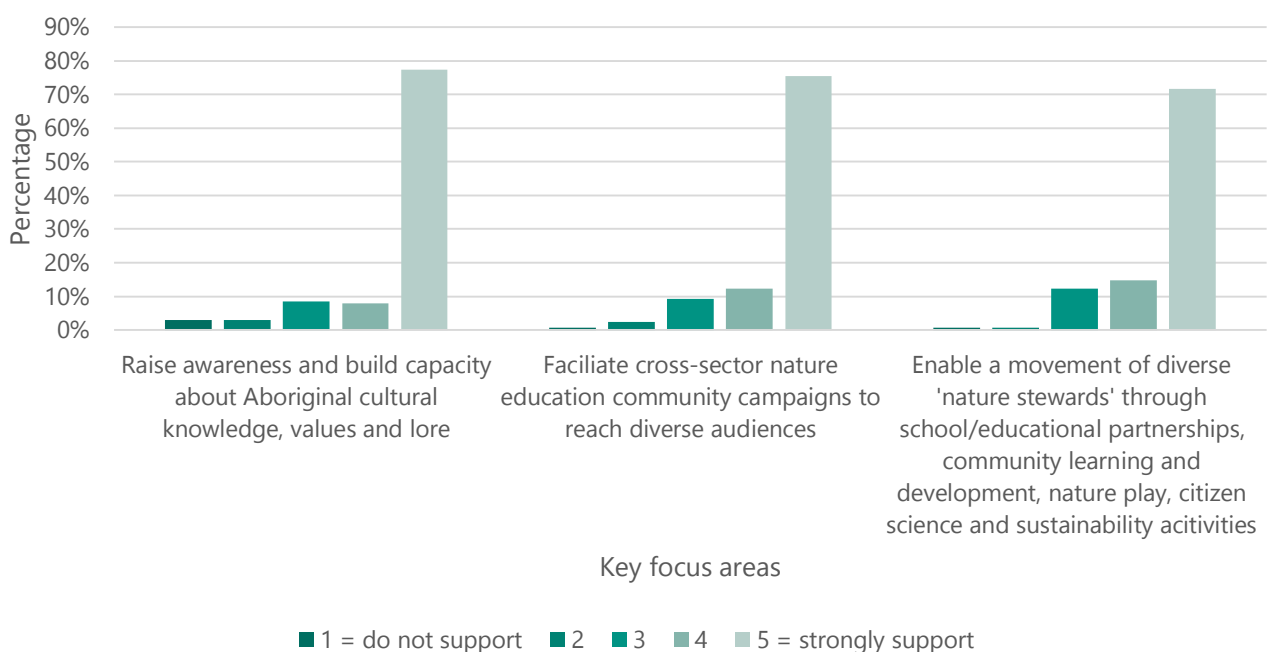
**Take the lead and bring the partners together to achieve more and better share stories of best practice.**

Nature education workshop

**Green Adelaide to play a key role in actively connecting people with nature and the value of nature.**

Community forum, 7 March

Figure 9: Level of support for the proposed focus areas for the Nature education priority





## Ideas for future annual business plans

The consultation process also provided an important opportunity to hear feedback on potential project ideas as well as which existing programs / projects are vital to continue.

### Key areas for future project work included:

- Build a tree campaign for the community that recognises the importance of what trees do to make our city liveable and to provide habitat.
- Upskill and increase peer to peer sharing between elected members on climate change and environmental issues.
- Identify ways to build on opportunities such as SALA and History week etc.
- Undertake citizen science projects as important opportunities to get people 'out there and involved'.
- Need to reach beyond the converted - have targets for turning the 'converted' into leaders and the 'unconverted' into getting involved.
- We need more Kaurua led education.
- Need to strengthen existing groups / initiatives rather than creating all new programs.
- More nature based social enterprises that are scalable and which allow GA and community to work with investors.
- Provide expertise on knowing what to plant and where - GA to create an information hub with links.
- Need to focus on and / or undertake social reach to understand what the blockers are for people to engage with nature education.
- Build and capitalise from projects (like Native Bee BnB) and make them widespread.
- Share success stories.
- Involve the community in site protection and management ('adopt a site').
- Continue Green Adelaide existing education program / climate-ready schools / urban sustainability programs.
- Clarify roles and responsibilities of different players – Green Adelaide as the facilitator.
- Strengthen and build a movement of nature-based social entrepreneurs who can show the economic value of protecting nature.
- Create outdoor classrooms and offices.
- Bring all sectors of the community together to understand, value and move towards the same vision.
- Maintain and expand community enviro hubs to connect and empower people locally and connect into existing other community assets.
- Develop a platform for sharing data/making it easily accessible- web portals for community.
- Simplify process for community to get information and advice on action.
- Programs that connect people to place for not tractional audiences e.g. TFL stepping stones project for new migrants.
- More coordinated volunteer management.
- Continue to support Nature Festival.
- Continue capacity building and leadership programs for young people e.g. the Youth Environment Council.

## Response

In response to feedback received during consultation, the following changes were undertaken to finalise the plan:

- Strengthen the narrative in response to the consultation feedback.
- Refine the N1 Focus Area to include more active language



- Amend Focus Area N2 Outcome to include an increased focus on action
- Amend N3 Focus Area to add in 'social' before 'movement' to give more clarity
- Strengthen the N3 outcome to be clearer.

Feedback received about potential project ideas will be used to inform the 2021-22 Annual Business Plan, as well as the development of future annual business plans. Feedback from the consultation will also inform the preparation of future communication material, particularly where clarification about GA's role in a particular priority area needs further clarification.



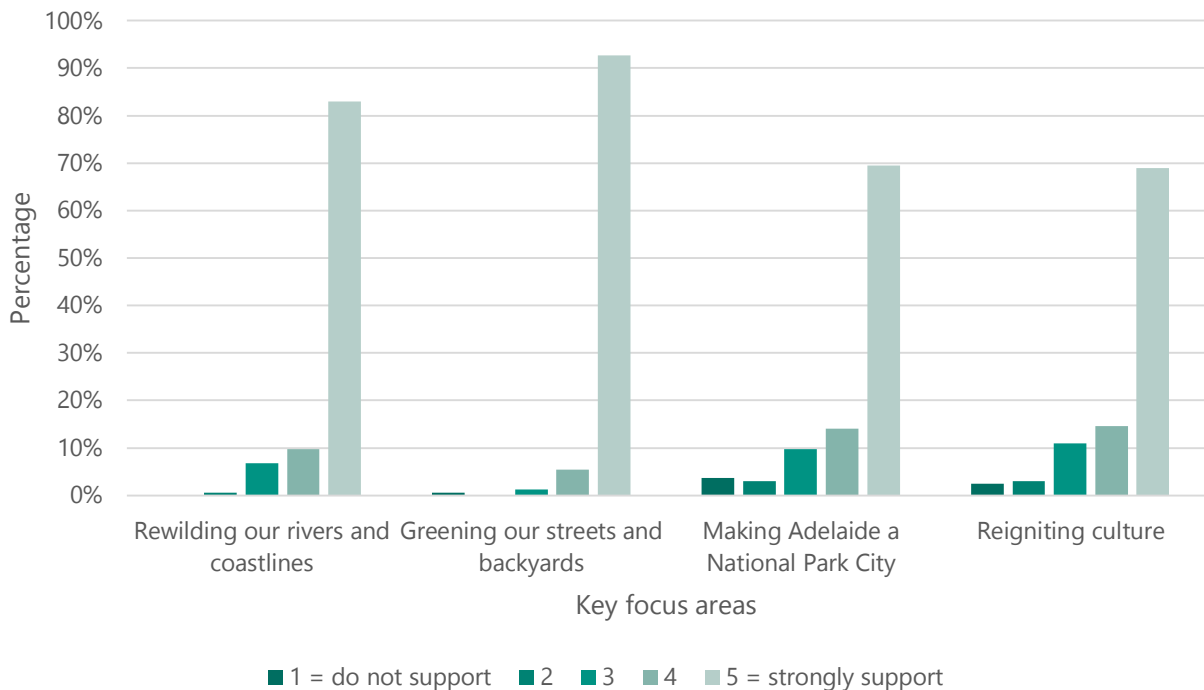
*Photo from the Nature education stakeholder workshop – 30 March 2021*

## 5.10 Iconic projects

### Level of support

There was strong support for all of the proposed iconic projects. For example, the online survey results found overwhelming support, particularly for the proposed 'Greening our streets and backyards' (see Figure 10).

Figure 10: Level of support for iconic projects



Green Adelaide also received feedback on the recommended scope and other details about these proposed iconic projects. This valuable feedback will be considered as Green Adelaide scopes these projects in further detail with key stakeholders and other partners.

### Rewilding our rivers and coastline

#### The following feedback was received:

- Channel focus and funding on a few significant projects rather than lots of small ones
- Fund pilot programs across organisations with ambitious goals and promote outcomes.
- Add in the importance of blue spaces and associated marine and freshwater ecosystem health and biodiversity.
- Preference for a different word than 'magic'.
- Preference for the project to be broader than just rivers and coasts
- Additional suggestions included platypus reintroduction investigation, supporting urban raptors and threatened butterfly habitats
- A number of councils recommended other river locations for potential iconic project locations i.e.
  - River Torrens (Karrawirra Pari) – to ensure one location in city and eastern part of the region
  - Port River and Barker Inlet Estuary (Yerta Bulti).

**Keep advocating for 'better' systems and outcomes, using nature as the scaffold.**

**Ensure that we see and value nature as not only 'nice to have' but important, integral and a mandated part of experience, planning and decision making.**

Wilding workshop, 29 March

## Greening our streets and backyards

The following feedback was received:

- Expand to include public open space.
- Include buy-backs of small land parcels in areas with low public open space to increase access, cycling links and wilding opportunities.
- Facilitate multi-year projects including in the areas of research, data collection and knowledge sharing.

## National Park City

Overall there was good support for this new initiative but many questions about its scope and how to get involving, including:

- would like to better understand aims, deliverables and next steps
- has potential to link all the seven priorities together.

***Make the most of a national park in a city: could be a significant legacy.***

Wilding workshop, 29 March

***It is recognised and valued that the GA Board and team are working hard to 'walk together' (Warpulai Kumangka).***

## Reigniting Culture

Overall positive feedback about this proposed iconic project. Refer to the Kaurna theme (see 5.2) for further information about the feedback on this project.

## Other new project ideas

The following new iconic project ideas were suggested:

- rewilding the Adelaide Parklands
- partnering to develop the next Lochiel Park – could be a world-leading project that demonstrates best practice in WSUD / BSUD, maximises canopy cover, climate resilience and promotes the benefits of living in such an environment
- create new green bike and walkway corridor connections linking suburbs and major linear trails
- work together with other government departments on regional plans and the spatial detail within them.

## Response

The following amendments to the Regional Landscape Plan were undertaken:

- **Rewilding our rivers and coastline:** strengthened descriptive text and additional potential iconic project opportunities. A definition of 'rewilding' was also added. Project renamed to recognise this broadening to: **'Rewilding our landscapes'**
- **Greening our streets and backyards:** expanded focus of this iconic project to include 'public open space' as well as minor text amendments.
- **Making Adelaide a National Park City:** updated text to provide additional information
- **Restoring Kaurna Cultural Practices:** Warpulai Kumangka (who are leading this project) have provided a new name and updated the descriptive text.
- Changed from 'projects' to 'programs' to recognise that they are a collection of aligned projects.

Feedback received about the iconic project ideas will be used to inform the 2021-22 Annual Business Plan, as well as the development of future annual business plans. Feedback from the consultation will also inform the preparation of future communication material, particularly where clarification about GA's role in a particular priority area needs further clarification.

## 5.11 Measuring impact

Measurement of GA's outcomes received significant feedback, including the following:

- monitoring and evaluation framework missing – identified as a gap
- strong emphasis on citizen science is recommended and the importance of using data collected
- consistent monitoring and evaluation framework for all GA activities needed
- targets and benchmarks should be linked to other State Government strategies and targets etc.
- give better specification of performance indicators
- recommend setting more defined goals and targets that can be actively measured and monitored
- recommend measuring leveraged funding from local government (that includes in-kind and 'business as usual' contributions) – considered important as local government does much of the environmental work in metropolitan Adelaide
- on-going successful performance of projects implemented as part of Green Adelaide partnerships / initiatives will be difficult to monitor and therefore useless there are measurable targets and indicators
- coordinate collection of spatial mapping data with other government agencies
- facilitate (or financially support) knowledge sharing conferences each year
- consider adding the preservation and interpretation of natural geological features / 'geo-heritage' as an indicator
- take a lead in the collection, collation, analysis and sharing of relevant data across the region - of particular value would be providing a portal of datasets that could be accessed by key stakeholders (and potentially the public) as needed
- establish an open data platform (such as Park Serve in the US) which maps parks, canopy and green spaces in relation to key socio-economic and environmental metrics to ensure future initiatives support equitable and ecologically sensitive urban outcomes
- preferred more detailed targets in the previous NRM Plan, rather than outcome indicators
- many outcomes linked to key focus areas are somewhat generic and difficult to objectively measure
- recommend setting targets that are to be met in the plan's 5-year term, as well as longer term - such targets should also include reduction in localised heat islands and their effects and link to The 30-Year Plan for Greater Adelaide's urban green cover canopy target
- important to invest in green jobs as part of the COVID recovery specifically, but also as part of the broader transitioning to a greener economy, therefore recommend that economic output and outcomes performance measures are included, e.g. an output measure would be 'landscape restoration and conservation job opportunities generated', this would then align with the plan's economic stimulus investment principles
- the draft plan does not address the potential of smart technology in the delivery of the seven priorities and performance measurement - examples of where this could be applied is the capture and reporting of data through smart monitors strategically located throughout metropolitan Adelaide - Green Adelaide has a key role of play in bringing together partners to help realise this potential
- it is unclear in the draft plan what the relationship is between these indicators and the Performance Framework and the State of the Environment Report. It is recommended that the final plan clarifies this relationship.

Table 2: priority specific feedback received

Priority	Feedback
<b>Coastal management</b>	<ul style="list-style-type: none"> <li>• Opportunity to integrate with council bushland assessment monitoring techniques to monitor coastal asset habitat condition and the impact of on-ground investment.</li> <li>• Coordinate collection of data on coastal change in vegetation condition and coastal hazards as a result of coastal climate change through regional collection of Lidar<sup>1</sup> imagery (linked with heat mapping and tree canopy mapping).</li> </ul>
<b>Water resources and wetlands</b>	<ul style="list-style-type: none"> <li>• River health indicators and targets should be established based on any existing related targets.</li> </ul>
<b>Biodiversity sensitive and water sensitive urban design</b>	<ul style="list-style-type: none"> <li>• Undertake a biodiversity survey across the whole of Green Adelaide to gather data on what is present and what is missing - particularly regarding biodiversity corridors.</li> </ul>
<b>Green streets and flourishing Parklands</b>	<ul style="list-style-type: none"> <li>• Must include targets that have already been set in other policies / plans e.g. tree canopy targets that exist in The 30-Year Plan for Greater Adelaide.</li> <li>• Possible to have more detailed indicators, rather than just how many trees?</li> <li>• Measure tree canopy and green cover separately for public and private land, to inform development of strategic responses to changes in cover.</li> <li>• Important to assist in measuring the 'right' / long term metrics that need to extend beyond tree health and into systemic system resilience and longevity.</li> <li>• Develop tangible, measurable indicators for greening outcomes e.g. the number of metres of verges with trees to be achieved after a year.</li> <li>• Add in additional indicators for council Greener Neighbourhood grants e.g. benefit to liveability – measurable by number of pedestrians, cyclists, commuters near new planting location.</li> <li>• Number of trees planted in high pedestrian traffic areas and localised heat islands.</li> </ul>
<b>Flora, fauna and ecosystem health</b>	<ul style="list-style-type: none"> <li>• Consistent biodiversity monitoring across Green Adelaide.</li> </ul>
<b>Controlling pest plants and animals</b>	<ul style="list-style-type: none"> <li>• Need to identify and control emerging pests and develop outcome indicators.</li> <li>• Possible to have more detailed indicators, rather than just hectares of pest control – baseline could be different in different areas.</li> </ul>
<b>Nature education</b>	<ul style="list-style-type: none"> <li>• Recommend an indicator focused on the number of 'new people' reached i.e. number of people that attended that had never attended an 'environmental' themed event before.</li> <li>• Targets are missing: what is being aimed for? How will we know when we have arrived?</li> </ul>

## Response

The following amendment to the Regional Landscape Plan was undertaken:

- Updated plan to mention that the Performance Framework will align to relevant state and local government targets.
- Refine the list of example performance measures.

<sup>1</sup> Light Detection and Ranging (Lidar) is a remote sensing method used to examine the surface of the Earth.

In recognition of the importance of monitoring its progress, GA has developed a separate stand-alone Performance Framework which will be available on its web-site. This framework will also provide detail about the relationship of GA's measures with other governmental targets and monitoring requirements e.g. State of Environment Reporting.

## 5.12 Other issues raised

### Role of Green Adelaide

There were a number of comments seeking clarification about GA's role in different policy areas. Where relevant to specific GA priorities, this is discussed under the relevant section of this consultation report.

For general comments about GA's role, please see below:

- Need for clarification around Green Adelaide's roles and responsibilities and level of influence – does Green Adelaide have actual political power or is it just an advisory body?
- How does GA interact with the planning system?
- Request for explanation and understanding of the interface with other entities such as the Coast Protection Board, Water Sensitive SA, SA Water, Environment Protection Authority, Department for Infrastructure and Transport.
- The board is well placed to facilitate and enable others.
- Recommend provision of multi-year funding and adaptive-style projects that can really have long-lasting impact, reduction of administrative burden and would enable a job security for Green Adelaide staff.

### Additional priorities

A few comments were received about whether GA could have additional priorities such as for:

- climate change
- intergovernmental focus.

### Case for change

A few requests for minor refinement of the Case for Change section of the plan was received such as:

- additional detail in the designing buildings and neighbourhoods that incorporate nature
- more detail regarding the climate change projections.

### Level of detail of the plan

For a few respondents, the plan was considered to be at a higher level than expected and the following feedback was received:

- Many outcomes linked to key focus areas are somewhat generic and therefore hard to objectively measure.
- The draft plan is silent on mechanisms to achieve the strategic actions for each focus area, with no link to funding programs or identified areas and availability of technical support.
- Focus areas and outcomes seem aspirational and don't provide any metric to determine the level of success.
- Not enough detail about how the plan will be implemented.
- Outcomes are currently too vague to guide direction for grant programs.
- The word that describes the 'role' in the focus areas are mostly passive – for example, encourage or facilitate rather than 'drive', 'deliver' or 'create'.
- The document is higher level than anticipated and does not have any 'prioritised actions' – but 'focus areas' and general 'outcomes'.



- The seven priorities need to be translated into spatial considerations e.g. locations for existing or proposed biodiversity corridors.

## Investment principles

The following recommendation was received in regards to the proposed investment principles:

- Add in reference to urban heat in the examples under the 'equity' investment principle.

## Green Adelaide Levy

A couple of comments were received in regards to how and where the landscape levy is collected and spent, and for what purpose.

## Green Adelaide grants

There were a few comments about the potential for GA's council grants to be more streamlined and to fit better with local government budgeting cycling.

It was also recommended that this Greener Neighbourhood Grants Program include criteria: for minimum canopy cover targets, water sensitive urban design measures, demonstration of a reduction in impervious surfaces and increased habitat and biodiversity.

## Sellicks Woodlands and Wetlands Action Network

A large number of submissions from the Sellicks Woodlands and Wetlands Action Network were received that opposes the urban development of Sellicks Beach and Aldinga (in particular a recent Development Plan Amendment).

This group put forward an alternative proposal about how the Willunga Basin coast could instead be protected and restored for biodiversity, to act on climate change, and to preserve the idyllic and iconic coastal townships.

## Response

In response to feedback received during consultation, the following changes were undertaken to finalise the plan:

- Refinement of the 'Case for Change' section and updated some references.
- A reference to high urban heat has been added into the examples under the 'equity' investment principle.
- A reference to working collaboratively with other relevant statutory boards and the State Planning Policies (2019) has been included under 'Strategic Links'.
- The section 'How we developed the Plan' has been removed as was included for consultation purposes only
- A list of Kaurua place names has been included.

In response to feedback received during consultation, the following changes will be considered:

- Green Adelaide's new Regional Landscape Plan has been prepared to be a high level, enabling plan. It is likely that in the future more detailed action plans will be produced to support it.
- Annual business plans will also be produced each financial year to detail the board's project priorities and how the levy is spent. GA will undertake a review of its grant programs in 2021 to identify opportunities for improvement and better alignment with local government budget cycles.

- GA's seven priorities are legislated and therefore no additional ones have been added. However the importance of climate change and intergovernmental relationships is covered throughout the plan.



## 6. Next steps

This engagement process – the first for the Green Adelaide Board, has focused attention on greening and cooling metropolitan Adelaide, while enhancing biodiversity, waterways, wilding and ‘healthy green spaces’ that the community can benefit from now and into the future.

Overwhelmingly, the feedback has been enthusiastic, determined and positive. The engagement process has unearthed a willingness and openness to new opportunities and a growing sense of urgency that the board needs to get this ‘right’ for future generations. The challenge now is to bring this to fruition.

The board will consider all feedback received during the consultation process and use it to:

- finalise the Regional Landscape Plan (2021-26)
- inform the development Annual Business Plan (2021-22) and future annual business plans
- develop the Performance Framework.

# 7. Appendices

Appendix 1 - Wilding stakeholder workshop summary

Appendix 2 – Nature education stakeholder workshop summary

Appendix 3 – Urban greening stakeholder workshop summary

Appendix 4 – Kaurana stakeholder workshop summary

Appendix 5 – Community forum summary

Appendix 6 – Online forum summary

Appendix 7 – Summary of submissions

Appendix 8 – Executive summary of stakeholder and community workshops

Appendix 9 – Summary of feedback forms

Appendix 10 – YourSAy analytics

Please see separate pdf document for the appendices



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**GREEN  
A  ELAIDE**

# Our vision is for a cooler, greener, wilder and climate-resilient Adelaide that celebrates our unique culture



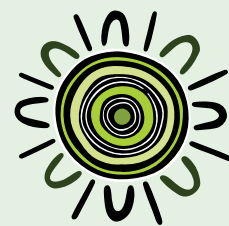
## Kardalta Tarntanya Green Adelaide

This artwork, **Kardalta Tarntanya**, shows the importance of the relationships between the land, water, sea, and biodiversity, and people keeping each other healthy, thriving and connected.

It represents Green Adelaide's vision through the interconnected nature of our seven priorities.



Illustration by Allan Sumner



This symbol represents Green Adelaide

Green Adelaide acknowledges the Kaurna Miyurna as the traditional owners of the Adelaide Plains.

## Green Adelaide will deliver practical outcomes across seven key priorities



### Biodiversity sensitive urban design and water sensitive urban design

We will build industry and community capacity to design cooler, greener and nature-friendly developments and infrastructure.



### Fauna, flora and ecosystem health in the urban environment

We will create more urban spaces for plants and animals to thrive in which in turn provides people a better quality of life.



### Controlling pest animals and plants

We will help coordinate management of invasive pests to support an Adelaide that is rich with healthy biodiversity.



### Nature education

We will grow nature and sustainability education in Adelaide to support children and adults to connect with the environment.



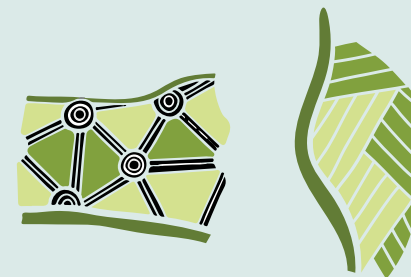
### Coastal management

We will help conserve and restore Adelaide's unique coastline to benefit our way of life, our economy and provide vital habitat for native plants and animals.



### Water resources and wetlands

We will protect, enhance and restore Adelaide's water resources (our rivers, wetlands and lakes) to help preserve these essential ecosystems and the wildlife that call them home.



### Green streets and flourishing parklands

We will increase tree canopy cover and green spaces to create cooler urban areas that encourage biodiversity and improve community health and wellbeing.

# Summary of Green Adelaide's Regional Landscape Plan

Vision		A cooler, greener, wilder, and climate-resilient Adelaide that celebrates its unique culture						
5-YEAR REGIONAL LANDSCAPE PLAN	Priority	Coastal management	Water resources and wetlands	Biodiversity sensitive and water sensitive urban designs	Green streets and flourishing parklands	Fauna, flora and ecosystem health in the urban environment	Controlling pest animals and plants	Nature education
	Goal	Coastal and marine habitat biodiversity is restored and conserved	Water resources deliver environmental, economic, social and cultural benefits	Build industry and community capacity to design cooler, greener and biodiverse urban infrastructure	Increase the extent and quality of urban green cover	Conserve, restore and expand habitats for native flora and fauna	Manage the effects of pests and impact-causing native species	Inspire communities to value, connect with, and care for nature
	Focus areas	<ul style="list-style-type: none"> <li>Enable a partnerships approach to adaptive coast and marine management</li> <li>Partner and inspire on-ground investment in the conservation and restoration of coastal and marine environments</li> <li>Conserve and restore environments that can be used to sequester blue carbon</li> </ul>	<ul style="list-style-type: none"> <li>Protect, enhance, and restore water resources and water-dependent ecosystems through partnerships and on-ground delivery</li> <li>Build water knowledge and management capacity of public and private landholders, practitioners, community and industry.</li> <li>Influence simple and enabling water management policy frameworks</li> </ul>	<ul style="list-style-type: none"> <li>Influence and incentivise best practice BSUD and WSUD in new developments, major transport corridors, public open spaces and local streetscapes</li> <li>Catalyse and partner on research and other tools to address barriers to implementation and identify opportunities for innovation</li> <li>Build community, council and industry knowledge, motivation and capacity to deliver best practice outcomes</li> </ul>	<ul style="list-style-type: none"> <li>Drive coordinated, accelerated greening of streetscapes and public spaces</li> <li>Influence the protection of trees and incentivise greater greening of private land through the new planning system and other levers</li> <li>Identify priority locations for improved urban greening and define what success looks like in different contexts</li> </ul>	<ul style="list-style-type: none"> <li>Enable and invest in improving knowledge about species and ecological systems and their management</li> <li>Invest and partner in protecting, improving and/or creating terrestrial habitats</li> <li>Identify and support the implementation of recovery actions for threatened plants and animals and ecological communities</li> </ul>	<ul style="list-style-type: none"> <li>Enable research, contribute expert advice and undertake compliance to support effective management of species</li> <li>Work with partners to conduct surveillance to detect incursion of new and emerging pest plants and animals</li> <li>Establish partnerships to develop and implement innovative management strategies and educational programs for impact-causing species</li> </ul>	<ul style="list-style-type: none"> <li>Enable a social movement of diverse nature 'stewards' through school/educational partnerships, community learning and development, nature play, citizen science and sustainability activities</li> <li>Raise awareness and build capacity about Aboriginal cultural knowledge, values and lore</li> <li>Lead cross-sector nature education community campaigns to reach diverse audiences</li> </ul>
	Outcomes	<ul style="list-style-type: none"> <li>Coordinated conservation and restoration of natural coast and marine environments</li> <li>Improved biodiversity outcomes, including habitats and species of key conservation concern</li> <li>Enhanced climate resilience and adaptation and increased environmental and social benefits</li> </ul>	<ul style="list-style-type: none"> <li>Biodiverse public and private blue and green spaces that enhance the quality and sustainability of water resources</li> <li>Effective management of watercourses by landholders (public and private)</li> <li>Best practice, sustainable water management</li> </ul>	<ul style="list-style-type: none"> <li>Best practice BSUD and WSUD outcomes in both the private and public realm</li> <li>Implementation barriers are solved and opportunities harnessed for improved urban greening, BSUD and WSUD</li> <li>Improved BSUD and WSUD implementation success by community, councils and industry</li> </ul>	<ul style="list-style-type: none"> <li>Improved regional coordination to achieve more climate resilient, water smart and sustainable urban greening outcomes</li> <li>More new infill housing and commercial developments keep mature trees and plant more than the minimum landscaping requirements</li> <li>Strategic, high quality, climate resilient, greening reflective of local context and need</li> </ul>	<ul style="list-style-type: none"> <li>Flora and fauna conservation management practices are improved</li> <li>Terrestrial habitat condition improves at sites with significant investment</li> <li>Quality (or extent) of habitat is enhanced and threatened species' population decline is halted (or reversed) at targeted sites</li> </ul>	<ul style="list-style-type: none"> <li>Knowledge and delivery of effective management strategies for pests and impact-causing species improves</li> <li>Identification and control of new and emerging pest animals and plants before they are widely established</li> <li>Mitigated threat to native species and the community and protection of key biodiversity assets and primary production</li> </ul>	<ul style="list-style-type: none"> <li>Widespread environmental awareness, values, advocacy and action across diverse communities</li> <li>Traditional practices are embedded in community-led projects and programs</li> <li>Increased community awareness, understanding and inspiration and action to connect with and care for nature</li> </ul>
ANNUAL BUSINESS PLAN	Iconic programs	<p><b>Rewilding our urban landscapes</b> – opportunities underway at Lower Field River Valley, Aldinga Washpool, Mutton Cove and Breakout Creek</p> <p><b>Greening our streets, open spaces and backyards</b> – bringing together multiple partners to drive an ambitious and coordinated approach to greening our city</p> <p><b>Making Adelaide a National Park City</b> – leading the process of creating Adelaide National Park City</p> <p><b>Restoring Kaurna cultural practices</b> – led by Warpulai Kumangka and includes a partnered cultural burns program</p>						
	Projects	<ul style="list-style-type: none"> <li>Coastal conservation initiatives</li> <li>Working with Birdlife Australia</li> <li>Our blue backyard project</li> <li>Blue carbon initiatives</li> <li>Aldinga Washpool project</li> <li>Conserving marine ecosystems</li> <li>Coastal Ambassadors project</li> <li>Mutton Cove master plan</li> </ul>	<ul style="list-style-type: none"> <li>Breakout Creek Stage 3</li> <li>Second Creek project</li> <li>Surface water monitoring</li> <li>Conserving aquatic ecosystems</li> <li>Urban watercourse management</li> <li>Western Mount Lofty Ranges Water Allocation Plan</li> <li>Urban water education and capacity-building</li> <li>Watercourse assistance policy</li> </ul>	<ul style="list-style-type: none"> <li>Water Sustainability Grants</li> <li>Biodiversity sensitive urban design initiatives</li> <li>Water Sensitive SA</li> </ul>	<ul style="list-style-type: none"> <li>Greening strategy preparation</li> <li>Regional Climate Partnerships</li> <li>Urban heat and tree canopy cover mapping</li> <li>State Sports Park master plan</li> <li>Facilitating greener infill development</li> <li>Encouraging greener major transport corridor projects</li> <li>Species and planting guidance</li> </ul>	<ul style="list-style-type: none"> <li>Grassroots Grants Program</li> <li>Bush For Life project</li> <li>Field River Linear Park restoration</li> <li>Threatened species management in the urban environment</li> <li>Conserving threatened terrestrial ecological communities</li> <li>Woodland Bird project</li> <li>Traditional fire management</li> </ul>	<ul style="list-style-type: none"> <li>Urban animal and plant control partnership</li> <li>Coordinated pest animal and plant control initiatives with partners</li> <li>Managing impact-causing native species</li> <li>Monitoring for new and emerging weeds</li> <li>Reducing total grazing pressure</li> <li>Weed identification service</li> </ul>	<ul style="list-style-type: none"> <li>National Park City communications and engagement campaign</li> <li>Green Adelaide Education Team</li> <li>Community environment centres</li> <li>Nature Play SA</li> <li>Nature education community events and capacity building</li> <li>Volunteer and community group support</li> <li>Citizen science initiatives</li> <li>Indigenous knowledge sharing symposium</li> </ul>
		Working with the Warpulai Kumangka Advisory Group to embed Kaurna ways of knowing, doing and being in Green Adelaide led projects and programs						

Monitoring and reporting detail for both the regional landscape plan and the annual business plan will be included in Green Adelaide's Performance Framework

Item No: **15.2**

Subject: **SECTION 270 - DRAFT REPRESENTATION REVIEW REPORT**

Date: 12 October 2021

General Manager: Strategy & Corporate, Ms P Jackson

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### **SUMMARY**

The Chief Executive Officer received a request in accordance with Section 270 of the Local Government Act 1999 to review a decision of Council, from Mr Timothy Looker, in which he raises concerns regarding the decision-making process in relation to the Representation Review.

The decision under review is that Council at its meeting of 27 July 2021, as part of the Representation Review, resolved to maintain the existing composition and structure of the Council, and report to the Electoral Commission of South Australia of the same for certification.

In accordance with Council's Internal Review of Council Decisions (s270) Policy, the review must be conducted by Council, as the decision in question was a decision of Council. The Chief Executive Officer engaged Kelledy Jones to examine the matter and produce a report to Council for it to review its decision.

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### **RECOMMENDATION**

1. **That Council note the report.**
  2. **That Council:**
    - a) **ratifies the decision made at the Council meeting on 27 July 2021 in maintaining the existing composition and structure of the Council, and to report to the Electoral Commission of South Australia for certification of the same:**

**OR**

    - b) **rescinds the decision made at the Council meeting on 27 July 2021 and undertakes public consultation on an amended composition and structure of Council.**
- 

### **COUNCIL POLICY**

Internal Review of Council Decisions (s270) Policy.



## STATUTORY PROVISIONS

Section 270 Local Government Act 1999.

## BACKGROUND

Council is required to undertake a Representation Review approximately every 7 years, in accordance with the Section 12 of the Act. The Minister for Local Government determined that the review period for Council to conclude this Representation Review is October 2021. A final report needs to be provided to the Electoral Commission within sufficient time for assessment and certification. Section 12(18)-(21) of the Act permits the Commissioner to give effect to a proposal that could be carried into effect, and issue a penalty, should the Council fail to comply with the requirements of undertaking a review under the Act.

At its ordinary Council Meeting on 27 July 2021, as part of its Representation Review process, conducted in accordance with Section 12 of the Local Government Act 1999 (the Act), Council resolved the following decision:

*Motion C270721/2361*

*That Council:*

1. *notes the Submissions Report outlining the public consultation outcome; and*
2. *endorses that Administration provides the Final Report pursuant to Section 12(12) of the Local Government Act 1999 to the Electoral Commissioner of SA with the following proposal:*
  - *the principal member of Council continues to be a Mayor elected by the community;*
  - *area councillors are not introduced in addition to ward councillors;*
  - *the future elected body of Council comprise the Mayor and twelve (12) ward councillors;*
  - *the Council area continue to be divided into four (4) wards, as per the current ward structure, with each of the wards being represented by three (3) councillors; and*
  - *the wards continue to be named Glenelg, Somerton, Brighton and Seacliff.*

Following this decision, the Chief Executive Officer received a letter dated 1 August 2021 by Mr Timothy Looker making application under Section 270 of the Act for a review of the Decision (resolution) of the Council to endorse the position that Council maintain its existing composition and structure, and to report to the Electoral Commission of South Australia (ECSA) for certification of the same.

*Attachment 1*

In requesting a review of the Decision, it has been submitted that the following matters have given rise to a miscarriage of the Council's decision-making processes, such that the Council is required to consider the matter afresh:

- the decision to retain the composition of the Council at 12 ward councillors and the Mayor, is inconsistent with the requirements under section 8 of the Act, which required the Council to seek to ensure that resources are used fairly, effectively and efficiently;
- the sufficiency, or otherwise, of the Council's community engagement processes with respect to the Representation Review and the application of its Public Consultation Policy;
- the Council did not have sufficient regard, or give sufficient weight to, the submissions received as part of its Representation Review process;
- the reporting of the consultation outcomes to the Council, and in particular, the manner in which submissions from residents groups were reported, failed to take into account the fact that these submissions were made on behalf of a number of residents, ratepayers and electors; and
- the Council, as a governing body, were not provided with, nor comprehended, the financial implications for residents, ratepayers and electors with respect to maintaining its existing composition of 12 ward councillors and a Mayor.

## REPORT

In accordance with Council's Internal Review of Council Decisions (s270) Policy, as the decision in question is a decision of Council, the review must be conducted by Council. On receipt of the request to review the Decision, the Chief Executive Officer engaged Kelledy Jones to examine the matter and produce a report to Council for it to review its decision. The final report prepared by Kelledy Jones is attached for consideration by Council.

*Attachment 2*

Kelledy Jones found that Council's decision to retain the number of councillors to 12, plus a Mayor, is not inconsistent in its obligations under section 8 of the Act and is supported by reference to appropriate comparator councils. They also found there was no evidence that Council did not give sufficient regard, or give sufficient weight to, the submissions received as part of its Representation Review process. Kelledy Jones also found that Council was informed of matter of 'cost' of councillors.

After considering the report, Council may proceed in one of two ways. These are:

- Option 1: to ratify the decision made at the Council meeting on 27 July 2021, maintaining the existing composition and structure of the Council, with 12 councillors and the Mayor. That the Representation Review Report prepared, detailing this composition, is submitted to the Electoral Commission of South Australia for certification; or

Option 2: to rescind the decision made at the Council meeting on 27 July 2021, amend the proposed composition and structure of Council, and undertake further public consultation on the amended structure.

**BUDGET**

N/A

**LIFE CYCLE COSTS**

N/A

# Attachment 1



Timothy D Looker.  
82 Penzance Street  
GLENELG SA 5045

Sunday, 1 August 2021

Mr Roberto Bria  
Chief Executive Officer  
City of Holdfast Bay  
PO Box 21  
BRIGHTON SA

by email attachment

**Section 270 review of a council decision.**

As a Holdfast Bay resident and one who made a submission to the representational review I have standing in this matter and request that Council resolution C270721/2361 be reviewed under section 270 on the following grounds.

1. The decision to maintain the numbers of elected members at 13 is inconsistent with the mandated requirements of section 8 of the Local Government Act.

Section 8 of the Local Government Act is expressed in mandatory terms. It evinces a clear legislative intention and instructs council to promote observance of this principle in performance of its role and functions. This has been confirmed by the Supreme Court <sup>1</sup> in the case against the City of Charles Sturt which also clarified requirements for community consultation.

Section 8 (h) states Council must use its resources fairly, effectively and efficiently.

This is reinforced in Section 26 c (1) where the Electoral Commissioner must in proposing reform have regard to the principle that resources available to communities must be used as economically as possible.

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<sup>1</sup> Coastal Ecology Protection Group Inc & Ors v City Of Charles Sturt [2017] SASC 136

This highlighted to Council in the letter to the Holdfast Council CEO from the Electoral Commissioner Kay Mousley (5th November 2013) which states

*"However I note that currently the City of Holdfast Bay has one of the lowest quotas within the metropolitan region and in future council should give more consideration to the principle and matters under section 26 and 33 of the Act particularly in relation to avoid over-representation in comparison to council of similar size and type."*

The representation review in 2013 examined elected member/elector ratios finding CHB had a ratio of 1:2155. On that basis the report recommended (page 14)

*"Given the aforementioned, it may be difficult to justify council's proposal to retain the existing number of elected members based on a comparison between the elected member numbers, elector ratios and/or the physical size of other councils."*

The 2013 report went on (page 15)

*"Given all of the aforementioned, it is suggested that a reduction in the number of councillors warrants further consideration."*

The final recommendation of the 2013 report was

*"2. Given the opinions expressed in the majority of the recent submissions, Council give further consideration to the issues of an appropriate future ward structure and the future composition of Council, in particular the three ward/nine councillor option."*

The report noted the strong public support for a reduction shown in the consultation with 37 submissions in favour of a cut against 7 keeping the status quo.

At the council meeting of 23.07.2013 the motion to reduce council to 9 ward councillors plus a mayor was amended on the floor of the chamber to keep the 12 plus 1 status quo. This locked in for at least 8 years the more expensive option in rejection of the consultants advice and the overwhelming public voice from the consultation.

In 2021 Council undertook the review process again and a report was received by Council at the meeting 21st May 2021.

The report recommended *"That council consider a reduction to eight (8) or nine (9) councillors, thereby increasing the elector ratio to a level which is more consistent with the elector ratios of other metropolitan councils which are of similar size (in area and elector numbers) and type."*

Between the time the report was written and presented to Council the State upper house amended the bill and increased the allowable maximum number of elected members to thirteen.



In a very short debate by CHB elected members (Council 25th May 2021) Cr Smedley moved immediately to retain the 13 in disregard of the public consultation and the independent report.

The only reason given by the mover of the motion to retain the 13 members was words to the effect *'we are allowed to so we should and the savings are negligible'*

Council's operational budget year 2020-2021 (item 221) shows the cost to Council for elected members at \$539,000 or a bit over 10% of the Council budget. With the cost of the Mayor removed the estimated cost per year per councillor as confirmed by the CEO is around \$29,000.

A more precise figure is being sought and expected to be higher if all administration time is accounted for such as responding to elected members questions.

Over the 4 year term of the council this equates to an estimated \$120,000 per member and if 4 are removed then the total savings would be \$480,000.

There has been no formal justification stated for retaining 13 elected members against the recommendation of the independent consultant's report but some anecdotal reasons have been proffered by councillors with no evidence.

- CHB is a heavy tourist area so there is extra work - no basis for this
- Council needs diversity - Council has no control over diversity as it is the electors who choose councillors
- Responding to resident queries - that load is light with such a low ratio.

In the decision to retain 13 elected members Council has not given sufficient regard to the mandated principles in the relevant legislation nor provided valid reasons to deviate from those principles.

## 2. That Council did not give sufficient regard or sufficient weight to the public submissions

The Representational Review report of 2021 states that 77.3% of respondents favoured a reduction in the number of councillors.

This is consistent with the consultation results in 2013 where 84.1% favoured a reduction.

The 2021 consultation included a response on behalf of two residents' associations on behalf of their members. This effectively reduced the possible total submissions as individuals did not need to respond personally with members being supportive of the response.

Council should have given extra weighting to the Residents' association submissions and if in doubt clarified with those organisations the number of residents on whose behalf the submission was made. That is consistent with Section 2.5 of council's consultation policy which Council is required to follow.

As it is, the final report treated the bulk submission as a single and as a result failed to accurately depict the size of the opposition to retaining the status quo.

The Council Community Consultation policy is phrased as a promise, is a guarantee and therefore council must comply. This is not optional and the following from the policy provide an expectation in the community that consultation is meaningful and will result in action.

- *Council will listen and acknowledge concerns and aspirations and provide feedback.*
- *Council will work with the community to ensure that its concerns and aspirations are directly reflected in the alternatives developed.*
- *Collaborate – working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions –Council will look to the community for direct advice and innovation in formulating solutions*

We are of the view that in passing the resolution Council disregarded its own mandated consultation policy.

The disregard of public consultation was given voice during the debate on the motion on July 27th by Cr Will Miller who said, words to the effect that it was elected members were elected to make the decision and groups such as the two residents' associations are unelected, don't represent many and should be disregarded.

3. The elected member body were not explicitly provided with nor comprehended the financial implications for ratepayers of keeping excess councillors.

The 2013 review report included copies of the public submissions many of which addressed the, then estimated \$100,000 per year cost, of 4 extra elected members.

The 2021 report made no reference to the significant expense of excess councillors and despite the HBRA submission which did address the cost, this was not included in the report to council nor were copies of the public submissions.

This disadvantaged the majority of councillors who clearly did not consider nor comprehend the financial benefits of a reduction in numbers. Crs Clancy and Bradshaw did comprehend the financial implications, raised them and voted against the motion to retain 13 elected members.

This was highlighted at the Council meeting of 27th July 2021 when Cr Bouchee called a point of order against Cr Clancy when she gave an estimated cost of \$500,000.

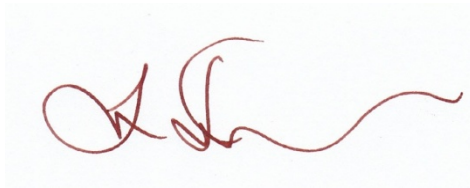
Cr Bouchee asked the Mayor to insist that Cr Clancy withdraw this figure as it was misleading of council. The CEO then provided an estimate based on allowances and added that there were other 'add ons' which place the real figure between \$400,000 and \$500,000 over the 4 year term of the council.

Cr Bouchee then did not insist as Cr Clancy was correct in her estimate. There were no further questions on the cost. This demonstrated that the majority of the elected members were unaware of the real cost and to have this explained so late in the process is an error.

It is clearly a deficiency in the process that the representational review process does not examine the financial cost implications around the size of the elected member body.

In summary I request a review of the council decision under section 270 of the act on the basis that I believe the resolution constitutes a breach of the Local Government Act, of Council's own consultation policy and was made on deficient advice to elected members.

Yours sincerely

A handwritten signature in red ink, appearing to be 'Timothy D Looker', written in a cursive style.

Timothy D Looker

# Attachment 2



**CITY OF HOLDFAST BAY  
REPRESENTATION REVIEW**

**SECTION 270 REVIEW**

## CITY OF HOLDFAST BAY

### REPRESENTATION REVIEW

#### Review pursuant to section 270 of the *Local Government Act 1999*

#### 1. INTRODUCTION

- 1.1 At its ordinary Council Meeting of 27 July 2021, as part of its Representation Review process, conducted in accordance with section 12 of the *Local Government Act 1999* (the **Act**), after considering Agenda item 15.3 *Representation Review Report Submissions Report and Approval to Report to the Electoral Commissioner of South Australia*, following the calling of a division the City of Holdfast Bay (the **Council**) resolved as follows (the **Decision**):

*Motion C270721/2361*

*That Council:*

1. *notes the Submissions Report outlining the public consultation outcomes; and City of Holdfast Bay 779 Council Minutes 27/07/2021*
2. *endorses that Administration provides the Final Report pursuant to Section 12(12) of the Local Government Act 1999 to the Electoral Commissioner of SA with the following proposal:*
  - *the principal member of Council continues to be a Mayor elected by the community;*
  - *area councillors are not introduced in addition to ward councillors;*
  - *the future elected body of Council comprise the Mayor and twelve (12) ward councillors;*
  - *the Council area continue to be divided into four (4) wards, as per the current ward structure, with each of the wards being represented by three (3) councillors; and*
  - *the wards continue to be named Glenelg, Somerton, Brighton and Seacliff.*

*Moved Councillor Lonie, Seconded Councillor Fleming Carried*

- 1.2 Subsequently, by letter dated Sunday 1 August 2021 (the **Application**), Mr Timothy Looker (the **Applicant**) made application under section 270 of the Act for a review of the Decision (resolution) of the Council to endorse the position that the Council maintain its existing composition and structure, and to report to the Electoral Commission of South Australia (**ECSA**) for certification of the same, pursuant to section 12(12) of the Act.
- 1.3 A copy of the Application is **Appendix 1**.

- 1.4 In requesting a review of the Decision, it has been submitted the following matters have given rise to a miscarriage of the Council's decision-making processes, such that the Council is required to consider the matter afresh;
- 1.4.1 the decision to retain the composition of the Council at 12 Ward Councillors and the Mayor, is inconsistent with the requirements under section 8 of the Act, which requires the Council to seek to ensure that resources are used fairly, effectively and efficiently;
  - 1.4.2 the sufficiency, or otherwise, of the Council's community engagement processes with respect to the Representation Review and the application of its *Community Consultation and Engagement Policy*;
  - 1.4.3 the Council did not have sufficient regard, or give sufficient weight to, the submissions received as part of its Representation Review process;
  - 1.4.4 the reporting of the consultation outcomes to the Council, and in particular, the manner in which submissions from residents groups were reported, failed to take into account the fact that these submissions were made on behalf of a number of residents, ratepayers and electors; and
  - 1.4.5 the Council, as a governing body, were not provided with, nor comprehended, the financial implications for residents, ratepayers and electors with respect to maintaining its existing composition of 12 Ward Councillors and a Mayor.
- 1.5 Taken together, it is reasonable to construe the concerns articulated by the Applicant, as considered in an administrative law context, is that, in resolving at its Meeting on 27 July 2021 to endorse Administration provide the Final Representation Review Report to ECSA pursuant to section 12(12) of the Act, with a proposal to maintain its existing composition and structure, the Council did not take into account, or did not sufficiently take into account, all relevant considerations.
- 1.6 If these contentions are correct, the Council could not be said to have been acting as a representative, informed and responsible decision maker in the interests of its community, and the Decision could be considered to be contrary to sections 6 and 8 of the Act, and the Guiding Principles at regulation 4 of the *Local Government (Procedures at Meetings) Regulations 2013*.
- 1.7 For the avoidance of doubt, the object of this review is to examine the processes followed by the Council in arriving at the Decision for Agenda Item 15.3 at the Council Meeting on 27 July 2021, for the purposes of determining whether those processes were reasonable, appropriate and lawful, and the resultant Decision is able to be maintained.

## 2. THE REVIEW PROCESS

- 2.1 The Decision is a decision of the governing body of the Council. It was made with the assistance of reports and presentations prepared by the Administration, and a consultant, and was informed by public consultation outcomes from members of the community.



- 2.2 Consequently, a number of senior employees who may otherwise have undertaken or assisted this review process, have been unable to do so because of their prior involvement with the Decision that is the subject of this review, and hence, the risk of asserted bias if they were involved.
- 2.3 Accordingly, based on the Council's *Internal Review of Council Decisions (s270) Policy* (the **Policy**) (**Appendix 2**), the CEO of the Council engaged Kelley Jones Lawyers as an external reviewer to undertake an independent merit review of the decision and to prepare this Report for the consideration of the Council.
- 2.4 The purpose of the review is to examine the processes followed by the Council in arriving at the decision of concern to the Applicants. This is for the purposes of determining whether that decision was:
- 2.4.1 a reasonable decision to make in the circumstances;
  - 2.4.2 open to be made on the facts before the Council;
  - 2.4.3 made in the public interest; and
  - 2.4.4 not based on a flawed decision-making process.
- 2.5 In giving effect to the requirements to afford procedural fairness to the Applicant, a letter was sent by email on 23 August 2021, extending an invitation to provide any further information, or submission (over and above the Application), to be considered in the review (**Appendix 3**).
- 2.6 In response to that invitation, the Applicant provided further information by way of a series of emails, on 23 August 2021, 24 August 2021 and 27 August 2021 (**Appendix 4**).
- 2.7 In addition, by email of Friday 27 August 2021, the Applicant confirmed the *Holdfast Bay Residents Alliance* and the *5049 Coastal Community Association* (together the **Resident Groups**) had become aware of the review, were 'supportive' of the same, and sought to make a submission for consideration as part of the review process.
- 2.8 As the Resident Groups **did** participate in the Council's Representation Review process, and made a submission as part of the public consultation on the same, in accordance with the principles of procedural fairness, the joint submission has been received and considered as part of this review (**Appendix 5**).
- 2.9 For the avoidance of doubt, the submissions contained in the Application, as well as matters set out in the further documentation received from the Applicant and the Resident Groups, have been carefully and thoroughly considered as part of this review. This Report later sets out, in detail, the basis of each and our findings on the same.
- 2.10 Having considered all of the relevant information available to the Council at the time it made the Decision, as well as the further information provided as part of this review, this Report has been prepared for the consideration of the Council.

- 2.11 The objective of this Report is to assist the Council in the finalisation of the review process. Accordingly, it sets out:
- 2.11.1 the background facts which have given rise to the Application for review;
  - 2.11.2 a summary of relevant information obtained during the course of this review;
  - 2.11.3 findings in relation to the issues raised by the Applicant and the Resident Groups, and the appropriateness of the Council decision; and
  - 2.11.4 the options now available to the Council.
- 2.12 The standard of proof that has been applied on this review, is that of the balance of probabilities. In determining whether that standard has been met, in accordance with the High Court decision in *Briginshaw v Briginshaw (1938) 60 CLR 336*, we have considered the nature of the allegations made and the consequence(s) if they were to be upheld.
- 2.13 In that matter, Dixon J explained [361-362]:
- The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding are considerations which must affect the answer to the question whether the issue has been proved. In such matters "reasonable satisfaction" should not be produced by inexact proofs, indefinite testimony, or indirect inferences.*
- 2.14 Having set out the basis of the review and the process to be followed, it is appropriate to outline the statutory framework against which we have considered the Application.

### 3. STATUTORY FRAMEWORK

- 3.1 Subsection 270(a1) of the Act provides:
- (a1) A council must develop and maintain policies, practices and procedures for dealing with -*
- (a) any reasonable request for the provision of a service by the council or for the improvement of a service provided by the council; and*
  - (b) complaints about the actions of the council, employees of the council, or other persons acting on behalf of the council.*
- 3.2 Subsection 270(1) of the Act states:
- Without limiting subsections (a1) and (a2), a council must establish procedures for the review of decisions of -*
- (a) the council;*
  - (b) employees of the council;*
  - (c) other persons acting on behalf of the council.*

- 3.3 The Council's Policy was adopted by the Council in accordance with its obligations under section 270 of the Act.
- 3.4 Relevant to the jurisdiction of the Council to undertake an internal review, subsection 270(4) of the Act provides the Council may refuse to consider an application for review if:
- (a) *the application is made by an employee of the council and relates to an issue concerning his or her employment; or*
  - (b) *it appears that the application is frivolous or vexatious; or*
  - (c) *the applicant does not have a sufficient interest in the matter.*
- 3.5 However, other than these limited exceptions, an application made under section 270 of the Act must be considered on its merits and dealt with accordingly. Indeed, the Ombudsman specifically noted at page 29 in *Right of Review* that:
- On my reading of the provision, the Act does not enable councils to limit the types of matters it is prepared to accept for review of decision under section 270 unless it falls into category (a), (b) or (c), above.*
- 3.6 In reviewing the Decision, it is important to note the Council, as a public authority, also has a legal obligation to act in the public interest and to ensure that it does not misuse or mismanage public resources.
- 3.7 In this regard, section 6 of the Act requires the Council, in making decisions, to act as a representative, informed and responsible decision maker in the interest of its community. This obligation, necessarily, includes ensuring that its finite public resources are utilised in a responsible manner and in the community interest.
- 3.8 Accordingly, it is imperative that, as part of this review, consideration is given to the position that a person without a '*sufficient interest*' will usually lack standing to seek a review of the decision of concern.
- 3.9 '*Sufficient interest*' for the purposes of section 270(4)(c) is not defined in the Act or in the Council's Policy or Procedure.
- 3.10 The Ombudsman commented at page 42 of *Right of Review*, that his Office had undertaken research on the issue of the application of the sufficient interest test at law and cited the commentary of White J in *Clothier and Simper v City of Mitcham (1981) 45 LGRA 179*.
- 3.11 This case noted that, as a general rule, a resident will not have standing to challenge a council decision where the only basis for asserting standing is that he or she is a ratepayer of the shire (being a NSW case) **and is affected no more or no less than other residents**. Where, however, the resident lives in an area where they would, as a ratepayer, be likely to suffer the most if a particular action was taken by their council, they may then have standing, sufficient to challenge.
- 3.12 Relevant to this 'test' is the submissions received by the Applicant and Resident Groups, that what is being sought is a review of the sufficiency, or otherwise, of the consultation process, as well as the public consultation information provided to the Council, as a governing body, in making the Decision on 27 July 2021.

- 3.13 Noting the Ombudsman has stated this is not an unduly high test and, as we understand, both the Applicant and the Resident Groups also made a submission as part of the public consultation process for the Council's Representation Review process, **we do find** the Applicant and the Resident Groups have '*sufficient interest*' for the purposes of section 270(4)(c) of the Act.
- 3.14 Having determined the issue of 'standing' to make application for a review, 'triggering' the Council's obligation to undertake the same, it is to be noted that there are a number of Council actions and decisions which are relevant to this review, which pre-date the Decision made by the Council at its Meeting on 27 July 2021.
- 3.15 The background is, therefore, set out in full below, because it informs the basis of the review and the findings made.

#### 4. REPRESENTATION REVIEW PROCESS

- 4.1 Councils in South Australia are required to undertake regular reviews of their elector representation arrangements, termed a *Representation Review*.
- 4.2 The Council finalised its last Representation Review in November 2013, receiving certification from the ECSA by letter of 5 November 2013 (**Appendix 6**). We will return to the content of this letter later in this Report.
- 4.3 There are a number of legislative requirements and matters to be considered as part of the Representation Review process.
- 4.4 In accordance with section 12(4) of the Act:
- [a] review may relate to specific aspects of the composition of the council, or of the Wards of the council, or may relate to those matters generally, - but a council must ensure that all aspects of the composition of the council, and the issue of division or potential division, or the area of the Council into Wards, are comprehensively reviewed under this section at least once in each relevant period.*
- 4.5 That is, the Council's Representation Review is required to consider the composition of the Council and the advantages and disadvantages of the options that are available for elector representation under the Act.
- 4.6 The key areas for consideration are:
- 4.6.1 election or appointment of the Principal Member (Mayor/Chairperson);
  - 4.6.2 the number of Councillors;
  - 4.6.3 how Councillors are elected – from Wards, across the whole of the Council area, or a combination of both;
  - 4.6.4 whether the Council should have Wards, or no Wards; and
  - 4.6.5 the name of the Council, and Wards (if any).

- 4.7 In undertaking the Representation Review, and in accordance with section 12 of the Act, the Council is required to:
- 4.7.1 prepare an Options Paper, to be adopted by the Council for public consultation purposes;
  - 4.7.2 undertake a minimum six-week public consultation process on the adopted Options Paper (the **first public consultation**);
  - 4.7.3 review the submissions received from the first public consultation and prepare a Representation Review Report, representing the Council's preferred representation option, to be adopted by the Council for public consultation purposes;
  - 4.7.4 undertake a minimum three-week public consultation on the Representation Review Report (the **second public consultation**);
  - 4.7.5 review the submissions received during the second public consultation, and if submissions are received, provide an opportunity for those persons to make an oral submission to the Council (or Council Committee) at a public meeting;
  - 4.7.6 consider and adopt a representation structure having regard to the submissions received during the public consultation processes, and prepare the Final Representation Review Report;
  - 4.7.7 submit the Final Representation Review Report to the Electoral Commissioner of South Australia (the **ECSA**) to obtain a Certificate of Compliance; and
  - 4.7.8 on receipt of a Certificate of Compliance, publish a notice in the Gazette, notifying of the future composition and structure of the Council.
- 4.8 Importantly in this respect, in resolving to endorse a proposed structure and composition, as set out in the Final Representation Review Report, the Council is simply indicating to the ECSA its preference on the same. The final decision regarding the composition and structure of the Council, is, and remains, with the ECSA.
- 4.9 Pursuant to section 12(13) of the Act, on receipt of a Final Representation Review Report, the ECSA must determine whether the requirements of section 12 have been satisfied and then –
- (a) *If of the opinion that the requirements have been satisfied – give an appropriate certificate; or*
  - (b) *if of the opinion that the requirements have not been satisfied – refer the matter back to the council together with a written explanation of the reasons for not giving a certification under the subsection.*

- 4.10 The validity of the determination of the ECSA in this regard cannot be called into question and under section 12(16) of the Act, if the matter is referred back to the Council, it must take such action as is appropriate in the circumstances. This may include altering its report for referral back to the ECSA.
- 4.11 Failure to take appropriate action under section 12(13)(b) is a criminal offence under the Act.
- 4.12 In satisfying the ECSA of these statutory matters, the Final Representation Review Report must take into account the principles set out in section 26 of the Act, namely:
- 4.12.1 that any changes to the Council's representation should benefit ratepayers;
  - 4.12.2 arrangements should reflect communities of interest, values and aspirations and avoid significant dislocation within the community;
  - 4.12.3 encourage local community participation in decisions about local matters; and
  - 4.12.4 provide effective local governance and foster co-operation with other councils.
- 4.13 The Final Representation Review Report must also have regard to section 33 of the Act, which lists the matters that must be taken into account, as far as practicable, if the Council proposes to change the Ward representation of the Council. These include:
- 4.13.1 the desirability of reflecting communities of interest of an economic, social, regional or other kind;
  - 4.13.2 the population of the area, and of each Ward affected or envisaged by the proposal;
  - 4.13.3 the topography of the area, and of each Ward affected or envisaged by the proposal;
  - 4.13.4 the feasibility of communication between electors affected by the proposal and their elected representatives;
  - 4.13.5 the nature of substantial demographic changes that may occur in the foreseeable future; and
  - 4.13.6 the need to ensure adequate and fair representation, while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term).
- 4.14 Any proposal that relates to the formation, or alteration, of Wards must observe the principle that the number of electors represented by a Councillor must not, at the relevant date (assuming the proposal was in operation), vary from the Ward quota by more than 10%.

- 4.15 For the avoidance of doubt, in undertaking this review of the Council's decision making processes, leading to the Decision made at its Meeting of 27 July 2021, nothing in this report purports to bind or otherwise fetter the ECSA statutory role in this respect.
- 4.16 Our role is simply to determine whether the Decision, to propose a recommended structure and composition to the ECSA for his consideration, was a reasonable decision to make in the circumstances, open to be made on the facts before the Council, made in the public interest and not based on a flawed decision-making process.

## 5. THE COUNCIL'S REPRESENTATION REVIEW PROCESS

- 5.1 Against this, it is relevant to note that the Council undertook its last Representation Review in 2013, obtaining certification from the ECSA by letter dated 5 November 2013.
- 5.2 As part of that Representation Review process, the Council retained its four (4) Ward structure, 12 Ward Councillors, with three (3) elected from each Ward, and a Mayor, elected from the whole of the Council area.
- 5.3 Pursuant to regulation 4 of the *Local Government (General Regulations) 2013*, the relevant period for the Council to undertake its current Representation Review was determined by the Minister, by notice in the Government Gazette (the **Gazette**) on 9 July 2020. This Notice required that the Council under its Representation Review between October 2020 and October 2021 (**Appendix 7**).

## 6. COUNCIL MEETING OF 8 SEPTEMBER 2020

- 6.1 At its Meeting of Tuesday 8 September 2020, at Agenda item 15.2 *Representation Review Commencement 2020-21* the Council was required to receive and consider a report with respect to commencing its Representation Review process, including the engagement of a 'person', who, in the opinion of the Council, was qualified to address the representation and governance issues that may arise with respect to the matters under review for the purposes of section 12(5) of the Act.
- 6.2 Following its receipt, and consideration of the same, the Council resolved unanimously as follows:

*Motion*

*C080920/2025*

*That Council:*

1. *endorse the commencement of the Representation Review 2020/21 and the allocation of a budget of \$23,000; and*
2. *note that Administration will appoint CL Rowe and Associates to conduct the Representation Review as they are deemed qualified to address the representation and governance issues that may arise with respect to the matters under review to commence from October 2020.*

*Moved Councillor Clancy, Seconded Councillor Smedley Carried Unanimously*



- 6.3 A copy of the Agenda report for item 15.2 and the relevant page of the Minutes from the Council Meeting of Tuesday 8 September 2020 are **Appendix 8**.
- 6.4 An information paper was then prepared by CL Rowe and Associates (the **Consultant**) dated November 2020, distributed to the Elected Members for consideration (**Appendix 9**).

## **7. COUNCIL MEETING OF 9 FEBRUARY 2021**

- 7.1 Pursuant to section 12(5) and (6) of the Act, the Council then caused to be prepared an Options Paper, which provided the options for consideration as to the Council's composition and structure and at its Meeting of Tuesday 9 February 2021, the Council received and considered a report for Agenda item 15.6 *Representation Review Options Paper*.
- 7.2 The report for the item noted the Options Paper had been prepared by Consultant, pursuant to the requirements of the Act, which formed an attachment to the Agenda report.
- 7.3 The Options Paper examined the advantages and disadvantages of various options that available to the Council in respect to its future composition and structure. Five (5) options were proposed, which ranged from a total of twelve Ward Councillors to eight (8), and a no Ward, three (3), four (4) or five (5) Ward structure.
- 7.4 It was noted in the Agenda report the proposed section 11A of the *Statutes Amendment (Local Government Review) Bill 2020*, (as it was at that time), is passed, would prevent a council from having more than twelve (12) members, inclusive of the Mayor. That is, one (1) less Elected Member than the Council's current composition.
- 7.5 At that time, the reforms had yet to be debated in full, and even if subsequently passed, the provision would have no effect for the Council until the periodic election in 2026.
- 7.6 However, the proposed reform position, combined with the wording of the existing section 12(6)(a) of the Act, does indicate a legislative intent that the Council is required, at the very least, to consider the question of whether the number of members should be reduced as part of its Review.
- 7.7 The Agenda report also provided that the in accordance with Council's *Community Consultation and Engagement Policy* the level of engagement was to be 'active engagement'. We will return to this shortly.
- 7.8 A copy of the Council's *Community Consultation and Engagement Policy*, last reviewed on 14 July 2020, is **Appendix 10**.
- 7.9 Following the Council's receipt and consideration of the Agenda report for Agenda item 15.2, and the draft Options Paper, after a lost amendment to the motion to include a two (2) Wards four (4) Councillor option, it resolved as follows

*Motion*

*C090221/2218*

*That Council endorses the Representation Options Paper to be released for public consultation.*

*Moved Councillor Bouchee, Seconded Councillor Miller*

- 7.10 A copy of the Agenda report for item 15.6 and the relevant page of the Minutes from the Council Meeting of Tuesday 9 February 2021 are **Appendix 11**.
- 7.11 Pursuant to section 12(7) and (8) of the Act, the Council then undertook the first round of public consultation as part of its Representations Review process in relation to the Options Paper. This consultation was undertaken in accordance with the engagement strategy, as endorsed by the Council in adopting the Option Paper at Agenda item 15.6, to seek the views of electors, residents, ratepayers and interested persons on the Council's elected representation structure.
- 7.12 This first public consultation commenced on Thursday 18 February 2021, by way of Notice published in the Gazette, and concluded on Friday 9 April 2021. This period was longer than the six (6) week statutory minimum, noting the intervening Easter holiday period.
- 7.13 Notice of this first public consultation was also published in *The Advertiser* on Thursday 18 February, being a local newspaper circulating in the Council area, and on the Council's website [www.yourholdfast.com/representation-review](http://www.yourholdfast.com/representation-review), where details of how to provide written submissions were included.
- 7.14 The Agenda report also provided that the views of the community were be collected via:
- 7.14.1 the Council's website which included an online survey;
  - 7.14.2 written submissions by email or letter, and
  - 7.14.3 hard copy survey forms being made available with copies of the Options Paper via the Civic Centre and Glenelg and Brighton libraries.
- 7.15 Additional promotion was through:
- 7.15.1 a registered user update, by email to 1800 registered persons on the Council's database;
  - 7.15.2 Council's Twitter account, LinkedIn account and Facebook page;
  - 7.15.3 Holdfast News – e-newsletter, and
  - 7.15.4 displays in the Brighton Civic Centre and Brighton/Glenelg libraries.
- 7.16 The Council received 399 visits to its electronic consultation resources, and 61 submissions were received on the Options Paper, 58 electronically, two (2) by hard copy questionnaire and one (1) by email.

## 8. COUNCIL MEETING OF 25 MAY 2021

- 8.1 The outcomes of the first round of public consultation were summarised in the Agenda report prepared for item 16.3 *Representation Review Submissions Report and Representation Review Report Considerations* for the Council's consideration at its Meeting of Tuesday 25 May 2021, which noted as follows:
- 8.1.1 of the 60 submissions which specifically addressed the issue of the principal member, 40 (or 66.6%) favoured the retention of an elected Mayor and 20 supported a change to a Chairperson;
- 8.1.2 53 respondents (or 86.89%) of the submissions received, favoured an option which divided the Council area into wards, whilst only eight (8) or 13.11% favoured the abolition of wards;
- 8.1.3 45 respondents (or 73.77%) favoured a reduction in the number of Councillors;
- 8.1.4 16 respondents (or 26.23%) favoured the retention of 12 Councillors;
- 8.1.5 25 respondents (40.58%) favoured eight (8) Councillors; 11 (18.03%) favoured nine (9) councillors; and seven (7) (or 11.48%) favoured ten (10) councillors;
- 8.1.6 The preferred Ward structure from the submissions received, in descending order from most, to least, preferred was as follows:
- Option 4 – a modified (4) Ward structure with eight (8) Councillors – 24 submissions (or 39.34%);
  - Option 1 – the current four (4) Ward structure with 12 councillors – 15 submissions (or 24.59%);
  - Option 3 - a three (3) Ward structure with nine (9) Councillors – 11 submissions (or 20.75%);
  - Option 2 - a five (5) Ward structure with ten (10) Councillors - three (3) submissions (or 5.66%).
- 8.2 The outcomes for Option 5 were reported at page 4 of the Agenda report, noting that eight (8) respondents, or 13.11% of submissions received, favoured a no Ward option.
- 8.3 The outcomes from this first public consultation on the Options Paper were set out in full in the *Representation Review Submissions Report* prepared by the Consultant, included at Attachment 1 to the Agenda Report.
- 8.4 Whilst the Consultants' report summarised the *Preferences* of the submissions received, and referred to respondents by number, it is noted in the report as follows (emphasis ours):

*A summary of the submissions is provided in Attachment A; and it is understood that copies of the submissions will be available to Elected Members via the "HUB". It is recommended that the Elected Members take*

***the time to peruse the submissions as some contain relevant comments and opinions of the respondents.***

8.5 This included access to the submission made by the Resident Groups (**Appendix 12**).

8.6 It was also noted:

*The receipt of sixty-one (61) submissions is considered to be a reasonable response, given that at the same stage of the previous elector representation review (January 2013) Council received only two (2) submissions. Whilst the recent submissions only represent a small sample of the public, they do provide some insight in respect to several specific issues being addressed by the representation review.*

8.7 The Agenda report prepared for item 16.3 reminded Elected Members that in their consideration of the outcomes of the first public consultation:

*Whichever structure Council elects to endorse, justification will need to be provided to the Electoral Commission of South Australia (ECSA). Council should consider advice from ECSA in 2013 that stated “currently the City of Holdfast Bay has one of the lowest quotas within the metropolitan region and in future council should give more consideration to the principles and matters under Section 26 and 33 of the Act, particularly in relation to avoiding overrepresentation in comparison to councils of a similar size and type”.*

8.8 This being reference to the letter of certification received by the ECSA on the Council’s last review in November 2013 (**Appendix 6**), a copy of which was included as Attachment 2 to the Agenda report. We will return to this issue shortly.

8.9 Following the Council’s receipt and consideration of the Agenda report for Agenda item 16.3, and the *Representation Review Submissions Report* at Attachment 1 to the same, following the calling of a division on the vote, it resolved as follows:

*Motion* *C250521/2297*

*That Council:*

- 1. notes the Representation Review Submissions Report outlining the public consultation outcomes; and*
- 2. endorses in principle the following components of the proposed future composition of Council, for inclusion in the Representation Review Report:*
  - a. the principal member of Council continue to be a Mayor, elected by the community at Council elections;*
  - b. no area councillors be proposed;*
  - c. the area of the Council should continue to be divided into 4 wards; and*
  - d. that each ward is represented by 3 councillors.*

*Moved Councillor Smedley, Seconded Councillor Snewin Carried*

- 8.10 A copy of the Agenda report for item 16.3, with Attachments, and the relevant pages of the Minutes from the Council Meeting of Tuesday 25 May 2021 are **Appendix 13**.

## 9. COUNCIL MEETING OF 8 JUNE 2021

- 9.1 Subsequently, at its Meeting of Tuesday 8 June 2021, the Council was required to receive and consider an Agenda report at item 15.4 *Representation Review Report*, being the draft Report prepared by the Consultant in accordance with section 12(8a) of the Act.
- 9.2 The Agenda report for the item noted that in accordance with Council's resolution made at its Meeting of Tuesday 25 May 2021, a draft Representation Review Report had been prepared by the Consultant, which formed Attachment 1 to the report for the item.
- 9.3 The draft Representation Review Report included information on the first round of public consultation, the Council's response from the submissions made, set out the proposal that Council considered should be carried into effect, as well as addressed how the proposal related to the legislative principles for the Council's composition and structure.
- 9.4 It was noted that once the draft Representation Review Report had been adopted by Council for public consultation purposes, then the second round of public consultation on the proposal was required to be undertaken, under section 12(9) of the Act.
- 9.5 Any person making a written submission as part of this second round of consultation was also required to be afforded the opportunity to attend a Council meeting to appear personally and speak to their submission.
- 9.6 Following receipt of all written submissions and any attendances at the nominated Council meeting, the Consultant was then required to prepare the Final Representation Review Report, for submission to the Council, adoption, and transmission to the ECSA for certification.
- 9.7 When the Council reached Agenda item 15.4 *Representation Review Report* at its Meeting of Tuesday 8 June 2021, following the Council's receipt and consideration of the Agenda report for the item, which included the draft Representation Review Report appearing at Attachment 1, following the calling of a division on the vote, it resolved as follows:

*Motion*

*C080621/2310*

*That Council endorses the Representation Review Report be released for public consultation which proposes:*

- *the principal member of Council continues to be a Mayor elected by the community;*
- *area councillors are not introduced in addition to ward councillors;*
- *the future elected body of Council comprise the Mayor and twelve (12) ward councillors;*

- *the Council area continue to be divided into four (4) wards, as per the current ward structure, with each of the wards being represented by three (3) councillors; and*
- *the wards continue to be named Glenelg, Somerton, Brighton and Seacliff.*

*Moved Councillor Lindop, Seconded Councillor Smedley Carried*

- 9.8 A copy of the Agenda report for item 15.4 with Attachments, and the relevant pages of the Minutes from the Council Meeting of Tuesday 8 June 2021 are **Appendix 14**.
- 9.9 Pursuant to section 12(9) of the Act, the Council then undertook the second round of public consultation as part of its Representations Review process, pertaining to the proposal set out in the draft Representation Review Report.
- 9.10 This consultation was undertaken in accordance with the engagement strategy, as endorsed by the Council in adopting the draft Representation Review Report at Agenda item 15.4, as well as the Council's *Community Consultation and Engagement Policy*.
- 9.11 This second round of public consultation commenced on Thursday 17 June 2021, by way of Notice published in the Gazette and *The Advertiser*, and concluded on Friday 9 July 2021.
- 9.12 Notice of this public consultation was also published on the Council's website [www.yourholdfast.com/representation-review](http://www.yourholdfast.com/representation-review), where details of how to provide written submissions were included.
- 9.13 The engagement strategy also included the provision of hard copy survey forms being made available with copies of the Representation Review Report via the Civic Centre and Glenelg and Brighton libraries.
- 9.14 Additional notification the public consultation process was made by way of promotion was through:
- 9.14.1 email to 1800 community members and 3800 businesses registered on the Council's database;
- 9.14.2 Council's Twitter, LinkedIn and Facebook accounts;
- 9.14.3 the Holdfast News – e-newsletter (being a database of approximately 1800 persons), and
- 9.14.4 displays in the Brighton Civic Centre and Brighton/Glenelg libraries.
- 9.15 At the conclusion of the second round of consultation, the Council received 123 visits to its *Your Say* Holdfast webpage, and 23 submissions on the draft Representation Review Report, 22 through the website and one (1) by email.



## 10. COUNCIL MEETING OF 13 JULY 2021

- 10.1 Pursuant to section 12(10) of the Act, the Council was also required to provide an opportunity for any person who made a submission on the second round of public consultation, on the Representation Review Report, the opportunity to appear personally before the Council, to be heard on their submission.
- 10.2 Only one (1) of the persons who made a submission as part of this second public consultation process took up this invitation. The Applicant and the Resident Groups did not take up the invitation to address the Council, despite making a submission as part of the second round of public consultation.
- 10.3 Indeed, the Holdfast Bay Residents Association wrote to the Council, to advise that it was not available to make a presentation to the Members at that meeting, however, it had sent a copy of its response to all Elected Members, and had written to the *'Minister and Electoral Commissioner'* about its concerns with the process.
- 10.4 At Agenda item 6 for the Meeting of Tuesday 13 July 2021, it is recorded that the Council received a submission from one (1) respondent.
- 10.5 A copy of the relevant page of the Minutes from this Council Meeting of Tuesday 13 July 2021 is **Appendix 15**.

## 11. COUNCIL MEETING OF 27 JULY 2021

- 11.1 Following which, at its Meeting of 27 July 2021, the Council was required to receive and consider an Agenda report for item 15.3 *Representation Review Report and Approval to Report to the Electoral Commissioner of South Australia*.
- 11.2 The Agenda report prepared for the item contained an Attachment 1, being a summary prepared by the Consultant of the outcome of the second public consultation process, noting as follows:

*A summary of the submissions is provided in Attachment A. It is recommended that the elected members take the opportunity to read the comments provided by the respondents.*

- 11.3 Importantly, Members were also provided with access to the original submissions received, by way of the Elected Member portal, which submissions were also publicly available on the Council's website.
- 11.4 Of the 23 submissions received:
- 11.4.1 ten (10) respondents (or 43.5%) agreed with retaining the Council's existing structure and composition, and 13 respondents, (or 56.5%) did not agree;
- 11.4.2 of those who did not agree, seven (7) favoured a model of eight (8) Councillors and two (2) expressed a preference for Area Councillors, and to abolish Wards;



- 11.4.3 five (5) submissions expressed views that the residents, ratepayers and electors are over-represented, that is, the number of Councillors should be reduced;
- 11.4.4 five (5) submissions referred to the results of the first round of public consultation, expressing disappointment that the Council did not follow the preference of the 74% of respondents to the Options Paper that advocated for a reduction in the number of Councillors; and
- 11.4.5 of those who did agree with the proposal to retain the existing structure and composition of the Council, three (3) specified they considered the existing structure was fair/working well.
- 11.5 The Agenda report noted that as part of its Representation Review process, the Council was now required to determine its preferred composition and structure, and to approve that Administration provide the Final Representation Review Report to the ECSA for certification in accordance with section 12(12) of the Act.
- 11.6 Following its consideration of Agenda item 15.3 *Representation Review Report Submissions Report and Approval to Report to the Electoral Commissioner of South Australia*, and after the calling of a division, the Council resolved as follows for the item:

*Motion* C270721/2361

*That Council:*

1. *notes the Submissions Report outlining the public consultation outcomes; and City of Holdfast Bay 779 Council Minutes 27/07/2021*
2. *endorses that Administration provides the Final Report pursuant to Section 12(12) of the Local Government Act 1999 to the Electoral Commissioner of SA with the following proposal:*
  - *the principal member of Council continues to be a Mayor elected by the community;*
  - *area councillors are not introduced in addition to ward councillors;*
  - *the future elected body of Council comprise the Mayor and twelve (12) ward councillors;*
  - *the Council area continue to be divided into four (4) wards, as per the current ward structure, with each of the wards being represented by three (3) councillors; and*
  - *the wards continue to be named Glenelg, Somerton, Brighton and Seacliff.*

*Moved Councillor Lonie, Seconded Councillor Fleming Carried*

- 11.7 A copy of the relevant pages from the Agenda report for item 15.3, including Attachment 1, and the Minutes from the Council Meeting of 27 July 2021 are **Appendix 16**.

- 11.8 On our consideration of the Agenda reports for this Meeting, and consistent with the submissions made by the Applicant (**Appendix 1**), it is noted that as part of the debate on Agenda item 15.3, Members were provided with certain information from the CEO with respect to the estimated cost of Councillors for a four (4) year term, being in the vicinity of \$400,000 in total.
- 11.9 Following which, by email of 28 July 2021, the CEO provided a breakdown of costs per Councillor for the Council's operating budget, which showed that the costs per Councillor for the Council, each financial year, was approximately \$29,364.
- 11.10 Subsequently, by letter dated Sunday 1 August 2021, the Applicant requested a review of the Decision of the Council, made at its Meeting of 27 July 2021, to maintain its existing composition and structure (**Appendix 1**).

## 12. RELEVANT CONSIDERATIONS AND FINDINGS

- 12.1 We have now carefully considered the above against the evidence received, including the submissions of the Applicant and the Resident Groups, and make the following findings in respect of the matters raised on this review:
- 12.1.1 we **do not** find that the Council's decision to retain the number of Councillors at 12, plus a Mayor, could be said to be inconsistent with the requirements under section 8 of the Act;
- 12.1.2 whilst it has been submitted that section 8 requires the Council to seek to ensure that resources are used fairly, effectively and efficiently, notably, the section sets out a number of other the principles to be observed by the Council including;
- providing open, responsive and accountable government;
  - being responsive to the needs, interests and aspirations of individuals and groups within its community;
  - managing its operations and affairs in a manner that emphasises the importance of service to the community; and
  - achieving and maintaining standards of good public administration;
- 12.1.3 each of which are relevant matters for the Council to take into account, in determining its composition, as part of its Representation Review process under the Act;
- 12.1.4 indeed, it is section 12 that sets out the statutory framework the Council **must** consider, in weighing the advantages and disadvantages of the various options with respect to its composition and structure. This is informed by the matters set out under 26, the principles of reform proposal, as well as section 33, regarding ward quotas;
- 12.1.5 it is necessarily these considerations that the Council's Representation Review process must be assessed against, in determining whether the Council's decision making with respect to the same has erred in any respect;

- 12.1.6 in which case, any consideration of the number of Councillors in a Council area, based on financial 'cost' alone to the community, and any suggestion that fewer will result in reduced cost, is a 'blunt' and uniformed instrument within which to assess the impact of a reduction in the number of Councillors;
- 12.1.7 this is particularly so for the Council which has a culturally diverse community, as well as a number of communities of interest, including business and tourism interests;
- 12.1.8 accordingly, any potential for financial savings in reducing the number of Councillors must be considered in light of the corresponding potential for reduced representation, delays in timely responses and workloads;
- 12.1.9 it is also to be noted that the allowances for Councillors are set by the Remuneration Tribunal of South Australia. As a group 1B Council, the annual allowance for Councillors from 9 November 2020 is \$21,621, with the allowance for the Mayor set at four times the Allowance of a Councillor;
- 12.1.10 that is, with a total Municipal Expenditure of \$47,770,000 for the 2021/22 FY (2021/22 Annual Business Plan), the allowance for individual Councillors constitutes **0.045%** of operating expenses per annum;
- 12.1.11 based on cost of the allowance, the reduction in the composition of Council by two (2) Councillors across the Council area (for example), would only constitute a reduction in the expenditure of the Council of 0.09% per annum. This is consistent with the cost break down prepared by the CEO, and as provided to the Elected Member body by email of 28 July 2021;
- 12.1.12 whilst we do note there are additional administrative costs occasioned by additional Councillors, there are other relevant considerations which **must** be considered in determining the appropriate number of Councillors, including:
- whether the current number of Elected Members, being 12 Councillors plus a Mayor, has an impact on decision making by the Council; and
  - the ratio of Councillors to electors as compared to similar councils, to ensure adequate and fair representation, and to avoid over representation;
- 12.1.13 whilst a comparison of councils in this regard is not a precise measure, as no two (2) councils are the same in terms of population, size and composition, a comparison of similar councils, both in size, as well as geographically, can assist in providing guidance on comparable levels of representation for the Council in determining this issue;
- 12.1.14 these comparisons were contained the Tables to the Consultant's Reports *Elector Representation Review (Appendix 9) Representation*

*Options Paper (Appendix 11) First Public Consultation (Appendix 13) and Second Public Consultation (Appendix 16);*

- 12.1.15 despite the assertion that the Council's composition can be assessed against, for example, the elector ratios in the City of Onkaparinga or the City of Marion, we are of the view this submission is misplaced;
- 12.1.16 a more representative comparison is to be had between other **similarly classed councils**, as classified by the ACLG (Australian Classification of Local Governments);
- 12.1.17 the ACLG classification provides that the Council attracts an *Urban Development Medium* classification. In which case, a more meaningful comparison is between the elector ratio of the Council, with other *Urban Development Councils*;
- 12.1.18 the classifications for 2019 – 2020 are reflected in the *Representations Quotas 2012-2020* document prepared by the LGA (**Appendix 17**);
- 12.1.19 the below table represents information regarding the other *Urban Development Medium* councils, being The City of Burnside, The Campbelltown City Council, The City of Norwood, Payneham & St Peters, The City of Mitcham, and The City of Unley, updated to reflect the elector figures provided by ECSA as at 23 April 2021, and as used by the Consultant in the Council's Representation Review process:

Council	Area km2	Wards	Mayor or Chairperson	Councillors (without Mayor)	Electors	Ward Quota (without Mayor)
Burnside	27.53	6	Mayor	12	32,019	2,668
Campbelltown	24.35	5	Mayor	10	36,176	3,618
<b>Holdfast Bay</b>	<b>13.72</b>	<b>4</b>	<b>Mayor</b>	<b>12</b>	<b>28,433</b>	<b>2,369</b>
Mitcham	75.55	6	Mayor	13	48,841	3,757
Norwood, Payneham and St Peters	15.1	6	Mayor	13	25,790	1,984
Unley	14.29	6	Mayor	12	27,505	2,293
West Torrens	37.07	7	Mayor	14	42,182	3,013
<b>Average</b>	<b>29.65</b>	<b>5</b>	<b>Mayor</b>	<b>12</b>	<b>34,421</b>	<b>2,815</b>

- 12.1.20 the above table indicates of the other *Urban Development Medium* councils:
- all elect a Mayor, rather than a Chairperson;
  - all of the councils have Wards, with an average of five (5) Wards per Council;
  - in relation to the number of Councillors:
    - the number ranges from between ten (10) to fourteen (14), with three (3) other councils having a greater number of Councillors than the Council;
    - the average number of Councillors being twelve (12); and
    - the ratio of electors to Councillors (excluding the Mayor) ranging from 1:1,984 to 1:3,757, with an average of 1:2,815.
- 12.1.21 accordingly, the comparison with other *Urban Development Medium* councils indicate the current elector ratio and number of Councillors of the Council **compares favourably** to other councils with similar characteristics, sitting below the average elector ratios for all seven (7) councils, at **1:2,369**, placing it mid-range in terms of its current Councillor representation ratio;
- 12.1.22 in which case the comments of the former ECSA, as set out in the certification letter of 5 November 2013 (**Appendix 6**), that the Council *'has one of the lowest quotas within the metropolitan region and in future council should give more consideration to the principles and matters under section 26 and 33 of the Act, particularly in relation to avoiding over-representation in comparison to councils of a similar size and type'*, are now redundant;
- 12.1.23 by reference to the above table, and those figures contained in the Consultant's reports, received and considered by the Council as part of its Representation Review process, the Council **does** compare favourable to councils of a similar size and type, it **does not** have one of the lowest quotas, and any submission that the electors in the Council area are *'over represented'* **is not** supported by the evidence received;
- 12.1.24 we further note the Council was mindful of the former ECSA's concerns in this respect, as the certification letter of November 2013 was included as Attachment 2, to the Agenda report for item 16.3 *Representation Review Submissions Report and Representation Review Report Considerations*, received and considered by the Council at its Meeting of Tuesday 25 May 2021. The Agenda report specifically noted the former ECSA's views in this respect (**Appendix 13**);
- 12.1.25 accordingly, we **do not** find that it could be said the electors in the Council area are over-represented. This is particularly noting there are also, to a degree, a number of 'hidden' electors in any council area at any given time;

- 12.1.26 this arises on the basis that electors entitled to vote in the Council area, may not be on the State electoral roll and have not registered with the Council as an occupier or owner of rateable property in the Council area. Not all persons who are eligible to register, do so. For example, owners of businesses and holiday houses and landlords of rateable property may not, at any given time, be registered as electors in the Council area.
- 12.1.27 in which case, the Council, being an area with a large number of businesses and holiday houses, is likely to contain a (relatively speaking) a higher number of such 'unregistered' electors, as compared to other council areas, and the elector ratio is likely to be higher than that reported by ECSA;
- 12.1.28 as to the submission with respect to the regard had to the submissions received by the Council as part of its Representation Review process, the Consultant's report *First Public Consultation Report*, prepared for the Council's consideration at its Meeting of 25 May 2021 at Agenda item 16.3 (**Appendix 13**), summarised the *Preferences* of the submissions received on the first round of public consultation, noting that:
- [a] summary of the submissions is provided in Attachment A; and it is understood that copies of the submissions will be available to Elected Members via the "HUB". It is recommended that the Elected Members take the time to peruse the submissions as some contain relevant comments and opinions of the respondents*
- 12.1.29 we are also advised that Members were provided with access to the original submissions received on the first round of public consultation by way of the Elected member portal. In which case it could not be said that they merely relied on the summary prepared by the Consultant;
- 12.1.30 in fact, whilst retaining the current composition and structure was not the preferred option as part of the first round of public consultation, with 24 submissions (39.34%) received preferring Option 4 – a modified (4) Ward structure with eight (8) Councillors, it was the **second preference**, with 15 submissions (or 24.59%) of respondents;
- 12.1.31 in which case, there was (and is) a level of support in the community for the Council to retain its existing conditions and structure;
- 12.1.32 as to the submission that the Council did not turn its mind to reducing the number of Councillors as part of the Representation Review process, following that meeting held on 25 May 2021, where the Council was required to consider its preferred composition and structure for the purposes of preparing the Representation Review report, and noting the discussion and debate on the item, the Team Leader Governance emailed the Consultant on 31 May 2021, to set out the reasons advanced during the discussion had by Members, for maintaining the number of Councillors at 12, plus the Mayor (**Appendix 18**);
- 12.1.33 following which, the Consultant's report *Second Public Consultation Report*, prepared for the Council's consideration at its Meeting of 27 July



2021 at Agenda item 15.3 (**Appendix 16**), summarised the submissions received as part of the second round of consultation;

- 12.1.34 we are advised Members were, again, provided with access to the original submissions received on this second round of public consultation via the Elected Member portal. The submissions were also publicly available on the Council's webpage. In addition the submissions from the Resident Groups were also separately emailed to the Elected Members;
- 12.1.35 with respect to the 'weight' to be attributed to these consultation outcomes, this is but one relevant factor for the Council to take into account as part of its Representation Review process;
- 12.1.36 any submission received advocating for a reduction in the number of Councillors must be weighed against those principles set out under section 26 of the Act, which the Council is required to take into account as part of its Review. Any potential for financial savings needs to be considered in light of the corresponding potential for reduced representation, delays in timely responses, and workloads for Councillors;
- 12.1.37 as noted above, it is incumbent on the Council to consider all relevant factors in determining its composition, with 'cost' being just one factor. Indeed, making a decision based solely on the submissions received, would, of itself, lead to an error in the Council's decision-making functions on its Representation Review;
- 12.1.38 for the avoidance of doubt, **we find** that the Agenda Reports prepared for the Council's consideration on the public consultation outcomes on both the Options Paper, as well as the Representation Review Report, reported on the outcomes of those consultation processes in a comprehensive, fair and objective manner. Members were also provided with, and encourage to read, the original submissions received;
- 12.1.39 in which case, we **do not** find that the evidence establishes the Council did not have sufficient regard, or give sufficient weight to, the submissions received as part of its Representation Review process, or that the reporting of the consultation outcomes to the Council were deficient in any respect;
- 12.1.40 in addition, we **do not find** that the Council's public consultation processes with respect to its Representation Review process were lacking in any manner, or, otherwise, not conducted in accordance with its statutory obligations under section 12 of the Act and its *Community Consultation and Engagement Policy* (**Appendix 10**), with clause 2.6 providing:

*Where required by the Local Government Act, or any other Act, Council will at all time meet at least the minimum requirements for public consultation as identified in the Act*



- 12.1.41 following the Council's consideration of Agenda item 15.6 *Representation Review Options Paper* at the Meeting on 9 February 2021, it resolved to endorse the draft Options Paper for the first round of public consultation;
- 12.1.42 the consultation commenced on Thursday 18 February 2021, by way of Notice published in the Gazette and in *The Advertiser*, concluding on Friday 9 April 2021;
- 12.1.43 in accordance with section 12 of the Act and the Council's *Community Consultation and Engagement Policy*, the following additional public consultation activities were undertaken:
- notice was published on the Council's website [www.yourholdfast.com/representation-review](http://www.yourholdfast.com/representation-review) where details of how to provide written submissions were included;
  - the views of the community were collected through the Council's website, which included an online survey, as well as by written submissions by email or letter;
  - hard copy survey forms were made available with copies of the Options Paper left at the Civic Centre and Glenelg and Brighton libraries;
  - additional promotion of the first public consultation was undertaken by email to 1800 registered persons on the Council's database;
  - regular notifications through Council's Twitter, LinkedIn account and Facebook accounts;
  - the Holdfast News – e-newsletter, and
  - displays in the Brighton Civic Centre and Brighton/Glenelg libraries.
- 12.1.44 the Council received 399 visits to its *Your Say Holdfast* webpage, and 61 submissions on the Options Paper. This is a **significant increase** on the Council's Representation Review process from 2013, whereby only two (2) submissions were received on the Options Paper;
- 12.1.45 following which, at its Meeting of Tuesday 8 June 2021, the Council was required to receive and consider an Agenda report at item 15.4 *Representation Review Report*, being the draft Report prepared by the Consultant in accordance with section 12(8a) of the Act (**Appendix 15**);
- 12.1.46 the Council resolved to endorse that the Representation Review Report be released for the second round of public consultation;
- this second round of public consultation commenced on Thursday 17 June 2021, by way of Notice published in the Gazette and in *The Advertiser*, concluding on Friday 9 July 2021;

- notice of this public consultation was published on the Council's website [www.yourholdfast.com/representation-review](http://www.yourholdfast.com/representation-review) where details of how to provide written submissions were included.
  - the views of the community were again collected via the Council's website, which included an online survey, as well as written submissions by email or letter;
  - hard copy survey forms were made available with copies of the Options Paper via the Civic Centre and Glenelg and Brighton libraries;
  - additional promotion of the second public consultation was undertaken by email to 1800 community members and 3800 businesses registered on the Council's database;
  - regular messages were sent through Council's Twitter account, LinkedIn account and Facebook page;
  - the Holdfast News – e-newsletter, and
  - displays in the Brighton Civic Centre and Brighton/Glenelg libraries.
- 12.1.47 as part of this second round of consultation, the Council received 123 visits to its *Your Say Holdfast* webpage, and 23 submissions on the Representation Review Report;
- 12.1.48 in addition, and in accordance with section 12(10) of the Act, the Council provided an opportunity for any person who made a submission on the second round of public consultation, the opportunity to appear personally before the Council, to be heard on their submission. The Applicant and the Resident Groups did not take up this invitation, despite making a submission as part of the second round of consultation;
- 12.1.49 as part of its Representation Review process, the Elected Members also participated in three (3) workshops, at which they were provided with information regarding process, and legislative requirements, in relation to the Council's Review process. These were held on 1 December 2020, 27 January 2021 and 20 April 2021;
- 12.1.50 accordingly, based on the above, we **do not** find that the public consultation on the Council's Representation Review process erred in any manner. Indeed, in a number of aspects, it went beyond the statutory requirements, despite there being no obligation to do so under the *Community Consultation and Engagement Policy* and demonstrably resulted in an increase in consultation responses received;
- 12.1.51 there is, simply, no evidence that the community engagement processes were lacking in any respect, or did not otherwise have 'reach' into the community. In fact, the evidence is entirely to the contrary;
- 12.1.52 all of which leads to the inescapable conclusion that the Council, in its decision-making processes with respect to determining its proposed

structure and composition as part of its Representation Review process did not err in any respect.

### **13. CONCLUSIONS AND RECOMMENDATIONS**

- 13.1 Taking the above into account, **we find** the decision to retain the number of Councillors at 12, plus a Mayor, is not inconsistent with the Council's obligations under section 8 of the Act, and is supported by reference to appropriate comparator councils.
- 13.2 In making the Decision, there is no evidence that the Council did not give sufficient regard, or give sufficient weight to, the submissions received as part of its Representation Review process.
- 13.3 As to the issue of the 'cost' of Councillors not being readily understood as part of the decision making process, the Council **was** provided with information from the CEO with respect to these figures. However, and for the reasons set out above, financial cost alone **cannot** be the only, or even the overriding, factor for the Council to take into account as part of its Representation Review process. Indeed, to do so, would be to fall into Administrative error.
- 13.4 The purpose of the Representation Review process is to ensure adequate representation for residents, ratepayers and electors in a Council area. An arbitrary 'carving' off of the number of Councillors based on a purported argument of cost alone, would not meet the Council's obligations to take into account those matters set out sections 12, 26 and 33 of the Act, in undertaking its Representation Review.
- 13.5 In which case, **we find** the Decision was open to be made and was reasonable in the circumstances, based upon all of the available evidence and able to be made on the facts presented and in the public interest. That is, it was a reasonable decision, made in a reasonable manner, by a reasonable and responsible public authority.
- 13.6 Decisions made by the Council, may not (and indeed are unlikely) to ever be decisions that all residents and ratepayers agree upon. In fact, councils are often required to make decisions that a majority, if not all, of the ratepayers and residents, may not favour (for example, an increase in rates). However, that does not mean that the decision made by the Council is not a decision available to it, or a reasonable decision to make in the circumstances.
- 13.7 It is also to be noted that despite any findings with respect to process in this Report, the final arbiter of the sufficiency, or otherwise, of the Council's Representation Review process, and the Council's proposed composition and structure, is the ECSA.
- 13.8 If the ECSA has any concerns with respect to the Council's Representation Review process, then in accordance with section 12(13) of the Act, it is open for the ECSA to notify the Council.
- 13.9 Accordingly, based on our findings in this review, it is now open for the Council to give effect to determine to give effect to its resolution made Agenda item 15.3 at its

Meeting of 27 July 2021, and provide the Final Review Report to the ECSA for consideration in accordance with section 12(12) of the Act.

13.10 Irrespective of the manner in which the Council resolves to determine this matter, it is acknowledged that the Applicants and/or other residents have recourse to the Ombudsman if they remain dissatisfied.

13.11 This concludes our review of this matter.

KELLEDYJONES LAWYERS



TRACY RIDDLE

Direct Line: 08 8113 7106

Mobile: 0431 867 523

Email: [triddle@kelledyjones.com.au](mailto:triddle@kelledyjones.com.au)

**APPENDIX 1**

Timothy D Looker.  
82 Penzance Street  
GLENELG SA 5045

Sunday, 1 August 2021

Mr Roberto Bria  
Chief Executive Officer  
City of Holdfast Bay  
PO Box 21  
BRIGHTON SA

by email attachment

**Section 270 review of a council decision.**

As a Holdfast Bay resident and one who made a submission to the representational review I have standing in this matter and request that Council resolution C270721/2361 be reviewed under section 270 on the following grounds.

1. The decision to maintain the numbers of elected members at 13 is inconsistent with the mandated requirements of section 8 of the Local Government Act.

Section 8 of the Local Government Act is expressed in mandatory terms. It evinces a clear legislative intention and instructs council to promote observance of this principle in performance of its role and functions. This has been confirmed by the Supreme Court <sup>1</sup> in the case against the City of Charles Sturt which also clarified requirements for community consultation.

Section 8 (h) states Council must use its resources fairly, effectively and efficiently.

This is reinforced in Section 26 c (1) where the Electoral Commissioner must in proposing reform have regard to the principle that resources available to communities must be used as economically as possible.

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<sup>1</sup> Coastal Ecology Protection Group Inc & Ors v City Of Charles Sturt [2017] SASC 136

This highlighted to Council in the letter to the Holdfast Council CEO from the Electoral Commissioner Kay Mousley (5th November 2013) which states

*"However I note that currently the City of Holdfast Bay has one of the lowest quotas within the metropolitan region and in future council should give more consideration to the principle and matters under section 26 and 33 of the Act particularly in relation to avoid over-representation in comparison to council of similar size and type."*

The representation review in 2013 examined elected member/elector ratios finding CHB had a ratio of 1:2155. On that basis the report recommended (page 14)

*"Given the aforementioned, it may be difficult to justify council's proposal to retain the existing number of elected members based on a comparison between the elected member numbers, elector ratios and/or the physical size of other councils."*

The 2013 report went on (page 15)

*"Given all of the aforementioned, it is suggested that a reduction in the number of councillors warrants further consideration."*

The final recommendation of the 2013 report was

*"2. Given the opinions expressed in the majority of the recent submissions, Council give further consideration to the issues of an appropriate future ward structure and the future composition of Council, in particular the three ward/nine councillor option."*

The report noted the strong public support for a reduction shown in the consultation with 37 submissions in favour of a cut against 7 keeping the status quo.

At the council meeting of 23.07.2013 the motion to reduce council to 9 ward councillors plus a mayor was amended on the floor of the chamber to keep the 12 plus 1 status quo. This locked in for at least 8 years the more expensive option in rejection of the consultants advice and the overwhelming public voice from the consultation.

In 2021 Council undertook the review process again and a report was received by Council at the meeting 21st May 2021.

The report recommended *"That council consider a reduction to eight (8) or nine (9) councillors, thereby increasing the elector ratio to a level which is more consistent with the elector ratios of other metropolitan councils which are of similar size (in area and elector numbers) and type."*

Between the time the report was written and presented to Council the State upper house amended the bill and increased the allowable maximum number of elected members to thirteen.



In a very short debate by CHB elected members (Council 25th May 2021) Cr Smedley moved immediately to retain the 13 in disregard of the public consultation and the independent report.

The only reason given by the mover of the motion to retain the 13 members was words to the effect *'we are allowed to so we should and the savings are negligible'*

Council's operational budget year 2020-2021 (item 221) shows the cost to Council for elected members at \$539,000 or a bit over 10% of the Council budget. With the cost of the Mayor removed the estimated cost per year per councillor as confirmed by the CEO is around \$29,000.

A more precise figure is being sought and expected to be higher if all administration time is accounted for such as responding to elected members questions.

Over the 4 year term of the council this equates to an estimated \$120,000 per member and if 4 are removed then the total savings would be \$480,000.

There has been no formal justification stated for retaining 13 elected members against the recommendation of the independent consultant's report but some anecdotal reasons have been proffered by councillors with no evidence.

- CHB is a heavy tourist area so there is extra work - no basis for this
- Council needs diversity - Council has no control over diversity as it is the electors who choose councillors
- Responding to resident queries - that load is light with such a low ratio.

In the decision to retain 13 elected members Council has not given sufficient regard to the mandated principles in the relevant legislation nor provided valid reasons to deviate from those principles.

## 2. That Council did not give sufficient regard or sufficient weight to the public submissions

The Representational Review report of 2021 states that 77.3% of respondents favoured a reduction in the number of councillors.

This is consistent with the consultation results in 2013 where 84.1% favoured a reduction.

The 2021 consultation included a response on behalf of two residents' associations on behalf of their members. This effectively reduced the possible total submissions as individuals did not need to respond personally with members being supportive of the response.

Council should have given extra weighting to the Residents' association submissions and if in doubt clarified with those organisations the number of residents on whose behalf the submission was made. That is consistent with Section 2.5 of council's consultation policy which Council is required to follow.

As it is, the final report treated the bulk submission as a single and as a result failed to accurately depict the size of the opposition to retaining the status quo.

The Council Community Consultation policy is phrased as a promise, is a guarantee and therefore council must comply. This is not optional and the following from the policy provide an expectation in the community that consultation is meaningful and will result in action.

- *Council will listen and acknowledge concerns and aspirations and provide feedback.*
- *Council will work with the community to ensure that its concerns and aspirations are directly reflected in the alternatives developed.*
- *Collaborate – working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions –Council will look to the community for direct advice and innovation in formulating solutions*

We are of the view that in passing the resolution Council disregarded its own mandated consultation policy.

The disregard of public consultation was given voice during the debate on the motion on July 27th by Cr Will Miller who said, words to the effect that it was elected members were elected to make the decision and groups such as the two residents' associations are unelected, don't represent many and should be disregarded.

3. The elected member body were not explicitly provided with nor comprehended the financial implications for ratepayers of keeping excess councillors.

The 2013 review report included copies of the public submissions many of which addressed the, then estimated \$100,000 per year cost, of 4 extra elected members.

The 2021 report made no reference to the significant expense of excess councillors and despite the HBRA submission which did address the cost, this was not included in the report to council nor were copies of the public submissions.

This disadvantaged the majority of councillors who clearly did not consider nor comprehend the financial benefits of a reduction in numbers. Crs Clancy and Bradshaw did comprehend the financial implications, raised them and voted against the motion to retain 13 elected members.

This was highlighted at the Council meeting of 27th July 2021 when Cr Bouchee called a point of order against Cr Clancy when she gave an estimated cost of \$500,000.

Cr Bouchee asked the Mayor to insist that Cr Clancy withdraw this figure as it was misleading of council. The CEO then provided an estimate based on allowances and added that there were other 'add ons' which place the real figure between \$400,000 and \$500,000 over the 4 year term of the council.

Cr Bouchee then did not insist as Cr Clancy was correct in her estimate. There were no further questions on the cost. This demonstrated that the majority of the elected members were unaware of the real cost and to have this explained so late in the process is an error.

It is clearly a deficiency in the process that the representational review process does not examine the financial cost implications around the size of the elected member body.

In summary I request a review of the council decision under section 270 of the act on the basis that I believe the resolution constitutes a breach of the Local Government Act, of Council's own consultation policy and was made on deficient advice to elected members.

Yours sincerely



Timothy D Looker

**APPENDIX 2**

Trim Container	FOL/17/1052
TRIM Document Number	DOC/19/81698
First Issued / Approved:	27/06/2017
Last Reviewed:	12/11/2019
Next Review:	C121119/1670
Responsible Officer	11/11/2022
Date Placed on Web	Team Leader Governance
	13/11/2019

**1. PREAMBLE**

This Policy outlines the process that will be applied when dealing with applications for an internal review of decisions of the Council (the elected body), employees of the Council, and other persons acting on behalf of the Council.

**1.1 Background**

Section 270 of the *Local Government Act 1999* (the Act) requires Council to establish procedures for the review of decisions of the Council, employees of the Council, and other persons acting on behalf of the Council (such as contractors).

**1.2 Purpose**

The aim of this policy is to provide a fair, consistent and structured process for Council’s customers if they are dissatisfied with a Council decision or service.

**1.3 Scope**

General complaints will be managed in accordance with Council’s Customer Feedback and Complaints Policy.

The Internal Review of Council Decisions Policy will apply to all applications for review of decisions of Council, its employees or other persons acting on behalf of Council, except where other statutory processes are available to the applicant including but not limited to:

- *Development Act 1993*
- *Dog and Cat Management Act 1995*
- *Electoral Act 1985 and under the Local Government (Elections) Act 1999*
- *Environment Protection Act 1993*
- *Expiation of Offences Act 1996*
- *Freedom of Information Act 1991*
- *Local Nuisance and Litter Control Act 2016*
- Industrial Relations matters
- Orders under the Act (section 254)
- Council By-Laws
- Code of Conduct issues
- Conflict of Interest matters

## INTERNAL REVIEW OF COUNCIL DECISIONS POLICY

- Decisions made under legislative delegations (e.g. *Food Act 2001, SA Public Health Act 2011*)
- Commonwealth Home Support Program matters.

Where legislation provides for the review or appeal of a decision (or where legislation excludes a decision from review) a decision of that type will not be reviewed under this policy.

### 1.4 Strategic Reference

Culture: Providing customer-centred services

Culture: Supporting excellent, efficient operations

## 2. PRINCIPLES

### 2.1 Applicants

Any person who is affected by the decisions made by Council, its employees or other persons acting on behalf of Council, may lodge an application for an internal review of that decision.

### 2.2 Application process

2.2.1 Applications are to be made in writing and include:

- a statement clearly indicating that the applicant wishes to have a decision reviewed under Section 270 of the *Local Government Act 1999*
- detail of the decision to be reviewed
- a statement outlining the reasons for requesting a review; and
- any other relevant information.

2.2.2 Applications should be made within 6 months of the most recent Council decision on a matter, however this timeframe may be extended by the Chief Executive Officer (or nominee) on a case by case basis depending on the review merit.

Application should be addressed to (hand delivered, posted or emailed to [mail@holdfast.sa.gov.au](mailto:mail@holdfast.sa.gov.au)):

Chief Executive Officer  
City of Holdfast Bay  
PO Box 19  
BRIGHTON SA 5048

2.2.3 The Chief Executive Officer may refuse to consider an application for review if:

- the application is made by an employee of the Council and relates to an issue concerning his or her employment or
- the application is frivolous (lacks substance or merit) or vexatious (made to harass, annoy, delay or cause detriment to the Council or a third party e.g. false allegations, absence of reasonable grounds) or

## INTERNAL REVIEW OF COUNCIL DECISIONS POLICY

- the applicant does not have a sufficient interest in the matter.

Refusing an application will not be done lightly and reasons for the refusal will be provided to the applicant.

### 2.3 Review process

2.3.1 All parties will have the opportunity to express their point of view, provide relevant information, and respond to issues raised.

2.3.2 The Chief Executive Officer will provide to an appropriate Contact Officer who will acknowledge the applicant's request and be responsible for dealing with the application for review..

The Contact Officer will not include any employee or contractor who has a personal relationship with the applicant, a personal interest in the outcome of the matter, or previously been involved in the decision which is the subject of the review.

2.3.3 The role of the Contact Officer is to:

- explain the procedure to the applicant and advise them of alternative courses of action available if applicable
- undertake a preliminary investigation to determine what actions have already been taken to try to resolve the matter
- consider if any alternative options are available to resolve the matter
- assess the application and determine the appropriate action
- arrange an independent review if necessary
- advise the applicant of the expected timeframe for dealing with the matter and the action to be taken in the first instance
- keep the applicant informed of progress or changes in timeframe
- ensure adequate records are maintained.

2.3.4 Some decisions will be referred directly to a Council meeting for review by the elected body such as decisions formally made by Council (i.e. by Council resolution), Council Committee decisions, Chief Executive Officer decisions, budgetary matters, scope of service delivery matters, or civic and ceremonial matters, requests for alteration to a formal Council Policy or any other matters at the discretion of the Chief Executive Officer.

Where the decision is a decision of the elected Council, the Contact Officer will report the outcome of the review to the Council. The Council will consider the outcome of the review and determine whether to affirm (uphold), vary or revoke the reviewed decision.

2.3.5 If applications for review relate to the impact that any declaration of rates or service charges may have had on ratepayers, such applications will be dealt with promptly and, if appropriate, addressed through the provision of relief or concessions under the Act.



## INTERNAL REVIEW OF COUNCIL DECISIONS POLICY

- 2.3.6 When undertaking the review, the Contact Officer's role is to review the decision in question and ensure that the original decision-maker complied with the following procedural requirements and made an appropriate decision:
- the decision must be within a power properly conferred on the decision-maker under the relevant legislation
  - a decision-maker must consider all matters which are relevant and not take into account matters which are not relevant
  - a decision-maker must not make a decision or exercise a power or discretion in bad faith or for an improper purpose
  - a decision-maker must ensure that findings of fact are based on evidence
  - a decision must be reasonable
  - those who may be affected by a decision must be accorded procedural fairness
  - a decision-maker must properly consider the application of existing policies
  - a decision-maker must not exercise a discretionary power at the direction of another person.
- 2.3.7 In carrying out a review of a decision, the Contact Officer will consider all the information and material that was before the original decision-maker and any additional relevant information or material provided by the applicant, and make the best decision available on the evidence available.
- 2.3.8 The Contact Officer, in addition to considering whether the decision is legally and procedurally correct, will also consider whether a different decision would be better, based on the evidence. The merits review process, will involve a review of the facts that support a decision, including any new evidence available.
- 2.3.9 Where the Contact Officer's role is only to prepare the matter for Council's review, the Contact Officer must reference the procedural requirements in clause 2.3.6 when preparing reports for Council's consideration.
- 2.3.10 Where a review may result in a professional indemnity or other claim against Council, an Elected Member or employee, the Chief Executive Officer (or nominee) will provide the Local Government Association Mutual Liability Scheme with summary information about the review within 30 days of the conclusion of the matter.

### 2.4 Procedural Fairness

- 2.4.1 The principles of natural justice will be observed in dealing with all applications.

## **INTERNAL REVIEW OF COUNCIL DECISIONS POLICY**

2.4.2 Council will observe the following principles of procedural fairness when exercising its statutory powers, which could affect the rights and interests of individuals by:

- giving an applicant a right to put their case forward, by giving an applicant the opportunity to provide all relevant documentary evidence rather than an oral hearing
- ensuring that the Contact Officer does not have a personal interest in the outcome (must not have a bias or perceived bias)
- acting only on proper evidence that is capable of proving the case on the balance of probabilities.

### **2.5 Record keeping**

2.5.1 Employees and contractors will keep clear and accurate records of interviews and review actions.

2.5.2 Documentation will be kept safe and secure, and only relevant parties with a genuine interest will have access to the records.

2.5.3 A register of all applications for review will be maintained.

### **2.6 Reporting**

A report will be prepared for Council on an annual basis, detailing the applications received in the previous year in accordance with section 270(8) of the Act. This information will also be included in Council's Annual Report in accordance with the Local Government (General) Regulations 2013, regulation 35, Schedule 4 (2).

### **2.7 Review timeframe**

2.7.1 An application for review of a Council decision will be formally acknowledged by the Contact Officer within 5 clear working days of receipt of the application, including an advice to applicants about an estimated timeframe for dealing with the application.

2.7.2 In most cases, applications for review will be considered within 28 days or in a timely manner for complex reviews (where appropriate enquiries, assessment of the evidence, drafting of a response and decision-making may take several months to complete).

Applicants will be kept informed by the Contact Officer about the progress of the review either by email, telephone or letter and advised in writing of the outcome of the review process.

### **2.8 Outcome of review**

2.8.1 Where the review of a decision upholds the applicant's grievance (decision is overturned or varied), a remedy or response will be

## INTERNAL REVIEW OF COUNCIL DECISIONS POLICY

determined which is consistent and fair for both Council and the applicant. The applicant will be advised accordingly.

The remedy chosen will be proportionate and appropriate to the failure identified and may include, but is not limited to:

- returning the situation to its original status
- an explanation
- an apology or admission of fault
- a change to policy, procedure or practice
- a correction to Council records
- financial compensation or the waiving of a debt
- the remission of a penalty or remedial action
- disciplinary action
- referral of a matter to an external agency for investigation or prosecution.

2.8.2 Any action required will be undertaken promptly, and consideration given to whether changes are required to prevent the situation being repeated.

2.8.3 Where the outcome of the review is to affirm (uphold) the decision the applicant will be notified accordingly. Council will consider if there are any opportunities for business improvement.

### 2.9 Options for Review available to applicants

2.9.1 Applicants may seek external review through the SA Ombudsman, other legal appeal processes, or the Courts at any time during the internal review process. When advising an applicant of the outcome of a review, applicants will be advised of other options for review, any rights of appeal and the right to make a complaint to an external agency such as Ombudsman SA.

## 3. REFERENCES

- 3.1 Legislation  
*Local Government Act 1999*
- 3.2 Other References  
Customer Feedback and Complaints Procedure

**APPENDIX 3**

23 August 2021

**Kelley Jones**

Mr Timothy Looker  
82 Penzance Street  
GLENELG SA 5045

T. 08 8113 7100  
Level 6/19 Gilles Street  
Adelaide SA 5000  
GPO Box 2024 SA 5001  
ABN 66 159 460 723  
[kelleyjones.com.au](http://kelleyjones.com.au)

**BY EMAIL:** [tdlooker@aapt.net.au](mailto:tdlooker@aapt.net.au)

Dear Mr Looker

### **SECTION 270 REVIEW – REPRESENTATION REVIEW**

We confirm receipt of your request for a review of the decision made by the City of Holdfast Bay (the **Council**), at the Council meeting of 27 July 2021, at Agenda Item 15.3 *Representation Review Report Submissions Report and Approval to Report to the Electoral Commissioner of South Australia (Report No: 243/21)*. This firm has been engaged to undertake an 'arms-length', independent review in accordance with section 270 of the *Local Government Act 1999*.

In particular, following the Council resolved:

*Motion C270721/2361*

*That Council:*

1. *notes the Submissions Report outlining the public consultation outcomes; and*
2. *endorses that Administration provides the Final Report pursuant to Section 12(12) of the Local Government Act 1999 to the Electoral Commissioner of SA with the following proposal:*
  - *the principal member of Council continues to be a Mayor elected by the community;*
  - *area councillors are not introduced in addition to ward councillors;*
  - *the future elected body of Council comprise the Mayor and twelve (12) ward councillors;*
  - *the Council area continue to be divided into four (4) wards, as per the current ward structure, with each of the wards being represented by three (3) councillors; and*
  - *the wards continue to be named Glenelg, Somerton, Brighton and Seacliff.*

*Moved Councillor Lonie, Seconded Councillor Fleming Carried*

Following the calling of a division, the motion was carried.

This review will be undertaken in accordance with the **attached** *Internal Review of Council Decisions (s270) Policy* (the **Policy**) and relevant principles of procedural fairness.

The review will examine the processes in arriving at the decision of concern to you. Insofar as the processes fall for consideration under section 270 of the Act, the objective is to determine whether they were reasonable, appropriate and lawful.

As part of our role, we have been provided with a copy of the correspondence that you provided to the Council, with your request for this review.

Our purpose in contacting you at this point is to advise you of our appointment and to enquire whether there is any further information you would like us to receive and, if relevant, consider as part of this review. If so, we require it to be provided by **5.00pm on Monday 30 August 2021**.

If we do not receive anything further from you, we will proceed with the review on the basis of the information set out in your correspondence to the Council, together with information provided by the Council.

The review process will be conducted efficiently and fairly. Upon finalising the review, we will prepare a report with recommendations for the Council to consider and to determine the application for review.

Please contact me if you have any questions regarding the review process.

Yours sincerely

KELLEDY JONES LAWYERS



MICHAEL KELLEDY

Direct Line: 08 8113 7103

Mobile: 0417 653 417

Email: [mkelledy@kelledyjones.com.au](mailto:mkelledy@kelledyjones.com.au)

**APPENDIX 4**



## Tracy Riddle

---

**From:** Tracy Riddle  
**Sent:** Monday, 27 September 2021 2:50 PM  
**To:** Tracy Riddle  
**Subject:** Section 270 Review Holdfast Bay - Tim Looker

**From:** Timothy Looker <[tdlooker@aapt.net.au](mailto:tdlooker@aapt.net.au)>  
**Sent:** Monday, 23 August 2021 3:21 PM  
**To:** Michael Kelledy <[mkelledy@kelledyjones.com.au](mailto:mkelledy@kelledyjones.com.au)>  
**Cc:** 'David Bishop' <[davidmbishop@bigpond.com](mailto:davidmbishop@bigpond.com)>  
**Subject:** Section 270 Review Holdfast Bay - Tim Looker

Michael Kelledy  
Kelledy Jones

By email

Reference: Section 270 Review requested by Tim Looker of the City of Holdfast Bay

Dear Michael,

Thank you for your letter initiating independent legal examination of the section 270 I requested.

Since lodging that review I have had communication with the Holdfast Bay Residents' Alliance Inc who also made submissions to the representational reviews.

They are not a signatory to my request for a 270 review but have indicated support of it.

They were disappointed, given the size of their membership base that their submission was counted as, and given the weight of, just 'one'.

I have copied in David Bishop from their committee with whom I spoke and he can confirm or otherwise that they have re-lodged their submission. They did so thinking my 270 challenge provided an opportunity to resubmit.

David can confirm that with you as I am not a party to that but aware that was their intention

Their purpose in doing that was made on the basis of a suggestion by Craig Rowe, the consultant, that in order to have their submission counted as more than 'one' then they needed wording that described how their members were consulted and the number of members on whose behalf the submission was made.

I don't know the exact number of their members other than it is a substantial group..

Craig Rowe has since received a written warning from Council manager Pam Jackson not to talk to the public.

Cr Bouchee is no longer available for contact by conventional means to explain her public remarks.

I don't have any more to add as there is a significant paper trail on this matter going back to the 2013 review.

Regards

Tim Looker

## Tracy Riddle

---

**From:** Tracy Riddle  
**Sent:** Tuesday, 24 August 2021 1:00 PM  
**To:** Tracy Riddle  
**Subject:** FW: Section 270 Review City of Holdfast Bay

**From:** Timothy Looker <[tdlooker@aapt.net.au](mailto:tdlooker@aapt.net.au)>  
**Sent:** Tuesday, 24 August 2021 11:32 AM  
**To:** Michael Kelledy <[mkelledy@kelledyjones.com.au](mailto:mkelledy@kelledyjones.com.au)>  
**Subject:** Section 270 Review City of Holdfast Bay

Dear Michael,

Further to my email of yesterday I thought this may be of value as further background.

It occurred to me that there was a gap in the Council consultation policy that did not provide direction to groups, associations or clubs sending in a submission on behalf of a number of people. I was first on Council in 2006 and the frustration of groups who made submissions was evident then and probably before. This was especially an issue at budget time when group responded to consultation.

There was also the view amongst councillors, including me, that consultation generated no obligations by councillors to take notice. Still holds but I think the Charles Sturt case puts a different light on that.

No one thought that maybe there should be some direction as to how to have a submission on behalf of a number of people recognised as such.

The email below to Roberto Bria and Mayor Wilson was to alert them to the matter and perhaps review the policy so that there is clarity and to ease the frustration of groups.

I should also let you know that following Mikki Bouchee's passing there will be a supplementary election in which I will be a candidate. Whilst I got there on primary votes last time I was pushed out by Mikki and her group with preferences so I still have support in the community and may get back.

Regards

Tim

---

**From:** Roberto Bria [<mailto:RBria@holdfast.sa.gov.au>]  
**Sent:** Wednesday, 4 August 2021 5:05 PM  
**To:** Timothy Looker  
**Cc:** Amanda Wilson; Pamela Jackson  
**Subject:** RE: Consultaion policy

Tim

Thank you for email regarding Council's Consultation Policy.

As you could appreciate Craig Rowe has been engaged by Council as a consultant and does not represent or speak for the views or policy positions of Council. With this in mind I ask that you contact Pamela Jackson, General Manager – Strategy and Corporate at [pjackson@holdfast.sa.gov.au](mailto:pjackson@holdfast.sa.gov.au) should you have any further questions in relation to the Representation Review.

With regard to the weight of the Holdfast Bay Residence Alliance (HBRA) submission for the Representation Review, the Elected Members are aware of the extent of HBRA's representation within the community and I am sure that was considered by the elected body when considering their position on the Representation Review. As you would appreciate, there are a number of factors that are considered by Elected Members when making Council decisions, with community consultation being just one element.

In regard to the Consultation Policy, I will refer your comments to the relevant team for consideration when the Policy comes up for review.

Regards



CITY OF  
**HOLDFAST BAY**

**ROBERTO BRIA**

Chief Executive Officer

City of Holdfast Bay

08 8229 9911

[rbria@holdfast.sa.gov.au](mailto:rbria@holdfast.sa.gov.au)

[holdfast.sa.gov.au](http://holdfast.sa.gov.au)



Brighton Civic Centre

24 Jetty Road, Brighton SA 5048

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**From:** Timothy Looker <[tdlooker@aapt.net.au](mailto:tdlooker@aapt.net.au)>  
**Sent:** Tuesday, 3 August 2021 6:56 PM  
**To:** Roberto Bria <[RBria@holdfast.sa.gov.au](mailto:RBria@holdfast.sa.gov.au)>  
**Cc:** Amanda Wilson <[AWilson@holdfast.sa.gov.au](mailto:AWilson@holdfast.sa.gov.au)>  
**Subject:** Consultaion policy

Roberto,

I spoke yesterday to Craig Rowe who did the representation review.

I had met him previously during the 2013 review so he knew who I was and how I fitted in. It was a productive chat.

I talked about consultation and how when I was on council I questioned people like Jack Messenger about his views either being, his personal ones, or were they the authorised result of a resolution of his association and hence views of a wider group.

Craig said that in the case of HBRA, their submission was treated as just one and not representative of (X) number of their members. It was in the wording.

If they had worded it for instance like this.

*“Our association has circulated the details of (whatever is being consulted), we have discussed the matter and sought feedback. This submission is approved by and represents the view of (X) number of our members. “*

Craig said that if they word it and identify the number of people on whose behalf the submission is made then it would be treated as multiple submissions.

I think this is an important point as in my time it was greatly contentious with groups saying ‘we represent our members’ (then would not say how many) and us saying no, its just one submission unless you can show how your membership authorised it.

I think this needs to be included in an amendment to the policy and it made explicit that in consultation requests by council, groups know specifically to state their methods and the number of people their submission represents. This has never been explained before and groups get annoyed they are not take seriously and made to look like they represent very few.

It maybe the groups don’t want to identify their small membership but if they are demanding transparency of council then they should be transparent in what they present.

So I suggest the Consultation Policy be reviewed and wording added to show that groups can make submissions and they need to nominate how many their submissions represent. That will add credibility to council’s own consultations which generally attract a small number

Happy to explain more

Tim

## Tracy Riddle

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**From:** Timothy Looker <tdlooker@aapt.net.au>  
**Sent:** Friday, 27 August 2021 2:09 PM  
**To:** Michael Kelledy  
**Cc:** 'David Bishop'; Tracy Riddle  
**Subject:** Holdfast Bay 270 review

Dear Michael,

I had a call today from David Bishop of the Holdfast Bay Residents' Alliance.

They are aware of the section 270 review and in the light of the challenge to this decision are taking the opportunity to add further information to their submission.

This will have the effect of turning the single submission into one on behalf of the individual members of their organisation. They are also conferring with the 5049 Residents' group who are co signatories and I believe the total membership is in the hundreds.

They are not a signatory to the 270 review request but are supportive of it.

I have suggested they provide you with a copy of their letter to council containing the additional detail of member numbers and internal consultation.

It is relevant, being a point of contention with regard to the lack of weight given when they first submitted.

I have copied David Bishop in on this email and will leave it to his group to forward their updated correspondence.

Regards

Tim

**Kelley Jones**

**APPENDIX 5**





**Postal Address:** The Secretary  
PO Box 1182  
Glenelg South SA 5045

**Email:** [hbresidents@gmail.com](mailto:hbresidents@gmail.com)

28/08/21

The Mayor and CEO  
City of Holdfast Bay  
Amanda Wilson and Roberto Bria  
24 Jetty Road  
Brighton SA  
5048

Dear Amanda and Roberto,

### **City of Holdfast Bay (CoHB) Electoral Review Council Representation**

We have been made aware that a Section 270 has been lodged and the council resolution in regard to this matter has been challenged. In light of this information HBRA and the 5049 Coastal Community Association (*5049 Association*) sees this as an opportunity to clarify our resident representation in relation to the submission and also raise a number of questions in regard to the process undertaken by CoHB.

Reference is made to the joint submission submitted on the 11 April 2021 by the Holdfast Bay Residents Alliance (*HBRA*) and the 5049 Coastal Community Association.

Before forwarding the submission to the CoHB, HBRA distributed the submission to our 250 membership base. Feedback received from the membership was supportive and encouraged the position taken. The 5049 Association has a membership base of some 600 with approximately 300 residing in the CoHB.

The joint submission was noted in the Council Review Report as one submission and therefore does not reflect the weight in numbers of the position forwarded by the two residential groups.

We request that the consultant of the Representative Review Report (*RRR*); CR Rowe & Associates be made aware of this information and that the RRR be amended to more accurately reflect the submission numbers and accordingly relevant percentages stated.

#### Councillor's commentary, Processes and Consultants Report:

Commentary during motions by Councillors included that little interest in the review as only 61 submissions were received by Council. During the 2013 review only 2 submissions were received. The increase in the number of submissions represent a substantial increase in the interest by the residents of CoHB.

Of the 61 submissions 74% supported a change to the current structure. (This percentage is varied substantially when taking our memberships into account) The stated 74% does not appear to have been correctly discussed and in essence dismissed as irrelevant during discussions on the motions.

Bearing in mind the low numbers of residents that vote in Council Elections the increase in submission numbers reflected a genuine interest in the matter and an expectation of change in the current electoral structure.

The position of the Electoral Commissioner does not appear to have been raised as part of the current review. If not, why would this not be included as very relevant advice on the Electoral structure of the Council?

The RRR council summary and the report made the following commentary and recommendations:

"Whichever structure Council elects to endorse, **justification will need to be provided to the Electoral Commission of South Australia (ECSA)**. Council should consider advice from ECSA in 2013 that stated "currently the City of Holdfast Bay has one of the lowest quotas within the metropolitan region and in future council should give more consideration to the principles and matters under Section 26 and 33 of the Act, particularly in relation to avoiding overrepresentation in comparison to councils of a similar size and type".

And:

"consider a reduction to eight or nine councillors, thereby increasing the elector ratio to a level which is more consistent with the elector ratios of other metropolitan councils which are of a similar size (in area of elector numbers) and type."

Again no positive action was taken by Council to comply or address this recommendation.

#### Financial impact

During the first motion one Councillor stated that a reduction would only be minimal with an annual savings of say \$90,000 per annum equating to a reduction in the expenses over 4 years to be \$360,000. This appears to be an estimation with no research being completed on the actual cost savings.

Evidence of this exists at subsequent meetings where Councillors argued over different figures with Council employees being requested to clarify full costs. The actual costs seem to be a moving figure and we believe the cost over 4 years is now in the range of \$500,000 to \$585,000. Did Councillors therefore vote on a motion to support the current structure without knowing the cost to rate payers?

These actions do not represent a well informed and balanced approach in the decision making process by council.

Can you please advise the actual complete cost of the current structure?

#### Summary

The current ratio in the CoHB is one elected councillor to 2,311 electors as a comparison The City of Onkaparinga has one Councillor to 10,611.

Based on these figures, the consultants report, commentary made by the Electoral Commissioner, feedback from the public the CoHB is clearly over governed and this needed to be addressed and the principals of Section 8 of the Local Government Act respected.

Other details and figures have been provided in our previous submission.

We strongly recommend that the process be revisited with a view to providing an outcome that is favourable to the Rate payers of the CoHB and provides an improved viable structure into the future.

As an aside the current legislation where Councillors can determine the electoral structure provides a clear conflict of interest and needs to be addressed by the State Government.

We are very much aware that the time of the Elected Councillors and Council staff is very valuable and costly. Our groups are run by volunteers and we assure Council that we would not spend our time on this matter unless we were of the strong opinion that the residents of the CoHB deserved a better outcome.

Signed on Behalf of the Holdfast Bay Residents Alliance and the 5049 Coastal Community Association

Yours Sincerely,



Ken Daly

President

Holdfast Bay Residents Alliance



David Bagshaw

President

5049 Coastal Community Association



28 August 2021

cc: **Kelley Jones Lawyers**  
**Members of Holdfast Bay Residents Alliance**  
**Members of the 5049 Coastal Community Association**  
**Electoral Commission**

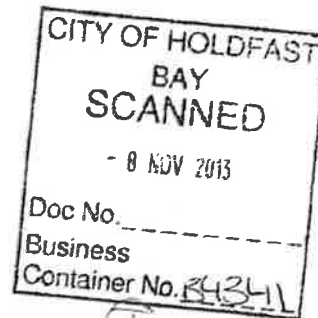
**APPENDIX 6**

In reply please quote:322-2 / 2010



5 November 2013

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



Dear Mr Lynch

**Re: Elector Representation Review**

I have considered the elector representation review the City of Holdfast Bay has submitted for certification.

I have assessed Council's report and I advise that this letter serves as the certificate that the Review has been conducted appropriately and has complied with the requirements of section 12 of the Local Government Act, 1999.

However I note that currently the City of Holdfast Bay has one of the lowest quotas within the metropolitan region and in future council should give more consideration to the principles and matters under section 26 and 33 of the Act, particularly in relation to avoiding over-representation in comparison to councils of a similar size and type.

Section 12 (18) provides for the revised representation arrangements for the City of Holdfast Bay to take effect from the day of the first periodic election held after the publication of the notice in the Gazette.

Council must arrange for a notice to appear in the SA Government Gazette before or by 12 December 2013 to show Council has reviewed their membership structure and notify the result of the review. Please forward a copy of the notice to our office prior to placing in the Government Gazette.

It is the responsibility of the council to prepare detailed ward boundary maps prescribing the alterations for inclusion in the technical description, which must be gazetted as part of the review process.

A full page of the SA Government Gazette should be allocated to each ward with a boundary change to ensure the boundary alterations are readable. Outer ward boundary descriptors are required for each ward with boundary changes.

If you have further concerns please do not hesitate to contact the office to discuss.

Yours sincerely

  
K Mousley  
Electoral Commissioner

Electoral Commission  
ABN 59 001 851 729 015  
Postal Address: GPO Box 141 Adelaide SA 5001  
E 08 7424 7400 F 08 7424 7424 W www.ecsa.com.au

**APPENDIX 7**

LOCAL GOVERNMENT ACT 1999  
NOTICE OF DETERMINATION OF RELEVANT PERIOD  
*Review of Council Compositions and Wards*

Pursuant to section 12(4) of the *Local Government Act 1999* and Regulation 4 of the *Local Government (General) Regulations 2013*, I, Stephan Karl Knoll, Minister for Transport, Infrastructure and Local Government in the state of South Australia, hereby revoke the Notice of Determination of Relevant Period published in the *Government Gazette* on 1 August 2019, pages 2883 to 2885 (inclusive) and determine the relevant period for the next review of council compositions and wards, to be the date as contained in the table listed hereunder.

Council	Last Review	Next Review Period
Adelaide	19/11/2013	June 2020–October 2021
Adelaide Plains	26/11/2013	June 2020–October 2021
Alexandrina	26/11/2013	June 2020–October 2021
Burnside	8/01/2013	June 2020–October 2021
Charles Sturt	5/09/2013	June 2020–October 2021
Coorong	18/09/2013	June 2020–October 2021
Flinders Ranges Council	14/05/2013	June 2020–October 2021
Goyder	16/08/2013	June 2020–October 2021
Light	14/11/2013	June 2020–October 2021
Marion	27/11/2013	June 2020–October 2021
Mid Murray	05/11/2013	June 2020–October 2021
Mitcham	12/11/2013	June 2020–October 2021
Mount Remarkable	29/11/2013	June 2020–October 2021
Murray Bridge	8/07/2013	June 2020–October 2021
Robe	18/09/2013	June 2020–October 2021
Unley	19/08/2013	June 2020–October 2021
Elliston	14/11/2013	October 2020–October 2021
Franklin Harbour	9/07/2013	October 2020–October 2021
Gawler	26/11/2013	October 2020–October 2021
Holdfast Bay	5/11/2013	October 2020–October 2021
Mount Barker	26/08/2013	October 2020–October 2021
Port Pirie	05/11/2013	October 2020–October 2021
Prospect	28/11/2013	October 2020–October 2021
Streaky Bay	28/11/2013	October 2020–October 2021
Tatiara	05/11/2013	October 2020–October 2021
Tumby Bay	12/11/2013	October 2020–October 2021
Wakefield Regional	26/11/2013	October 2020–October 2021
Wattle Range	26/08/2013	October 2020–October 2021
West Torrens	06/11/2013	October 2020–October 2021
Wudinna	26/08/2013	October 2020–October 2021
Yorke Peninsula	19/11/2013	October 2020–October 2021
Adelaide Hills	30/11/2017	April 2024–April 2025
Barossa	1/05/2017	April 2024–April 2025
Berri Bannera	29/06/2017	April 2024–April 2025
Campbelltown	1/05/2017	April 2024–April 2025
Clare & Gilbert Valleys	7/07/2017	April 2024–April 2025
Grant	8/05/2017	April 2024–April 2025
Kangaroo Island	14/02/2017	April 2024–April 2025
Kimba	5/06/2017	April 2024–April 2025
Mount Gambier	1/05/2017	April 2024–April 2025
Northern Areas	21/08/2017	April 2024–April 2025
Norwood, Payneham & St Peters	31/08/2017	April 2024–April 2025
Onkaparinga	7/12/2017	April 2024–April 2025
Playford	16/10/2017	April 2024–April 2025
Port Adelaide Enfield	3/07/2017	April 2024–April 2025
Port Lincoln	6/04/2017	April 2024–April 2025
Salisbury	21/11/2017	April 2024–April 2025
Southern Mallee	1/06/2017	April 2024–April 2025
Victor Harbor	27/07/2017	April 2024–April 2025
Yankalilla	27/07/2017	April 2024–April 2025
Barunga West	31/07/2017	October 2024–October 2025
Ceduna	5/10/2017	October 2024–October 2025
Cleve	26/10/2017	October 2024–October 2025
Cooper Pedy	21/11/2017	October 2024–October 2025
Copper Coast	3/10/2017	October 2024–October 2025
Karoonda East Murray	6/11/2017	October 2024–October 2025
Kingston	4/09/2017	October 2024–October 2025
Lower Eyre Peninsula	26/10/2017	October 2024–October 2025
Loxton Waikerie	31/07/2017	October 2024–October 2025
Naracoorte Lucindale	4/09/2017	October 2024–October 2025
Orroroo Carrieton	6/11/2017	October 2024–October 2025
Peterborough	15/12/2017	October 2024–October 2025
Port Augusta	3/10/2017	October 2024–October 2025
Renmark Paringa	3/10/2017	October 2024–October 2025
Tea Tree Gully	28/11/2017	October 2024–October 2025
Walkerville	26/10/2017	October 2024–October 2025
Whyalla	21/11/2017	October 2024–October 2025

Dated: 7 July 2020

HON STEPHAN KNOLL MP  
Minister for Transport, Infrastructure and Local Government  
Minister for Planning

**Kelley Jones**

**APPENDIX 8**



Item No: **15.2**  
Subject: **REPRESENTATION REVIEW COMMENCEMENT 2020/21**  
Date: **8 September 2020**  
Written By: **Team Leader Governance**  
General Manager: **Strategy and Business Services, Ms P Jackson**

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### **SUMMARY**

Council is required to conduct a Representation Review when prescribed by the Minister for Planning and Local Government in accordance with Section 12 of the *Local Government Act 1999* (the Act). The relevant period prescribed for the City of Holdfast Bay to conduct its review is October 2020 to October 2021 (gazetted on 9 July 2020).

This report seeks Council's endorsement to commence the review and the appointment of a qualified person to undertake the review process on Council's behalf.

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### **RECOMMENDATION**

**That Council:**

- 1. endorse the commencement of the Representation Review 2020/21 and the allocation of a budget of \$23,000; and**
  - 2. note that Administration will appoint CL Rowe and Associates to conduct the Representation Review as they are deemed qualified to address the representation and governance issues that may arise with respect to the matters under review to commence from October 2020.**
- 

### **COMMUNITY PLAN**

Culture: Supporting excellent, efficient operations.

### **COUNCIL POLICY**

Procurement Policy

### **STATUTORY PROVISIONS**

*Local Government Act 1999, Section 12*  
*Local Government (General) Regulations 2013, Regulation 4*

## **BACKGROUND**

A Representation Review (review) is conducted by a council to determine whether the community would benefit from a change to the council's composition or ward structure. It allows the opportunity to plan and implement changes that will better reflect the future requirements of that council.

The City of Holdfast Bay last conducted a review in 2012/2013 (concluding on 5 November 2013).

## **REPORT**

To commence the review Council must resolve to commence the process so Administration can then appoint a contractor (consultant) to initiate the preparation of an Representation Options Paper, (such person who, in the opinion of the Council, is qualified to address the representation and governance issues and undertake the review activities on behalf of Council (Section 12(5) of the Act)). The General Manager Strategy and Business Services has delegated power to appoint the selected contractor under Section 12(5) of the Act.

The City of Holdfast Bay was approached to be part of a group of councils to put a collective tender to the market for the upcoming reviews, as there are numerous councils who are required to undertake reviews within the same timeframe.

There were 12 councils that were part of the group which developed an agreed project brief and instructed the Local Government Association Procurement (LGAP) to facilitate the tender process. An open and subsequent select tender process was completed and the evaluation panel assessed each submission in accordance with an agreed selection criteria. It was ensured that the proposed contractors (consultants) would have the capacity to represent the group of councils irrespective of size and composition.

The outcome of the tender was the selection of four preferred consultants. Whilst all of the panel members selected are deemed qualified to prepare an options paper and assist with the process ensuring compliance with the Act consideration has been given to the cost and the value adds.

After consideration of the consultants on the LGAP panel contract (LGAP 20017), Administration considers that based on cost and value that Council should instruct CL Rowe and Associates due to their previous experience (31 years of experience and conducted 135 reviews). Fees were inclusive of travel and accommodation costs and included attendance at 3 meetings/ workshops. There is ability to use alternative meeting methods if COVID issues restrict face to face meetings. CL Rowe and Associates also advised the review would include:

- provision of an Information Paper for Elected Members;
- collection and analysis of elector data; research of all required statistics and information;
- development of potential ward structure options;
- preparation of mapping;
- preparation and provision of public notices and consultation survey/ questionnaire;

- preparation of Review Options Paper;
- preparation of a Submissions Report at the completion of each public consultation stage;
- preparation of Representation Review Report;
- preparation of Final Report to the Electoral Commissioner; and
- general consultation with the Electoral Commissioner SA.

In correspondence dated 23 July 2019 from the Minister it was acknowledged that the Local Government Reform Bill may impact on the representation review of councils in progress but that Parliament may consider using transitional provisions in the Bill to enable a council to complete the review or transition at an appropriate point to any amended provisions. This will have to be considered when further detail on the Bill is provided.

#### **BUDGET**

The budget required for this review was included as part of the draft 2020/21 budget process, however was taken out as part of the reduction of operational initiatives due to the COVID-19 pandemic. This was done thinking that the review deadline may be deferred and could be funded in the 2021-22 financial year. However, as the review needs to commence by October 2020, Council is requested to approve a budget of \$23,000 to cover anticipated costs to conduct the representation review (including engagement of CL Rowe and Associates).

#### **LIFE CYCLE COSTS**

Not applicable.

Item No: **15.3**

Subject: **OUTCOMES OF THE 24 AUGUST 2020 ECONOMIC RECOVERY TASKFORCE MEETING**

Date: 8 September 2020

Written By: Manager Strategy and Business Services

General Manager: Strategy and Business Services, Ms P Jackson

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### **SUMMARY**

The Economic Recovery Taskforce met on 24 August 2020 and discussed a range of possible strategies to support economic activity in the City.

A number of initiatives were discussed by the Taskforce, and are submitted to Council for consideration.

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### **RECOMMENDATION**

That Council:

1. notes the draft minutes of the Economic Recovery Taskforce Meeting of 24 August 2020;
  2. approves the allocation of \$5,000 for digital advertising;
  3. approves the allocation of \$14,000 for the Southern Business Mentoring Program for 2020/21; and
  4. notes the resignation of Councillor Fleming from the Economic Recovery Taskforce and nominates Councillor \_\_\_\_\_ to fill the vacant position.
- 

### **COMMUNITY PLAN**

Placemaking: Creating lively and safe places  
Economy: Supporting and growing local business  
Economy: Boosting our visitor economy  
Culture: Being financially accountable

**Motion****C080920/2023**

**That Council approve for Administration to organise a petition, to be tabled in the South Australian House of Assembly, requesting increased operating hours for an operational presence for the Glenelg police station from 8.00am – 11.00pm Monday to Sunday and increased presence in Glenelg during the summer months including increased foot patrols Friday to Sunday nights between 11.00pm and 2.00am.**

Moved Councillor Bouchee, Seconded Councillor Miller **Carried Unanimously**

**BACKGROUND**

The operating hours of the Glenelg police station have been reduced radically in recent times, resulting in an increase in police response times to incidents. Council has corresponded with the State Government on a number of occasions seeking an increase to the operating hours of the police station. This has been responded to by the South Australian Police providing dedicated patrols during peak times, however the Council does not deem this sufficient given the current environment and impacts of COVID.

COVID-19 restrictions are placing increased pressure on entertainment and licenced venues within the Glenelg precinct, due to the reduction in venue capacity to meet social distancing measures. Subsequently Council is seeking further action from the State Government to address community concerns.

- 13. **ADJOURNED MATTERS - Nil**
- 14. **REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES - Nil**
- 15. **REPORTS BY OFFICERS**

15.1 **Items in Brief (Report No: 259/20)**

This item was presented for the information of Members.

**Motion****C080920/2024**

**That the following item be noted and discussed:**

**1. Procurement Policy Exemption**

Moved Councillor Lindop, Seconded Councillor Lonie **Carried Unanimously**

15.2 **Representation Review Commencement 2020-21 (Report No: 242/20)**

Council is required to conduct a Representation Review when prescribed by the Minister for Planning and Local Government in accordance with Section 12 of the *Local Government Act 1999* (the Act). The relevant period prescribed for the City of Holdfast Bay to conduct its review is October 2020 to October 2021 (gazetted on 9 July 2020).

This report sought Council's endorsement to commence the review and the appointment of a qualified person to undertake the review process on Council's behalf.

**Motion**

**C080920/2025**

**That Council:**

- 1. endorse the commencement of the Representation Review 2020/21 and the allocation of a budget of \$23,000; and**
- 2. note that Administration will appoint CL Rowe and Associates to conduct the Representation Review as they are deemed qualified to address the representation and governance issues that may arise with respect to the matters under review to commence from October 2020.**

Moved Councillor Clancy, Seconded Councillor Smedley **Carried Unanimously**

**15.3 Outcomes of the 24 August 2020 Economic Recovery Taskforce Meeting (Report No: 258/20)**

The Economic Recovery Taskforce met on 24 August 2020 and discussed a range of possible strategies to support economic activity in the City.

A number of initiatives were discussed by the Taskforce, and were submitted to Council for consideration.

**Nominations**

Her Worship the Mayor called for nominations.

Nominations were received from Deputy Mayor Snewin and Councillor Bradshaw for one vacancy. A secret ballot was conducted by the General Manager Strategy and Business Services, Ms P Jackson.

Her Worship the Mayor announced that Deputy Mayor Snewin had been selected for the nomination and was included in the Council's resolution.

**Motion**

**C080920/2026**

**That Council:**

- 1. notes the draft minutes of the Economic Recovery Taskforce Meeting of 24 August 2020;**
- 2. approves the allocation of \$5,000 for digital advertising;**
- 3. approves the allocation of \$14,000 for the Southern Business Mentoring Program for 2020/21; and**

**APPENDIX 9**

**INFORMATION PAPER**

**ELECTOR REPRESENTATION REVIEW**  
(Section 12 of the Local Government Act 1999)

**CITY OF HOLDFAST BAY**

November 2020



## 1. CURRENT LEGISLATIVE ARRANGEMENTS

- a) Section 12(4) of the Local Government Act 1999 (the Act) requires Council to comprehensively review all aspects of its composition and the division/potential division of the council area into wards at least once in each relevant period, as prescribed by the Minister from time to time (approximately every eight years).
- b) The latest schedule (published in the Government Gazette on the 9<sup>th</sup> July 2020) indicates that Council is required to undertake a review during the period October 2020 – October 2021.
- c) The review should address the issues of:
- the principal member of Council (i.e. elected Mayor or selected Chairperson);
  - the composition of Council;
  - the number of elected members required to adequately represent the community and perform the roles and responsibilities of Council;
  - the division (or not) of the council area into wards;
  - the number of wards;
  - the level of representation and elector ratio within each ward;
  - ward names; and
  - the Council name (if required).
- d) Council last undertook a review of its elector representation in 2012/2013, at which time it resolved to:
- retain the office of Mayor (elected by the community);
  - retain the then existing composition of Council (i.e. the Mayor and 12 councillors);
  - continue to divide the council area into four wards, albeit in a slightly amended configuration, with all of the wards being represented by three ward councillors;
  - retain the then existing ward names (i.e. Glenelg, Somerton, Brighton and Seacliff); and
  - not introduce area councillors in addition to ward councillors.

## 2. STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) BILL 2020

- a) The Statutes Amendment (Local Government Review) Bill 2020 (the Bill), which was introduced into Parliament on 17 June 2020, proposes reforms to the local government legislation, including the provisions which relate to elector representation reviews.

- b) The Bill has passed the Lower House of parliament and is expected to be debated in the Upper House in November and/or early December 2020.
- c) In brief, the proposed legislative amendments (as they relate to elector representation reviews) seek to:
- abolish the appointment of a principal member by the elected members of Council (i.e. chairperson);
  - cap the number of elected members (including the Mayor) at twelve (12); and
  - introduce a new abridged process which incorporates the preparation/provision of only one report (for public consultation purposes) and only one public consultation stage.
- d) Any Council which comprises an appointed principal member and/or more than twelve elected members in total, and completes a scheduled elector representation review before the 31<sup>st</sup> December 2021 or prior to the Bill being enacted, will be required to undertake and complete another review (under the proposed new provisions) with the view to introducing the aforementioned required changes prior to next periodic election in 2026.
- e) If the Statutes Amendment (Local Government Review) Bill 2020 is enacted after the Council initiates its review, Council will likely be able to proceed with the current review process, but will have to address the provisions/requirements of the new Act.

### 3. REVIEW PROCESS

- a) Section 12(5) of the Act requires a "Representation Options Paper" to be prepared by a person qualified to address the representation and governance issues; and this document must examine the advantages and disadvantages of the options available in respect to the range of issues outlined in 1(c).
- b) The first public consultation stage (minimum of six weeks) involves the publishing of notices in the Government Gazette and local newspapers, as well as on Council's website, informing the community of the review; advising of the existence of the "Representation Options Paper"; and calling for submissions. The "Representation Options Paper" will simply provide relevant information to the community, not lead them to any particular conclusion.
- c) Council will have to consider all options available (including the information provided in the "Representation Options Paper"), as well as the submissions received, and make "in principle" decisions regarding the constitutional arrangements it believes should be effected.

- d) Council must then undertake a second consultation with the community (minimum of three weeks), including the preparation and provision of a "Representation Review Report" which outlines Council's proposal and the reasons for such, and provides details of the submissions which were received (first consultation) and the responses thereto.
- e) Council must then consider all of the submissions received; hear submissions (if deemed appropriate); make final decisions; and prepare a report to the Electoral Commissioner.
- f) The final stage involves certification by the Electoral Commissioner and gazettal of any amendments.
- g) An indicative project schedule is as follows. This schedule may need to be modified in order to meet any specific requirements of Council in respect to the conduct of workshops; to correlate with Council's meeting schedule; and/or address any unforeseen circumstances.

December 2020	<ul style="list-style-type: none"> <li>• <b>Collect and analyse elector data.</b></li> <li>• Provision of an <b>Information Paper; draft Representation Options Paper; and ward structure options</b> to elected members and staff.</li> <li>• Conduct the <b>initial workshop</b> with elected members to discuss the review process; key issues; potential ward structure; and the draft Representation Options Paper.</li> </ul>
January – February 2021	<ul style="list-style-type: none"> <li>• Council to endorse the Representation Options Paper for public consultation.</li> </ul>
February – April 2021	<ul style="list-style-type: none"> <li>• Undertake the initial prescribed <b>public consultation (6 weeks)</b>, including the preparation of the public notice; and provision of a public questionnaire document (if required).</li> <li>• <b>Examine all public submissions and prepare a "Submissions Report"</b> for consideration by Council.</li> </ul>
May – June 2021	<ul style="list-style-type: none"> <li>• Council to consider the "Submissions Report" at a <b>workshop/meeting</b>, and make <b>"in principle" decisions re its preferred future composition and structure.</b></li> <li>• Prepare a <b>"Representation Review Report"</b>, as per Sections 12(7) &amp; 12(8) of the Local Government Act, for endorsement by Council</li> <li>• <b>Undertake the second prescribed public consultation (3 weeks).</b></li> </ul>

<b>July 2021</b>	<ul style="list-style-type: none"> <li>• <b>Examine all public submissions</b> and <b>prepare a second "Submissions Report"</b> for consideration by Council.</li> <li>• Council to hear submissions and make <b>final decisions</b>.</li> </ul>
<b>August 2021</b>	<ul style="list-style-type: none"> <li>• <b>Prepare and present the final report</b> to the Electoral Commissioner.</li> <li>• <b>Consult with Electoral Commission SA</b> during the certification process.</li> </ul>

- h) The review process could take 30 – 38 weeks and will likely be concluded in August 2021.
- i) It should be noted that the Statutes Amendment (Local Government Review) Bill 2020 requires only one public consultation stage which includes the presentation of a Representation Report to the community. The report will be a comprehensive document which will:
- examine the advantages and disadvantages of all various representation and structure options (in particular the issues of the number of elected members and whether the council area should be divided into wards);
  - set out the proposal that Council considers should be carried into effect; and
  - include analysis of how the proposal relates to the principles under Section 26(1)(c) and the matters referred to in Section 33 (as they may be relevant).

## 4. PRIMARY ISSUES

### 4.1 Composition

#### 4.1.1 Principal Member

- a) The principal member of Council has long been an elected Mayor.
- b) The current options are a mayor who is elected by the community as a representative of the council area as a whole, or a chairperson who is chosen by the elected members of Council to serve for a determined period (maximum of 4 years).
- c) The roles of a mayor and/or chairperson are identical in all respects, the differences occur in the election/selection and the voting rights in chamber.
- d) Under the Statutes Amendment (Local Government Review) Bill 2020, the position of selected chairperson is to be abolished.

- e) Only fifteen (15) regional councils have a selected principal member; and all bear the title of mayor, as currently allowed under Section 51(1)(b) of the Act.
- f) Any candidate seeking to be elected to the office of mayor cannot stand for election as a councillor and, as such, the experience and expertise of an unsuccessful candidate will be lost to Council.
- g) An elected mayor does not have a deliberative vote on a matter before Council, but has, in the event of a tied vote, a casting vote. An appointed chairperson has a deliberative vote at a Council meeting, but does not, in the event of a tied vote, have a casting vote.
- h) The election for a mayor (including any supplementary election) must be conducted across the whole of the council area (despite whether the council area is divided into wards or not), whereas the selection of a chairperson is not reliant upon an election.
- i) Under circumstances whereby a chairperson cannot serve a full term (i.e. leaves Council), Council can simply opt to choose another principal member from the remaining councillors. This would result in Council comprising one less councillor. If Council then has to fill the vacancy and a supplementary election is required, such an election would only have to be conducted in one ward (if the council area was divided into wards). Obviously, under a "no wards" structure the filling of a vacancy would need to be done by way of a council-wide election.
- j) It is likely that Councils choose to select the principal member in order to minimise the number of elected members and reduce costs.
- k) Any change from a mayor to a chairperson (or vice versa) will require a poll (as required under Section 12(11a) of the Local Government Act 1999) prior to finalising the report to the Electoral Commissioner.

#### 4.1.2 Area Councillors (in addition to ward councillors)

- a) Section 52(1) of the Act specifies that all members of Council, other than the principal member, shall have the title of councillor.
- b) Section 52(2)(a) of the Act enables councillors to be elected as representatives of the whole of the council area, whether or not the area is divided into wards.
- c) Where a council is divided into wards, the "area councillors" are similar to the former office of Alderman.
- d) Arguments in favour of "area councillors" (in addition to ward councillors) include:
  - the councillor should be free of parochial ward attitudes and responsibilities;
  - the councillor is generally an experienced elected member who can share his/her knowledge and experience with the ward councillors;

- the councillor is free to assist the principal member and ward councillors, if required; and
- the lines of communication between Council and the community are enhanced through the greater number of elected members.

e) Arguments against "area councillors" include:

- the office holds no greater status and/or responsibilities than a ward councillor;
- a candidate need not comply with any extraordinary or additional eligibility requirements;
- additional elected members ("area councillors") will create additional expense (e.g. elected member's allowances and administration costs);
- any contested election must be conducted across the whole of the council area at considerable cost;
- "area councillors" are considered to be an unnecessary tier of representation and therefore are not a popular option amongst Councils (i.e. only the City of Adelaide has "area councillors" in addition to councillors);
- ward councillors do not have to reside in the ward which they represent and, as such, the traditional role and/or basis for the ward councillor has changed to a more council-wide perspective;
- ward councillors generally consider themselves to represent not only their ward, but the council area as a whole (like an "area councillor"); and
- the task and expense of contesting council-wide elections for an "area councillor" can be prohibitive, and may deter appropriate/quality candidates.

## 4.2 Ward Structure

### 4.2.1 Wards/No Wards

a) Arguments in favour of retaining a ward structure include:

- wards guarantee some form and level of direct representation to all existing communities of interest;
- ward councillors can focus on local issues;
- the concern that a single interest group could gain considerable representation on Council under a "no wards" structure;
- concern council-wide elections will not guarantee that elected members have any empathy for, or affiliation with, communities across the whole council area;



- the task and expense of contesting council-wide elections could be prohibitive, and therefore may deter appropriate/quality candidates;
- without wards Council has to conduct elections and supplementary elections across the whole of the council area (at a significant expense); and
- under the "no ward" structure the more popular or known councillors may receive more enquiries from the public (i.e. inequitable workloads).

b) Arguments supporting the abolition of wards include:

- "no wards" is the optimum form of democracy as the electors vote for all of the vacant positions on Council;
- the most supported candidates from across the council area will likely be elected, rather than candidates who may be favoured by the peculiarities of the ward based electoral system (e.g. candidates elected unopposed or having attracted less votes than defeated candidates in other wards);
- the elected members should be free of parochial ward attitudes;
- the lines of communication between Council and the community should be enhanced, given that members of the community should be able to consult with any and/or all members of Council, rather than feel obliged to consult with their specific ward councillors;
- as ward councillors do not have to reside within the ward that they represent, a ward structure does not guarantee that a ward councillor will have empathy for, or an affiliation with, the ward;
- the structure still affords opportunities for the small communities within the council area to be directly represented on Council, if they are able to muster sufficient support for a candidate;
- the structure automatically absorbs fluctuations and there is no requirement for compliance with specified quota tolerance;
- existing ward councillors already consider themselves to represent not only their ward but the council area as a whole;
- the introduction of postal voting has facilitated the dissemination of campaign literature throughout the council area, thereby reducing the difficulty and cost of contesting a council-wide election campaign;
- successful candidates generally have to attract no more votes than what they would have received/required under a ward election; and
- candidates for election to Council will require the genuine desire, ability and means to succeed and serve on Council, given the perceived difficulties and expense associated with contesting "at large" elections.

- c) Section 33(1) of the Act outlines the matters that must be taken into account when determining wards (i.e. communities of interest, population, topography, communication between councillors and electors, demographic change and elector representation).

#### 4.2.2 Potential Ward Structures

- a) Section 12(1)(b) of the Act indicates that Council can "*divide, or redivide, the area of the council into wards, alter the division of the area of the council into wards, or abolish the division of the area of a council into wards*".
- b) The current ward structure can be retained (albeit in the short-term) because the elector ratios within each ward lay comfortably within the prescribed quota tolerance limits (refer 5.1 Quota). Notwithstanding this, Council should consider other ward structure options so as to ensure that the current review is comprehensive and takes into account the potential ramifications of the Bill.
- c) Ward structure options based on a varying number of elected members (to be determined) will be presented to Council, and a number of alternatives should be presented to the community for consideration and comment.
- d) The review should also address the title/name of any proposed wards.
- e) The means of ward identification are limited. They include the allocation of direction points (i.e. north, south, east, west and central), letters, numbers, place names and/or names of local heritage significance. The current ward names align with locality/suburb names.
- f) Where possible, potential future ward boundaries should be aligned with easily identifiable features, such as main roads, property boundaries, established suburb boundaries, Hundred boundaries (and alike) and/or prominent geographical or man-made features.

#### 4.2.3 Ward Representation

- a) Wards represented by a single councillor are generally small in area and therefore afford the ward councillors the opportunity to be more accessible to their constituents and able to concentrate on issues of local importance. Due to the small size of the wards it is generally difficult to identify suitable ward boundaries; maintain entire communities of interest; sustain significant fluctuations in elector numbers and therefore comply with the specified quota tolerance limits (+ or - 10% of average ward quota). The work load of the ward councillor can also be demanding, and absenteeism by the elected member (for whatever purpose and/or period) will leave the ward without representation.
- b) Two councillors representing a ward is traditional and/or common; allows for the sharing of duties and responsibilities between the ward councillors; lessens the likelihood of ward parochialism; and affords continuous ward representation should one ward councillor be absent.



- c) Multi-councillor wards are generally larger in area and therefore the overall ward structure can be relatively simple. Councillor absenteeism can be easily covered; the work load of the ward councillors can be reduced; there are greater perceived lines of communication between ward councillors and their constituents; and there is more flexibility in regards to ward quota, allowances for fluctuations in elector numbers, and the preservation of communities of interest.
- d) There are no inherent disadvantages associated with varying levels of representation between wards, provided the elector ratios within the wards are consistent. However, such structures can be seen to lack balance and/or equity, with the larger wards (in elector and ward councillor numbers) being perceived as having a greater, more influential voice on Council.

#### 4.3 Elector Representation (i.e. number of elected members)

- a) Council should be mindful of the democratic principle of "one person, one vote, one value".
- b) Section 33(1)(f) of the Act indicates *"the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term)."*
- c) Section 26(1)(xi) of the Act also states *"residents should receive adequate and fair representation within the local government system, while over-representation in comparison with councils of a similar size and type should be avoided (at least in the longer term)".*
- d) There needs to be sufficient elected members to:
- manage and guide the affairs of Council;
  - lead and form the core of the Council committees;
  - share the demands placed upon them by their constituents;
  - provide adequate lines of communication between the community and Council;
  - achieve the desired diversity in member's skill sets, experience and backgrounds; and
  - assure the range of viewpoints that spurs innovation and creativity in Council planning and decision-making.
- e) The Statutes Amendment (Local Government Review) Bill 2020 seeks to restrict the total number of elected members (including the principal member) in any Council to twelve (12). If the Bill is passed into law, fourteen councils, including the City of Holdfast Bay, will likely be required to reduce the number of elected members to a maximum of eleven councillors. This will obviously have impacts upon the existing ward structures; and will serve to increase the elector ratios.

- f) Table 1 provides (for comparison purposes) the elector data; elector ratios (i.e. the average number of electors represented by a councillor); and the size/area of the metropolitan councils. The data indicates that the City of Holdfast Bay is one of the smaller of the metropolitan councils in terms of area and elector numbers; has an average number of elected members; and exhibits a relatively low elector ratio (1:2,311).
- g) The seven largest of the metropolitan councils (in terms of elector numbers) currently comprise 12 - 17 councillors; have elector numbers ranging from 63,633 – 127,327; and exhibit elector ratios of 1:4,242 - 1:10,611.

Table 1: Elector data and representation (metropolitan Adelaide councils)

Council	Councillors	Electors	Elector Ratio
Walkerville (1.34 km <sup>2</sup> )	8	5,729	1:716
Gawler (41.10km <sup>2</sup> )	10	18,247	1:1,825
Prospect (7.81 km <sup>2</sup> )	8	14,904	1:1,863
Norwood Payneham & St Peters (15.1km <sup>2</sup> )	13	25,575	1:1,967
Unley (14.29 km <sup>2</sup> )	12	27,412	1:2,284
<b>Holdfast Bay (13.72 km<sup>2</sup>)</b>	<b>12</b>	<b>27,729</b>	<b>1:2,311</b>
Adelaide Hills (795.1 km <sup>2</sup> )	12	29,600	1:2,467
Burnside (27.53 km <sup>2</sup> )	12	31,722	1:2,644
West Torrens (37.07 km <sup>2</sup> )	14	41,843	1:2,989
Campbelltown (24.35 km <sup>2</sup> )	10	35,837	1:3,584
Mitcham (75.55 km <sup>2</sup> )	13	48,668	1:3,744
Adelaide* (15.57 km <sup>2</sup> )	7	27,964	1:3,995
Playford (344.9 km <sup>2</sup> )	15	63,633	1:4,242
Port Adelaide/Enfield (97.0 km <sup>2</sup> )	17	86,084	1:5,064
Marion (55.5km <sup>2</sup> )	12	66,137	1:5,511
Charles Sturt (52.14 km <sup>2</sup> )	16	87,107	1:5,444
Tea Tree Gully (95.2 km <sup>2</sup> )	12	73,659	1:6,138
Salisbury (158.1 km <sup>2</sup> )	14	96,240	1:6,874
Onkaparinga (518.4 km <sup>2</sup> )	12	127,327	1:10,611

Source: ECSA (15 September and 20 October 2020); and City of Holdfast Bay Supplementary Voters Roll (25 September 2020)

\* City of Adelaide also comprises four (4) "area councillors".

- h) A reduction in the number of elected members would result in the following elector ratios.

Eleven councillors 1:2,521  
 Ten councillors 1:2,773  
 Nine councillors 1:3,081  
 Eight councillors 1:3,466

- i) The aforementioned elector ratios are all still lower than the existing elector ratios of the ten largest of the metropolitan Adelaide councils (refer Table 1).

- j) It may be difficult to mount a sustainable argument to increase the number of elector members, despite the likelihood of some further (but modest) population growth in the foreseeable future. The provisions of the current Act speak against over-representation, and require Council to examine and justify twelve or more elected members. Further, the intent of the Statutes Amendment (Local Government Review) Bill 2020 is to set the maximum number of elected members in a council at twelve (12).
- k) Arguments in favour of an increase in elected members include:
- enhancing the lines of communication between Council and the community;
  - the greater the number of elected members, the greater the likelihood that the elected members will be more familiar with the experiences of, and issues confronting, the local community;
  - the greater the number of elected members, the more diverse the skill sets, expertise, experience and opinions; and
  - an increase in the number of elected members may provide greater opportunity for community scrutiny and can make the elected members more accountable to their immediate constituents.
- l) There are no inherent disadvantages in having an even or odd number of councillors. An odd number may overcome the requirement for the Mayor to cast a deciding vote but may require the development/implementation of a ward structure that exhibits a varying level of representation between wards. The latter can be perceived as an imbalance.

## 5. KEY CONSIDERATIONS

### 5.1 Quota (Elector Ratio)

- a) Section 33(2) of the Act requires that any proposal which relates to the formation or alteration of wards of a Council must observe the principle that the number of electors represented by a councillor must not vary from the ward quota by more than 10 per cent. Ward quota is the number of electors within a ward divided by the number of ward councillors, whereas the "elector ratio" for the council area is the total number of electors divided by the number of councillors (elected Mayor excluded).
- b) The data provided in Table 2 indicates that the elector ratios within all of the existing wards lay comfortably within the specified quota tolerance limits and, as such, the existing ward structure could be retained in its current configuration (at least in the short term and subject to the outcome of the Statutes Amendment (Local Government Review) Bill 2020).

Table 2: Current ward structure - Elector numbers and elector ratios

	Crs	H of A Roll	Council Roll	Electors	Ratio	% Variance
<b>Glenelg</b>	3	6,810	50	6,860	1:2,287	- 1.04
<b>Somerton</b>	3	6,970	24	6,994	1:2,331	+ 0.89
<b>Brighton</b>	3	6,948	12	6,960	1:2,320	+ 0.40
<b>Seacliff</b>	3	6,907	8	6,915	1:2,305	- 0.25
<b>Total</b>	12	27,635	94	27,729		
<b>Average</b>					1:2,311	

Source: ECSA (15 September 2020); and City of Holdfast Bay Supplementary Voters Roll (25 September 2020)

## 5.2 Communities of Interest

- a) Section 33(1)(a) of the Act requires Council, when developing wards, to take into account (as far as practical) *"the desirability of reflecting communities of interest of an economic, social, regional or other kind"*.
- b) Factors that can be considered include the physical, economic and social environments; neighbourhood communities; history and heritage communities; sporting facilities; community support services; recreation and leisure communities; retail and shopping centres; work communities; industrial and economic development clusters; planning zones; and environmental and geographic interests.
- c) The issue of "communities of interest" can be complex and subjective. As such, the member's local knowledge is particularly valuable and the retention of entire communities (i.e. suburbs, precincts and/or towns) within proposed wards will always serve to maintain and protect perceived existing communities of interest.
- d) The obvious existing communities of interest within the council area are the suburbs of Brighton, Glenelg, Glenelg East, Glenelg North, Glenelg South, Hove, Kingston Park, North Brighton, Seacliff, Seacliff Park, Somerton Park and South Brighton.

## 5.3 Ward Boundaries

- a) It is suggested that a proportion of the community can have an apathetic attitude towards Local Government elections and, as such, care should be taken to ensure that the situation is not exacerbated as a result of any confusion or uncertainty which may arise due to an amendment to the existing ward structure.
- b) Experience suggests communities prefer no change to the existing structure, but are more likely to accept an alternative structure which has some logical basis and/or exhibits ward boundaries that are easily identifiable.



- c) Every endeavour will be made to ensure, where possible, that potential future proposed ward boundaries will align with existing suburb boundaries; main roads; property boundaries; and/or prominent geographical and/or man-made features.

#### 5.4 Demographic Trends

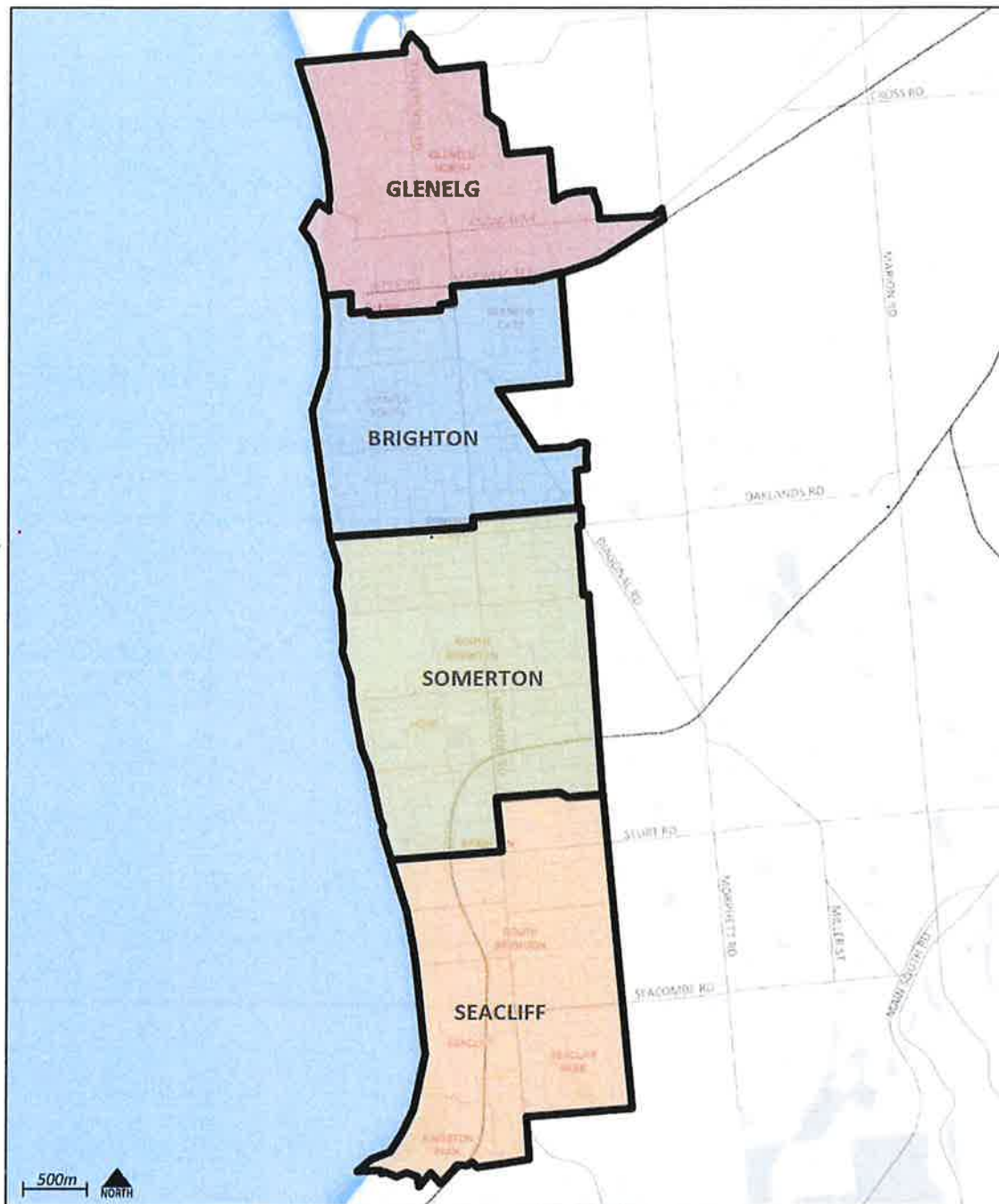
- a) Allowances must be incorporated within any proposed future ward structure to accommodate identified or likely fluctuations in elector numbers. Trends will be gleaned from sources such as the House of Assembly Roll; Council's supplementary voters roll; state government population projections; Australian Bureau of Statistics Census data for 2001, 2006, 2011 and 2016; housing construction rates; land division proposals; known residential development opportunities; and existing/future zonings.
- b) Table 3 indicates that the total number of eligible electors in the council area increased by 1,462 (5.58%) during the period September 2013 – September 2020).

Table 3: Elector numbers per ward (September 2012 - July 2020)

Ward	Electors 2012	Electors 2020	Variation	% Variance
Glenelg	6,548	6,810	262	+4.00
Somerton	6,676	6,970	294	+4.40
Brighton	6,488	6,948	460	+7.09
Seacliff	6,461	6,907	446	+6.90
<b>Total</b>	26,173	27,635	1,462	+5.58

- c) All of the existing wards have recorded an increase in elector numbers since September 2013, albeit at varying rates.
- d) Population projections prepared by the Department of Planning, Transport and Infrastructure (2020) indicate that the population of the City of Holdfast Bay is anticipated to increase by 2,727 or 7.46% (i.e. 36,532 to 39,258) during the period 2016 – 2036.
- e) Data provided by the Australian Bureau of Statistics (refer 3218.0 Regional Population Growth, Australia) indicates that the estimated population of the City of Holdfast Bay increased every year during the period 2005 – 2019 (i.e. from 34,007 to 37,435), which equates to a total increase of 3,428 or 10.08%.
- f) According to Council planning staff, residential in-fill development will continue to occur across the whole of the council area, with the potential of a 10% - 15% increase in dwelling density being touted, although the uptake on potential redevelopment opportunities (e.g. the division of long existing allotments) is apparently low at this time. Areas of residential development focus will continue to be along the foreshore; Glenelg and Glenelg North (including Adelphi Crescent, Jetty Road and Anzac Highway); and North Brighton (i.e. Minda Incorporated Brighton Campus).

**ATTACHMENT A - EXISTING WARD STRUCTURE**



**APPENDIX 10**



Trim Container:	FOL/17/1049
First Issued / Approved:	22/06/2010
Last Reviewed:	14/07/2020
Next Review:	C140720/1963
Responsible Officer	13/07/2022 Manager City Activation

**1. PREAMBLE**

The City of Holdfast Bay is committed to open, accountable and responsive decision making, which is informed by effective communication and consultation between the council and the community.

**1.1 Background**

Community engagement, critical in the successful development of sustainable policies and decisions in government, the private sector and the community, is also critical in the ongoing planning, implementation, evaluation and decision making processes of Council services and the management of community resources.

Community consultation supports our Value of Engaging with, developing and recognising the valuable contribution of members of our community to the well-being of our City.

**1.2 Purpose**

1.2.1 The objectives of this Policy are to:

- a. Promote positive relations between the Council and the community.
- b. Guide effective engagement between the Council and the community.
- c. Enable the community to be informed about and participate in Council planning and decision making.
- d. Provide the framework for appropriately structured, targeted and delivered community engagement as part of Council's decision making.
- e. Support Council decision making which is open, transparent, responsive, inclusive and accountable to the community.

1.2.2 This Policy has been supplemented to include provisions made on 8 April 2020 by the Minister for Transport, Infrastructure and Local Government who issued a notice pursuant to section 302B of the Local Government Act 1999, the Public Access and Public Consultation Notice (No 2) 2020 (**Notice No 2**) varying or suspending the operation of the specified provisions of the Local Government Act 1999 as set out in Schedule 1 to Notice No 2. Notice No 2 commenced operation on 8 April 2020.

## COMMUNITY CONSULTATION AND ENGAGEMENT POLICY

For the period Notice No 2 has effect (as provided for in Notice No 2), this Public Consultation Policy is altered as set out below and those alterations have effect notwithstanding any other provision in this Policy to the contrary.

For the avoidance of doubt, save for the alterations to the Policy as set out below, the Policy otherwise applies to public consultation undertaken by the Council for the purposes of the Local Government Act 1999.

These provision are shown in blue and will remain in operation during the current public health emergency (COVID-19) and whilst the Minister's Notice No 2 remains in operation.

Pursuant to Section 45(2) of the *Local Government Act 1999*, as substituted under the *Public Access and Public Consultation Notice (No 2) 2020*, being satisfied that it is reasonably necessary as a result of the public health emergency declared by the Chief Executive of the Department for Health and Wellbeing on 15 March 2020 (and the related major emergency declared under the *Emergency Management Act 2004* on 22 March 2020 and extended on 2 April 2020), the Council, for the period the *Public Access and Public Consultation Notice (No 2) 2020* has effected the closure of the principal office of the Council effective from *Friday 27 March 2020*.

### 1.3 Scope

Policy applies to Elected Members, employees, contractors and agents or consultants acting on behalf of Council.

### 1.4 Definitions

*Act* means the *Local Government Act 1999*.

*Community* means all people who, own property, live, work, study or conduct business in, or who visit, use or enjoy the services, facilities and public places of the City of Holdfast Bay.

*Community Engagement* means the community in decision making processes, which is critical in the successful development of acceptable policies and decisions in government, the private sector and the community.

*Consultation* means two way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making.

*Council* means the City of Holdfast Bay. For the purposes of these alterations **the Council** includes an officer or employee of the Council acting within the scope of that person's ordinary functions and duties except in circumstances where these alterations expressly require a matter to be considered at a meeting of the Council.

# COMMUNITY CONSULTATION AND ENGAGEMENT POLICY

*Policy* means this Community Consultation & Engagement Policy.

*Regulations* means the *Local Government (General) Regulations 2013*.

## 1.5 Strategic Reference

Community: Fostering an engaged and contributing community

## 2. PRINCIPLES

- 2.1 The City of Holdfast Bay is committed to effective, ongoing and timely community engagement as an integral part of local governance and key decision making.
- 2.2 Council will be proactive in informing and seeking the views of its community, taking into account the specific needs of different sections of the community, ensuring appropriate strategies, including digital engagement, are developed to maximise the opportunities for participation of all members of the community.
- 2.3 Council will be honest about the degree of influence the community is able to exercise in any particular community engagement event or process.
- a. Council acknowledges that different sections of the community will have different levels of interest in an individual issue and will tailor its engagement strategies accordingly.
  - b. Council's desire to engage the community will be balanced with other influences such as budgetary constraints.
  - c. Council will define the parameters of the community engagement process for each specific topic, in line with legislative requirements and best practice, and will use community engagement techniques selected to fulfil the "promise" of the defined engagement process.
- 2.4 Council will incorporate the principles of the International Association for Public Participation (IAP2) in all of its community engagement practices, both in those areas affected by legislation and in those areas where employees or Council have determined, as a matter of good practice, to consult with the community.
- 2.4.1 The Council will determine whether or not to undertake face-to-face or in person public consultation activity (including without limitation a door knock, focus group, forum, briefing session, workshop, open house, community panel, conversation café, round table or symposium) in relation to any matter for which the *Local Government Act 1999* requires the Council to follow the steps set out in its public consultation policy, on a case by case basis with a view to the relative safety of the proposed activity and having regard to any relevant emergency directives in place, taking a risk based approach. For clarity, where the *Local Government Act 1999* has been modified by Notice No 2 to preclude face to face consultation, activities will be limited to those deemed safe, for example, such as attendance at Council meetings within the constraints of the relevant COVID-Safe Plan pertaining to the public gallery.

The Council will determine whether or not to undertake face-to-face or in person public consultation activity (including items listed above) in relation to any matter

## COMMUNITY CONSULTATION AND ENGAGEMENT POLICY

for which this Policy would, but for this provision, require the Council to hold such an activity, on a case by case basis with a view to the relative safety of the proposed activity and having regard to any relevant emergency directives in place, taking a risk based approach.

To the extent this Policy would otherwise require the Council to hold a face-to-face or in person public consultation activity in relation to a matter, the Council will instead publish a notice on its website and on the council notice board inviting interested persons to make written submissions in relation any matter within the period stated in the notice where legislatively required to do so (which will not be less than 21 days after the publication of the notice, unless the matter is considered by the Council to require urgent consideration and it is not otherwise contrary to the *Local Government Act 1999* to consult for a lesser period). The Council will consider the submissions.

### 2.5 For the purpose of this policy the following promises apply:

- a. Inform – One way communication providing balanced and objective information to assist understanding about something that is going to happen
- b. Consult – two way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making – Council will listen and acknowledge concerns and aspirations and provide feedback.
- c. Involve – participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision making – Council will work with the community to ensure that its concerns and aspirations are directly reflected in the alternatives developed.
- d. Collaborate – working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions – Council will look to the community for direct advice and innovation in formulating solutions.

### 2.6 Where required by the Local Government Act, or any other Act, Council will at all times meet at least the minimum requirements for public consultation as identified in the Act.

For Legislative consultations only, temporary arrangements will be made for the duration of this period for Council to provide summary documents to be made available at selected Supermarkets located with City of the Holdfast Bay.

In relation to any obligation under the *Local Government Act 1999* to make a document available for inspection at the principal office of the Council, a summary of the document (with details on how to obtain the full document) will be made available to collect at *the local Foodlands' and Romeo's Foodland*:

Romeo's Foodland, 101-103 Partridge St, Glenelg South SA 5045  
Foodland Hove 349 Brighton Rd, Hove SA 5048  
Foodland Seacliff 228 Seacombe Rd, Seacliff Park SA 5049

## COMMUNITY CONSULTATION AND ENGAGEMENT POLICY

OR

Full documentation is available on the Council website to download at [www.holdfast.sa.gov.au](http://www.holdfast.sa.gov.au), or via phone, mail or email request.

**2.7** The publication in a newspaper circulating within the area of the council and on the Council's website of a notice describing the matter under consideration and inviting interested persons to make submissions in relation to the matter within a period stated in the notice. This period must be consistent with at least the minimum period of time as stated in the relevant section of the Act.

2.7.1 The Council will not publish a notice in a newspaper circulating in the area of the Council inviting interested persons to attend a public meeting or meeting of the Council in relation to any matter within the scope of Sections 123, 151 or 156 of the *Local Government Act 1999* for which public consultation is required under the *Local Government Act 1999*. The Council will ~~not~~ hold such a public meeting or invite persons to attend a meeting of the Council to ask questions or make submissions on the matter if, taking a risk-based approach, it deems it safe to do so at the relevant time.

The Council will publish a notice on the council website and on the public notice board inviting interested persons to make written submissions within the period stated in the notice (which will not be less than 21 days after the publication of the notice) in relation any matter within the scope of Sections 123, 151 or 156 of the *Local Government Act 1999* for which public consultation is required under the *Local Government Act 1999*. The Council will consider the submissions at a meeting of the Council.

2.8. For the purposes of determining the period of public consultation, the time between the 15 December and the 15 January inclusive in any year, will not be counted when determining the consultation period; and

2.9 The Council will consider any submissions received from the public during a consultation period.

### 3. REFERENCES

#### 3.1 Legislation

- *Local Government Act 1999*

#### 3.2 Other References

- Local Government Association (SA) Community Engagement Handbook – a Model Framework for Leading Practice in Local Government in South Australia. (2008)
- Community Consultation and Engagement Procedure
- [Public Access and Public Consultation Notice \(No 2\) 2020 \(Notice No 2\)](#)

**APPENDIX 11**

minor edits were made to the AMPs and these, together with further minor edits and recent Council decisions, were presented in updated AMPs (refer Attachments 3 – 7).

There is a negligible change to the total capital expenditure forecast over the next 10 years which is \$83.2 million.

Administration sought final endorsement of the five revised asset management plans by Council.

**Motion**

**C090221/2217**

**That Council:**

- 1. notes the results of public consultation and the subsequent responses provided to submissions; and**
- 2. endorses the revised Asset Management Plans 2020.**

Moved Councillor Lonie, Seconded Councillor Lindop

**Carried Unanimously**

**15.6 Representation Review Options Paper (Report No: 43/21)**

Following Council's resolution on 8 September 2020 (C080920/2025- Report No. 242/20 Representation Review Commencement 2020/21), the Representation Review process has commenced.

A Representation Options Paper (Options Paper) has been prepared by Council's consultant, pursuant to the requirements of Section 12(5) and (6) of the *Local Government Act 1999* (the Act) and was attached to this report. The Options Paper examined the advantages and disadvantages of various options that are available to the City of Holdfast Bay in respect to its future composition and structure. The Act requires, as part of the review process, that the Options Paper be released for public consultation for a period of at least six (6) weeks (s12(7) of the Act).

This report was for Council to endorse the Options Paper and for public consultation to commence. It was recommended consultation from Thursday 18 February 2021 and close 5pm on Friday 9 April 2021, which allowed for more than the six (6) weeks minimum consultation (and allows for the Easter public holidays).

**Motion**

**C090221/2218**

**That Council endorses the Representation Options Paper to be released for public consultation.**

Moved Councillor Bouchee, Seconded Councillor Miller

**Amendment**

**That Council endorses the Representation Options Paper to be released for public consultation but to include an option for two wards with four Councillors each ward.**

Moved Councillor Clancy, Seconded Councillor Bradshaw

The amendment on being put was

**Lost**

The substantive motion on being put was

**Carried Unanimously**

15.7 **Memorial to Recognise the Mental Health Impacts of War and Conflict on Service Personnel (Report No: 47/21)**

This report responded to Council Resolution C101120/2115 to investigate a proposal for a general memorial to honour service personnel returning from conflict with mental health trauma.

The report reflected the outcomes of discussions with the William Kibby VC Veterans Shed and the Plympton Glenelg Returned and Services League (PGRSL). The two organisations presented valid arguments both for and against formal recognition, with PGRSL favouring a memorial and the William Kibby VC Veterans Shed highlighting the sensitivity of the issue as veterans often experience difficulties in openly discussing their challenges or seeking assistance and would not want to be reminded of any psychological disability a person may be suffering.

It was determined that funding could be directed toward a Local Heroes Memorial Wall at the William Kibby VC Veterans Shed, as well as renewing existing memorial plaques to be inclusive of all sacrifice, both whilst in active service and as a result of psychological trauma upon return. Funding could be further invested into training of volunteers to provide informal counselling services and support until such time as veterans are open to seeking formal support.

**Motion****C090221/2219****That Council:**

1. **install or update an existing memorial plaque at the Arch of Remembrance at Brighton and at the Moseley Square memorial with wording that encompasses all sacrifice, e.g. "the City of Holdfast Bay recognises the Service and suffering that our Veterans from all conflicts have endured whilst in the service of their Country in areas of operation, and also recognises the suffering that Veterans and their families endure upon their return".**
2. **contribute to the installation of a Local Heroes Memorial Wall at the William Kibby VC Veterans Shed Memorial Garden, specifically to offer an interactive, contemplative space for veterans and their families; and**
3. **invest into the training of volunteers from the PGRSL and the William Kibby VC Veterans Shed to ensure that veterans suffering PTSD are**



Item No: **15.6**

Subject: **REPRESENTATION REVIEW OPTIONS PAPER**

Date: 9 February 2021

Written By: Team Leader Governance

General Manager: Strategy and Business Services, Ms P Jackson

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### SUMMARY

Following Council's resolution on 8 September 2020 (C080920/2025- Report No. 242/20 Representation Review Commencement 2020/21), the Representation Review process has commenced.

A Representation Options Paper (Options Paper) has been prepared by Council's consultant, pursuant to the requirements of Section 12(5) and (6) of the *Local Government Act 1999* (the Act) and is attached to this report. The Options Paper examines the advantages and disadvantages of various options that are available to the City of Holdfast Bay in respect to its future composition and structure. The Act requires, as part of the review process, that the Options Paper be released for public consultation for a period of at least six (6) weeks (s12(7) of the Act).

This report is for Council to endorse the Options Paper and for public consultation to commence. It is recommended consultation from Thursday 18 February 2021 and close 5pm on Friday 9 April 2021, which allows for more than the six (6) weeks minimum consultation (and allows for the Easter public holidays).

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### RECOMMENDATION

**That Council endorses the Representation Options Paper to be released for public consultation.**

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### COMMUNITY PLAN

Community: Fostering an engaged and contributing community

Culture: Providing customer-centred services

Culture: Enabling high performance

Culture: Being financially accountable

Culture: Supporting excellent, efficient operations

**COUNCIL POLICY**

Community Consultation and Engagement Policy

**STATUTORY PROVISIONS**

*Local Government Act 1999*

*Statutes Amendment (Local Government Review) Bill 2020*

**BACKGROUND**

Council's last Representation Review was conducted in 2012/2013.

On 9 July 2020, the Minister for Transport, infrastructure and Local Government declared that the City of Holdfast Bay must undertake a Representation Review by October 2021.

C L Rowe and Associates have been engaged to undertake the review on behalf of Council (as a qualified person pursuant to section 12(5) of the Act).

**REPORT**

An Options Paper prepared by Council's consultant is attached for consideration, which includes:

- a review process overview
- the option of the Office of the Mayor versus a Chairperson
- the option of Area Councillors (in addition to Ward Councillors)
- the division of the Council area into wards or no wards
- elector representation
- ward structure (including ward representation, boundaries and identification)
- ward structure assessment criteria
- ward structure options (five (5) options)

*Refer Attachment 1*

Proposed ward structure options range from a total of twelve (12) elected members (not including the Mayor) to eight (8) elected members (not including the Mayor). The options provided as examples are:

Option	Number of wards	Number of elected member for each ward	Number of elected members
<b>1 (current structure)</b>	4	3	12 (13 including the Mayor)
<b>2</b>	5	2	10 (11 including the Mayor)
<b>3</b>	3	3	9 (10 including the Mayor)
<b>4</b>	4	2	8 (9 including the Mayor)
<b>5</b>	No wards		

Whilst there is the ability for Council to maintain the existing status quo of 12 (12) elected members (plus the Mayor) under current legislative provisions, Council's attention is drawn to the

potential changes being proposed by the *Statutes Amendment (Local Government Review) Bill 2020* (the Bill). Changes proposed would limit the number of elected members to twelve (12), including the Mayor. If Council proceeded with thirteen (13) elected members it may have to review its elected member numbers earlier than the usual eight (8) year review cycle.

When the time comes for deciding which structure to adopt, Council is not obliged to choose from the options presented in this Options Paper. The options provided are examples for discussion and consideration and do not constrain Council from considering other possibilities.

Once the Options Paper is endorsed by Council, members of the public will be invited to provide written submissions on the Options Paper during a first stage of consultation. There are a minimum of two consultations required for the representation review process. Feedback on the possible options will be sought from the public and the public may also propose other options for Council's consideration.

In accordance with Council's Community Consultation and Engagement Policy the level of engagement will be active engagement. Notices of public consultation will be published as required by the Act in the Gazette, the Advertiser and on Council's website [www.yourholdfast.com/representation-review](http://www.yourholdfast.com/representation-review), providing details of how to consider the Options Paper and provide written submissions.

The views of the community will be collected via:

- council's website which includes an online survey
- written submissions by email or letter, and
- hard copy survey forms available with copies of the Options Paper via the Civic Centre and Glenelg and Brighton libraries.

Additional promotion will be through:

- a registered user update (via email to 1800 emails on the database)
- Council's Twitter account every week
- Council's LinkedIn account
- Council's Facebook page
- Holdfast News – e-newsletter, and
- Displays in the Brighton Civic Centre and Brighton/ Glenelg libraries.

All written submissions received as part of the first stage of consultation will be forwarded to Council's consultant who will prepare a Representation Review Report. This report will include information regarding the options Council considered, responses to written submissions and the proposal for future composition and structure. Once the Representation Review Report has been endorsed by Council it will be released for stage two of public consultation for three (3) weeks. The public will again be invited to make written submissions and those that provide written submissions under this second consultation stage will also be afforded the opportunity to attend a Council meeting to speak to the chamber.

At the conclusion of the second stage of consultation, a final report will be prepared for Council's adoption and referral to the Electoral Commissioner of SA.

**BUDGET**

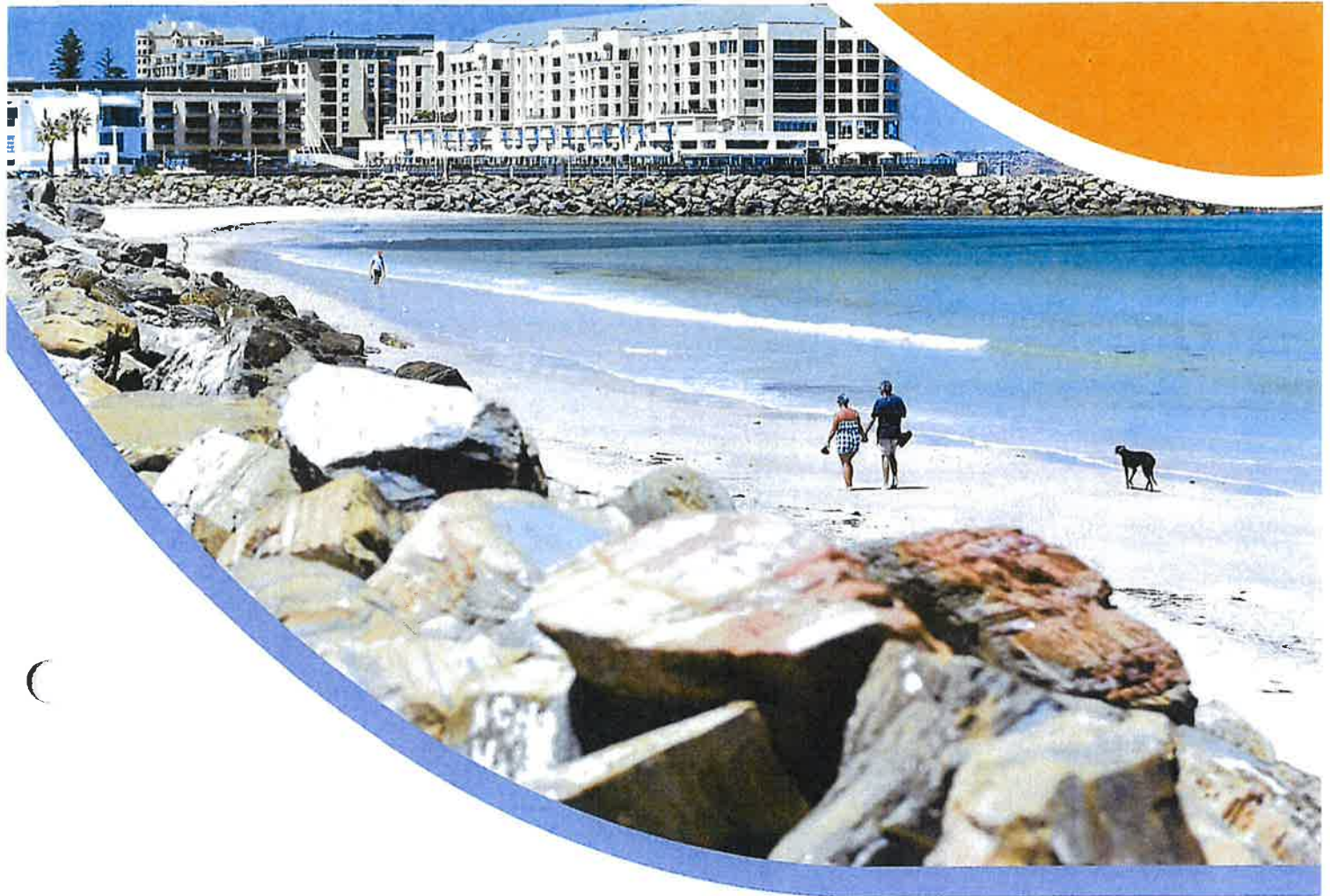
The budget for the Representation Review was approved by Council on 8 September 2020 (C080920/2025). The current process is within budget at this stage.

**LIFE CYCLE COSTS**

Not applicable.

# Attachment 1





ELECTOR REPRESENTATION REVIEW

## **REPRESENTATION OPTIONS PAPER**

(SECTION 12(4) OF THE LOCAL GOVERNMENT ACT 1999)

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## 1. INTRODUCTION

Section 12(3) of the *Local Government Act 1999* (the Act) indicates that the purpose of an “elector representation review” is to determine whether its community would benefit from an alteration to Council’s composition or ward structure.

Section 12(4) of the Act states: “A review may relate to a specific aspect of the composition of the council, or of the wards of the council, or may relate to those matters generally – but a council must ensure that all aspects of the composition of the council, and the issue of the division, or potential division, of the area of the council into wards, are comprehensively reviewed under this section at least once in each relevant period that is prescribed by the regulations”.

The Minister for Local Government has specified (by way of a notice published in the Government Gazette on 9 July 2020) that the City of Holdfast Bay (the ‘Council’) is required to undertake and complete a review during the period October 2020 – October 2021.

This paper has been prepared in accordance with the requirements of Section 12(5) and (6) of the Act; and examines the advantages and disadvantages of the various options that are available to Council in respect to its future composition and structure. It contains information pertaining to the review process; elector distribution and ratios; comparisons with other councils; demographic trends; population projections; residential development opportunities which may impact upon future elector numbers; and alternative ward structure options.

The key issues that need to be addressed during the review include:

- the principal member of Council, more specifically whether it should be a Mayor elected by the community or a Chairperson selected by (and from amongst) the elected members;
- the composition of Council, including the number of elected members required to provide fair and adequate representation to the community and the need for area councillors in addition to ward councillors (where the council area is to be divided into wards);
- the division of the Council area into wards or the abolition of wards; and
- the level of ward representation within, and the name of, any future proposed wards.

The review also needs to be mindful of the potential ramifications of the *Statutes Amendment (Local Government Review) Bill 2020* (the Bill) which was introduced to state parliament in June 2020. This Bill seeks to amend the provisions of the Act, including matters relating to the composition of councils and the elector representation review process.

At the end of the review process, any proposed changes to Council’s composition and/or the ward structure (and/or the abolition thereof) should serve to uphold the democratic principle of “one person, one vote, one value”.

## 2. BACKGROUND

The City of Holdfast Bay, as proclaimed in January 1997, resulted from a merger of the former City of Glenelg and the former City of Brighton. The amalgamation initially established a Council structure which incorporated nineteen (19) elected members (i.e. the Mayor, a Deputy-Mayor, five (5) aldermen and twelve (12) councillors); and retained the then existing ward structures (total of six (6) wards). This structure was reviewed and, in May 1997, was amended to comprise thirteen (13) elected members (i.e. the Mayor and twelve (12) ward councillors), with six (6) wards each being represented by two (2) councillors.

A further review was undertaken in 1999. As a consequence, the City of Holdfast Bay was divided into four (4) wards, all of which were represented by three (3) councillors. The Mayor was the thirteenth and principal member of Council.

Subsequent reviews resulted in the composition and ward structure being retained, with some adjustments to the ward boundaries so as to achieve a more equitable distribution of electors between the wards.

The Council area covers approximately 13.72km<sup>2</sup>; had an estimated resident population of 36,983 at 30 June 2019; and is currently divided into four (4) wards (refer Map 1), with each of the wards being represented by three (3) councillors (a total of twelve (12) councillors).

Table 1 provides data pertaining to the number of electors within each of the current wards, and demonstrates the variance in respect to the elector ratios between the wards.

Table 1: Current ward structure - elector numbers and elector ratios

Ward	Crs	H of A Roll	Council Roll	Electors	Ratio	% Variance
Glenelg	3	6,810	50	6,860	1:2,287	- 1.04
Somerton	3	6,970	24	6,994	1:2,331	+ 0.89
Brighton	3	6,948	12	6,960	1:2,320	+ 0.40
Seacliff	3	6,907	8	6,915	1:2,305	- 0.25
<b>Total</b>	12	27,635	94	27,729		
<b>Average</b>					1:2,311	

Source: Electoral Commission SA (15 July 2020) and Council Voters Roll (15 September 2020)

The current ward structure can be retained (in the short term) because the elector ratios in all of the existing wards lay well within the specified 10% quota tolerance limit prescribed under Section 33(2) of the Act (refer 7.3 - Quota).

However, the Bill which is presently before the Legislative Council of parliament, seeks to:

- cap the number of elected members (including the Mayor) at twelve (12);
- abolish the appointment of a principal member of Council by the elected members (i.e. a Chairperson); and
- introduce an abridged representation review process which incorporates the preparation/provision of only one report (for public consultation purposes) and only one public consultation stage.

The proposed changes to the Act should be taken into consideration at this time, if only to understand the potential ramifications upon Council's future composition and structure, if and when the Bill is passed by Parliament.

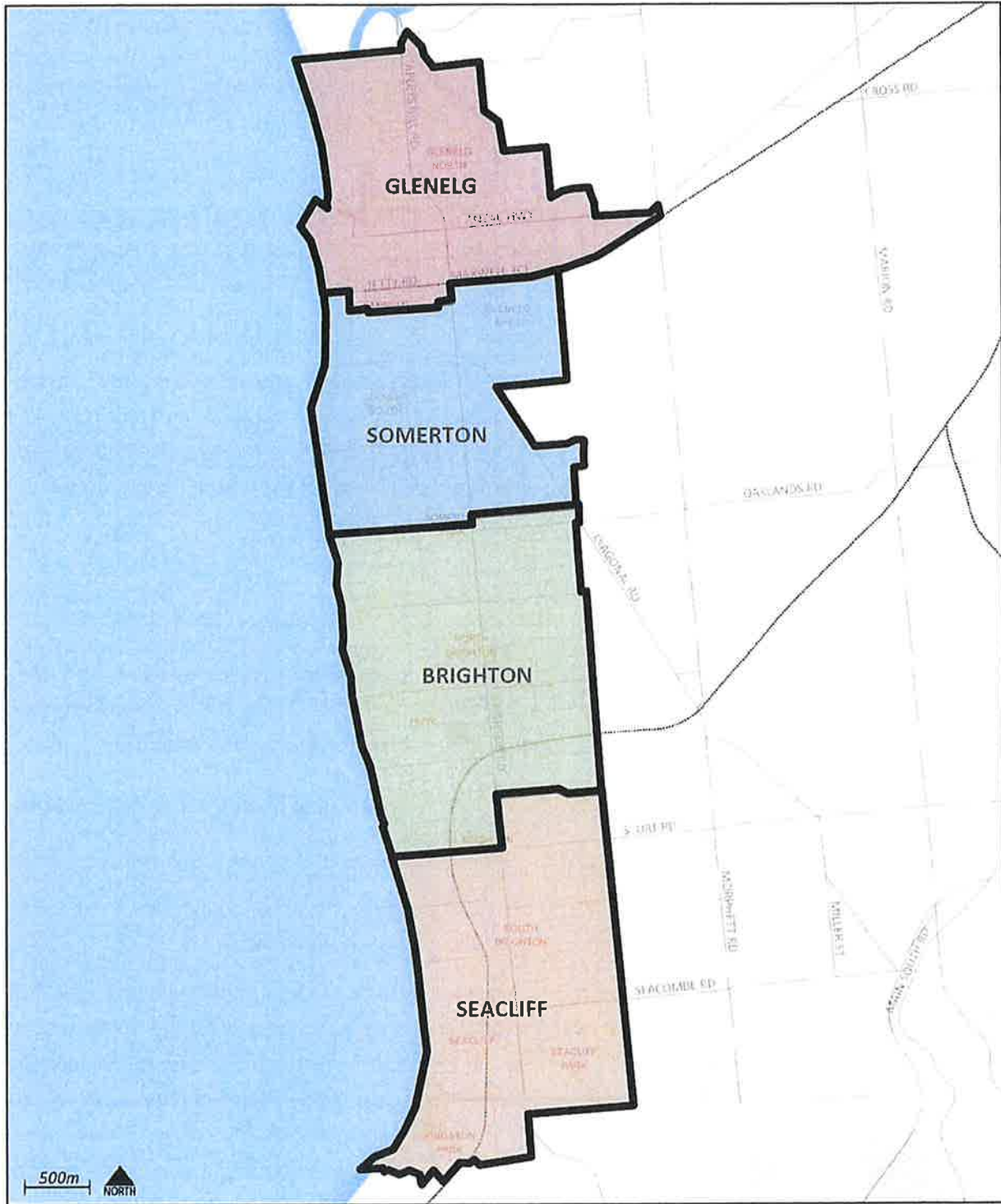
Regardless, to ensure the completion of a comprehensive review, alternative ward structure options must be considered with the view to identifying a structure that:

- provides a more equitable balance of electors (which can be maintained, within tolerance, over the extended period between reviews);
- allows for likely fluctuations in elector numbers, primarily as a consequence of future population growth and residential development; and
- exhibits an elector ratio that is similar, by comparison, to that exhibited by other councils of a similar size and type (i.e. avoids over-representation).

Alternative ward structure options have been presented later in this paper (refer section 8 - Ward Structure Options, page 21).



Map 1: Current ward structure



### **3. REVIEW PROCESS**

Sections 12(5) - 12(12a) of the Act outline the process that Council must adhere to when undertaking its review. A brief summary of this process is as follows.

#### **3.1 Representation Options Paper**

The review is commenced with the preparation of a "Representation Options Paper" by a person who, in the opinion of Council, is qualified to address the representation and governance issues that may arise during the course of the review. Council appointed CL Rowe and Associates to undertake this role.

The "Representation Options Paper" must examine the advantages and disadvantages of the options available in respect to a range of issues relating to the composition and structure of Council. The provisions of the Act specifically require Council to examine issues such as the need for more than twelve (12) elected members and whether the division of the council area into wards should be retained or abolished.

#### **3.2 First Public Consultation**

Council is currently advising the community that the review is being undertaken and the "Representation Options Paper" is available for consideration. An invitation is being extended to any interested person to make a submission to Council by 5.00pm on Friday 9<sup>th</sup> April 2021.

Section 12(7)(a)(ii) of the Act specifies that the consultation period shall be at least six (6) weeks in duration.

#### **3.3 Representation Review Report**

At the completion of the first of the prescribed public consultation stages Council will consider the available options in respect to its future composition and structure, as well as the submissions received from the community. Council will make "in principle" decisions regarding the elector representation arrangements it favours and desires to bring into effect at the next Local Government elections. Council will then prepare a "Representation Review Report" which will outline its proposal and the reasons for such, as well as provide details of the submissions that were received during the first public consultation period and its responses thereto.

#### **3.4 Second Public Consultation**

Council will initiate a second public consultation (by means of public notices) seeking written comments on the "Representation Review Report" and the preferred proposal.



Section 12(9)(b)(ii) of the Act specifies that the second consultation period shall be at least three (3) weeks in duration.

### 3.5 Final Decision

Council will consider the submissions received in response to the second public consultation, hear from the individual community members who may wish to address Council in support of their submission, finalise its decision, and prepare a report for presentation to the Electoral Commissioner.

### 3.6 Certification

The final stage of the review involves certification of the Council proposal by the Electoral Commissioner and gazettal of any amendments to Council's composition and/or ward structure.

Any changes to Council's composition and/or ward structure as a consequence of the review will come into effect at the next Local Government election (scheduled for November 2022).



## 4. COMPOSITION OF COUNCIL

Section 51 of the Act indicates that a council may constitute a Mayor or Chairperson, with all other elected members being councillors, whether they represent the council area as a whole or a ward. The key issues relating to the future composition of Council are as follows.

### 4.1 Mayor/Chairperson

The principal member of Council has always been a Mayor who is elected by the community as a representative of the council area as a whole. The only alternative at this time is a Chairperson who is chosen by (and from amongst) the elected members of council.

The roles and responsibilities of a Mayor and a Chairperson are identical in all respects; however, there are differences in their election/selection and their voting rights in chamber.

A Mayor is elected by all of the electors for a period of four (4) years and, as such, provides stable community leadership. By contrast, a Chairperson can serve for a term of one (1) to four (4) years (as determined by council). The latter provides flexibility and the opportunity for a number of elected members to gain experience as the principal member over the term of a council.

In addition, an elected Mayor does not have a deliberative vote on a matter before council but has a casting vote, whereas a Chairperson has a deliberative vote at a council meeting but, in the event of a tied vote, does not have a casting vote.

Further, as an election (or supplementary election) for an elected Mayor must be conducted across the whole of the council area, a significant cost can be incurred by council on every occasion the position is contested. The selection of a Chairperson is not reliant upon an election and, as such, costs will only be incurred by council where the incumbent's position as a councillor is contested.

It should also be noted that:

- the Bill seeks to abolish the position of a selected Chairperson;
- at present all of the metropolitan councils have an elected mayor and only fifteen regional councils have a Chairperson, although all bear the title of Mayor (as currently allowed under Section 51(1)(b) of the Act);
- candidates for the office of Mayor cannot also stand for election as a councillor and as such, the experience and expertise of unsuccessful candidates will be lost to council; and
- any proposal to change the principal member from an elected Mayor to a selected Chairperson at this time cannot proceed unless a poll of the community has been conducted in accordance with the requirements of Section 12 (11a-d) of the Act and the result of the poll favours the proposed change.

## 4.2 Area Councillors (in addition to ward councillors)

Section 52 of the Act indicates that councillors can be elected as a representative of a ward, or alternatively, to represent the council area as a whole (whether or not the council area is divided into wards).

Where the council area is divided into wards, an area councillor adopts a similar role to that of the former office of alderman and focuses on the council area as a whole rather than a ward.

Arguments in favour of "area councillors" (in addition to ward councillors) include:

- the area councillor should be free of parochial ward attitudes and responsibilities;
- the area councillor may be an experienced elected member who can share his/her knowledge and experience with the ward councillors;
- the area councillor is free to assist the principal member and ward councillors, if required; and
- the lines of communication between council and the community are enhanced through the greater number of elected members.

The opposing view is that an area councillor holds no greater status than a ward councillor; has no greater responsibilities than a ward councillor; and need not comply with any extraordinary or additional eligibility requirements. In addition, it should be noted that:

- additional elected members ("area councillors") will create additional expense;
- any contested election for area councillors must be conducted across the whole of the council area at considerable cost;
- area councillors are considered to be an unnecessary tier of representation and therefore are not a popular option amongst councils (i.e. only the City of Adelaide has "area councillors" in addition to councillors);
- ward councillors do not have to reside in the ward which they represent and, as such, the traditional role and/or basis for the ward councillor has changed to a council-wide perspective;
- ward councillors generally consider themselves to represent not only their ward, but the council area as a whole (like an area councillor), and it is suggested that their role and actions within the council chamber, and the functions they perform on behalf of council, generally reflect this attitude and circumstance; and
- the task and expense of contesting council-wide elections for an area councillor can be prohibitive, and may deter appropriate/quality candidates.



### 4.3 Ward Councillors

Section 52(2)(b) of the Act indicates a councillor will, if the council area is divided into wards, be elected by the electors of a particular ward, as a representative of that ward.

As a person elected to the council, a ward councillor is required to represent the interests of residents and ratepayers; to provide community leadership and guidance; and to facilitate communication between the community and the council.



## 5. ELECTOR REPRESENTATION

Council must provide adequate and fair representation and generally adhere to the democratic principle of “one person, one vote, one value”.

Section 12(6) of the Act requires that, where a council is constituted of more than twelve (12) members, the elector representation review must examine the question of whether the number of elected members should be reduced. In addition, Sections 26(1) and 33(1) of the Act express the need to ensure adequate and fair representation while at the same time **avoiding over-representation in comparison to other councils of a similar size and type** (at least in the longer term).

The comparison of councils is not a straightforward exercise, given that no two councils are identical in terms of their size (elector numbers and/or area), population, topography, communities of interest and/or predominant land uses. However, it can provide some guidance in regards to an appropriate elector ratio or level of representation (number of councillors).

Table 2 provides (for comparison purposes) the elector numbers, elector ratios (i.e. the average number of electors represented by a councillor), and the size/area of the metropolitan councils. The data indicates that the City of Holdfast Bay is one of the smaller of the metropolitan councils in terms of area and elector numbers, has an average number of elected members, and exhibits a relatively low elector ratio (1:2,311).

Table 2: Elector data and representation (metropolitan Adelaide councils)

Council	Councillors	Electors	Elector Ratio
Walkerville (1.34 km <sup>2</sup> )	8	5,729	1:716
Gawler (41.10km <sup>2</sup> )	10	18,247	1:1,825
Prospect (7.81 km <sup>2</sup> )	8	14,904	1:1,863
Norwood Payneham & St Peters (15.1km <sup>2</sup> )	13	25,575	1:1,967
Unley (14.29 km <sup>2</sup> )	12	27,412	1:2,284
Holdfast Bay (13.72 km <sup>2</sup> )	12	27,729	1:2,311
Adelaide Hills (795.1 km <sup>2</sup> )	12	29,600	1:2,467
Burnside (27.53 km <sup>2</sup> )	12	31,722	1:2,644
West Torrens (37.07 km <sup>2</sup> )	14	41,843	1:2,989
Campbelltown (24.35 km <sup>2</sup> )	10	35,837	1:3,584
Mitcham (75.55 km <sup>2</sup> )	13	48,668	1:3,744
Adelaide* (15.57 km <sup>2</sup> )	7	27,964	1:3,995
Playford (344.9 km <sup>2</sup> )	15	63,633	1:4,242
Port Adelaide/Enfield (97.0 km <sup>2</sup> )	17	86,084	1:5,064
Marion (55.5km <sup>2</sup> )	12	66,137	1:5,511
Charles Sturt (52.14 km <sup>2</sup> )	16	87,107	1:5,444
Tea Tree Gully (95.2 km <sup>2</sup> )	12	73,659	1:6,138
Salisbury (158.1 km <sup>2</sup> )	14	96,240	1:6,874
Onkaparinga (518.4 km <sup>2</sup> )	12	127,327	1:10,611

Source: ECSA (15 September and 20 October 2020); and City of Holdfast Bay Supplementary Voters Roll (25 September 2020)

Note: City of Adelaide also comprises four (4) “area councillors”; and Mayors are not included in elector ratio calculations.

When determining the appropriate future composition of Council, some consideration needs to be given to the role of the elected members, as the commitment and workloads of the elected members need to be taken into account. Section 59 of the Act specifies that the role of a member of council is:

- to participate in the deliberation and activities of council;
- to keep council's objectives and policies under review to ensure that they are appropriate and effective; and
- to keep council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review.

Section 59 also requires a person elected to the council to represent the interests of residents and ratepayers; to provide community leadership and guidance; and to facilitate communication between the community and the council.

In addition, it needs to be noted that the Bill seeks to restrict the total number of elected members (including the principal member) in any council to twelve (12). Whilst there is uncertainty as to the fate of the Bill, the intent of the Bill is clear. This being the case, some consideration should be given to a reduction in the number of elected members at this time, if only to avoid the need for another elector representation review prior to the periodic Local Government election in 2026 (as per the requirements of the Bill).

If considering a reduction in the number of councillors, care must be taken to ensure that:

- there are sufficient elected members available to manage the affairs of Council;
- the elected member's workloads do not become excessive;
- there is an appropriate level of elector representation;
- there is potential for diversity in member's skill sets, experience and backgrounds is maintained; and
- there are adequate lines of communication between a growing community and Council.

A reduction in the number of elected members will serve to increase the elector ratio from the current 1:2,311 to 1:2,521 (eleven (11) councillors); 1:2,773 (ten (10) councillors); 1:3,081 (nine (9) councillors); or 1:3,466 (eight (8) councillors). These alternative elector ratios are still lower than the elector ratios exhibited by the larger of the metropolitan Adelaide councils (refer Table 2).

On the other hand, it would be difficult to mount a sustainable argument to increase the number of elector members at this time, despite the likelihood of some further population growth in the foreseeable future. As indicated earlier, the provisions of the current Act speak against over-representation, and require Council to examine and justify twelve (12) or more elected members.



Further, it is the intent of the Bill to set the maximum number of elected members in a council at twelve (12).

Notwithstanding the above, arguments in favour of an increase in elected members include:

- enhancing the lines of communication between council and the community;
- the greater the number of elected members, the greater the likelihood that the elected members will be more familiar with the experiences of, and issues confronting, the local community;
- the greater the number of elected members, the more likely the diversity in skill sets, expertise, experience and opinions; and
- an increase in the number of elected members may provide greater opportunity for community scrutiny and can make the elected members more accountable to their immediate constituents.

Finally, there are no inherent disadvantages in having an even or odd number of councillors. An odd number of councillors may serve to reduce the incidence of a tied vote in the Council chamber; however, it may also require the development/implementation of a ward structure which exhibits a varying level of representation between wards. The latter can be perceived as an imbalance by the community.



## 6. WARD STRUCTURE

Section 12(1)(b) of the Act indicates that council's can "divide, or redivide, the area of the council into wards, alter the division of the area of the council into wards, or abolish the division of the area of a council into wards".

### 6.1 Wards/No Wards

#### 6.1.1 Wards

The advantages of a ward structure include:

- wards guarantee some form and level of direct representation to all parts of the council area and existing communities of interest;
- ward councillors can focus on local issues as well as council-wide issues;
- ward councillors may be known to their ward constituents (and vice versa);
- ward councillors can have an affiliation with the local community and an understanding of the local issues and/or concerns;
- the task and expense of contesting a ward election may be less daunting to prospective candidates;
- Council only has to conduct elections and supplementary elections within the contested wards (potential cost saving); and
- ward based elections have the potential to deliver councillors from different parts of the Council area, potentially resulting in a greater diversity in the skill sets, experience, expertise and opinions amongst the elected members.

The disadvantages of a ward structure include:

- ward councillors do not have to reside within the ward that they represent and, as such, may have no affiliation with the local community and/or empathy for the local issues and/or concerns;
- electors can only vote for councillors/candidates within their ward;
- candidates can be favoured by the peculiarities of the ward based electoral system (e.g. candidates elected unopposed or having attracted less votes than defeated candidates in other wards);
- ward councillors may develop ward-centric attitudes and be less focused on the bigger council-wide issues;

- ward boundaries are lines which are based solely on elector distribution and may serve to divide the community rather than foster civic unity;
- despite comparable ward elector ratios, inequitable levels of representation between wards and/or the physical sizes of wards can create a perception of imbalance in voting power within Council; and
- ward councillors generally consider themselves to represent not only their ward but the council area as a whole and, as such, the need for wards is questionable.

### 6.1.2 No Wards

The advantages of a "no wards" structure (i.e. the abolition of wards) include:-

- "no wards" is the optimum democratic structure as the electors vote for all of the vacant positions on council;
- the most supported candidates from across the council area will likely be elected;
- the elected members should be free of ward-centric attitudes;
- councillors may find it easier to take a whole-of-council approach to decisions;
- the lines of communication between council and the community should be enhanced, given that members of the community will be able to consult with any and/or all members of Council, rather than feel obliged to consult with their specific ward councillors;
- the structure still affords opportunities for the small communities within the council area to be directly represented on council, if they are able to muster sufficient support for a candidate;
- the structure automatically absorbs fluctuations and there is no requirement for compliance with specified quota tolerance;
- the introduction of postal voting has facilitated the dissemination of campaign literature throughout the council area, thereby reducing the difficulty and cost of contesting a council-wide election campaign; and
- successful candidates generally have to attract no more votes than they would have received/required under a ward based election.

The disadvantages of a "no wards" structure include:-

- the elected members could come from the more heavily populated parts of the council area rather than from across the whole of the council area;
- single interest groups may find it easier to achieve the numbers needed to be elected;

- perception that elected members may not have any empathy for, or affiliation with *all* communities across the whole council area;
- Council has to conduct elections and supplementary elections across the whole of the council area (at a significant expense);
- the more popular or known councillors may receive more enquiries from the public (i.e. inequitable workloads); and
- potential candidates for election to Council may be deterred by the perceived difficulties and expense associated with contesting council-wide elections.

## 6.2 Ward Representation

### 6.2.1 Single Councillor Ward

Wards represented by a single councillor are generally small in area and therefore afford the ward councillors the opportunity to be more accessible to their constituents and able to concentrate on issues of local importance. Due to the small size of the wards it can be difficult to identify suitable ward boundaries, maintain entire communities of interest within a ward, and sustain significant fluctuations in elector numbers (and therefore comply with the specified quota tolerance limits for any length of time). The work load of the ward councillor can also be demanding, and absenteeism by the elected member (for whatever reason and/or period) will leave the ward without direct representation.

### 6.2.2 Two Councillors per Ward

Two councillors representing a ward is traditional and/or common, allows for the sharing of duties and responsibilities between the ward councillors, can lessens the likelihood of ward-centric attitudes given that the ward is represented by two individuals, and affords continuous ward representation should one ward councillor be absent.

### 6.2.3 Multi-Councillor Ward

Multi-councillor wards are generally larger in area and therefore the overall ward structure can be relatively simple. Councillor absenteeism can be easily covered, the work load of the ward councillors can be shared, there are greater perceived lines of communication between ward councillors and their constituents, there is more flexibility in regards to ward quota (i.e. the larger wards can accommodate greater fluctuations in elector numbers), and there is a greater likelihood that communities of interest can be incorporated (in their entirety) in a ward.

#### 6.2.4 Varying Ward Representation

There are no inherent disadvantages associated with varying levels of representation between wards. However, such structures can be seen to lack balance and/or equity, with the larger wards (in elector and ward councillor numbers) being perceived as having a greater, more influential voice on council, even if the elector ratios within the wards are consistent.

### 6.3 Ward Boundaries

A ward structure should have a logical basis and, where possible, exhibit boundaries which are easily identified and readily accepted by the community. Accordingly, every effort has been made to align proposed possible future ward boundaries with existing, long established suburb boundaries, main roads, or prominent geographical and/or man-made features.

### 6.4 Ward Identification

The means of ward identification are limited.

The allocation of letters, numbers and/or compass points (e.g. north, south, central etc) are all considered to be acceptable, but lack imagination and fail to reflect the character and/or history of the council area. The same cannot be said for the allocation of names of local heritage/cultural significance.

The allocation of suburb names (as per the current ward structure) can be confusing and fails to reflect the existence of all twelve suburbs within the council area. Whilst this is not a major issue, the review affords the opportunity for the community and Council to consider appropriate alternatives. Accordingly, Council welcomes suggestions from the community in respect to the issue of the names/identification of future wards.



## 7. WARD STRUCTURE ASSESSMENT CRITERIA

Section 33(1) of the Act requires that the following matters be taken into account, as far as practicable, in the formulation of a proposal that relates to the boundaries of a ward or wards:

- a) the desirability of reflecting communities of interest of an economic, social, regional or other kind;
- b) the population of the area, and of each ward affected or envisaged by the proposal;
- c) the topography of the area, and of each ward affected or envisaged by the proposal;
- d) the feasibility of communication between electors affected by the proposal and their elected representatives;
- e) the nature of substantial demographic changes that may occur in the foreseeable future; and
- f) the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term).

Relevant information pertaining to the above matters is as follows:

### 7.1 Communities of Interest

The issue of "communities of interest" can be very complex and, as such, local knowledge will be particularly valuable.

In the past the then Local Government Boundary Reform Board indicated that:

- "communities of interest" for the purpose of structural reform proposals, are defined as aspects of the physical, economic and social systems which are central to the interactions of communities in their living environment;
- "communities of interest" are identified by considering factors relevant to the physical, economic and social environment, including neighbourhood communities; history and heritage communities; sporting facilities; community support services; recreation and leisure communities; retail and shopping centres; work communities; industrial and economic development clusters; and environmental and geographic interests; and
- the analysis of the demographic data and profile will provide socio-economic indicators relevant to "communities of interest".

In addition, Sections 26 and 33 of the Act make reference to "communities of interest" of an economic, social, regional or other kind.

The obvious existing communities of interest within the Council area are the suburbs of Brighton, Glenelg, Glenelg East, Glenelg North, Glenelg South, Hove, Kingston Park, North Brighton, Seacliff, Seacliff Park, Somerton Park and South Brighton.

The retention of entire suburbs within a proposed ward will serve (in part) to maintain and protect a perceived existing "community of interest".

## 7.2 Population and Demographic Trends

When developing potential future ward structures, consideration was given to demographic trends, as allowances have to be made to accommodate any identified or likely future fluctuations in elector numbers.

The following information should be of assistance in respect to this matter.

### 7.2.1 Elector Numbers

According to data provided by Electoral Commission SA, the total number of eligible electors in the Council area increased by 1,462 (5.58%) during the period September 2013 – September 2020 (refer Table 3). It is also noted that all of the existing wards recorded an increase in elector numbers, albeit at varying rates.

Table 3: Elector numbers per ward (September 2013 - September 2020)

Ward	Electors 2013	Electors 2020	Variation	% Variance
Glenelg	6,548	6,810	262	+4.00
Somerton	6,676	6,970	294	+4.40
Brighton	6,488	6,948	460	+7.09
Seacliff	6,461	6,907	446	+6.90
<b>Total</b>	<b>26,173</b>	<b>27,635</b>	<b>1,462</b>	<b>+5.58</b>

### 7.2.2 Residential Development

Council anticipates that residential in-fill development will continue to occur across the whole of the Council area, with the potential of a 10% - 15% increase in dwelling density being possible, although the uptake on potential redevelopment opportunities (e.g. the division of long existing allotments) is somewhat low at this time. Areas of residential development focus will continue to be along the foreshore; Glenelg and Glenelg North (including Adelphi Crescent, Jetty Road and Anzac Highway); and North Brighton (i.e. Minda Incorporated Brighton Campus).

### 7.2.3 Population Projections

Population projections prepared by the Department of Planning, Transport and Infrastructure (2020- now the Department for Infrastructure and Transport) indicate that the population of the City of Holdfast Bay is anticipated to increase by 2,727 or 7.46% (i.e. 36,532 to 39,258) during the period 2016 – 2036.

Whilst these projections are useful in that they provide an indication of the magnitude of the estimated future population increase within the Council area, DPTI warns that the projections represent a possible future population outcome based on assumption of continued population growth and a spatial distribution that is a reflection of current and likely government policies. Further, the population projections are not forecasts for the future but are estimates of future population based on particular assumptions about future fertility, mortality and migration.

### 7.2.4 Census Data

According to data provided by the Australian Bureau of Statistics (refer 3218.0 Regional Population Growth, Australia), the estimated population of the City of Holdfast Bay increased every year during the period 2005 – 2019 (i.e. from 34,007 to 37,435), which equates to a total increase of 3,428 or 10.08%.

### 7.2.5 Community Profile

The City of Holdfast Bay "Community Profile" (as prepared by .id – the population experts) indicates that, based on the 2016 census data and a comparison with the data applicable to the average for Greater Adelaide, the Council area had a lower proportion of people in the younger age groups (under 15 years) and a higher proportion of people in the older age groups (60+ years). The major areas of difference were:

- a larger percentage of persons aged 85 years and older (4.8% compared to 2.7%);
- a larger percentage of persons aged 65 to 69 years (6.9% compared to 5.3%);
- a larger percentage of persons aged 60 to 64 years (7.2% compared to 5.7%); and
- a smaller percentage of persons aged 0 to 4 years (4.3% compared to 5.9%).

The data also indicated that an estimated 5,010 persons (i.e. 14.3% of the local population) were in the age bracket 5 – 19 years. Four years on, a good percentage of these residents will likely have reached voting age; and this number will likely increase over the next eight years (i.e. prior to the next scheduled elector representation review in 2028/2029). Whilst some consideration should be given to this potential future increase in electors, the impact may not be significant overall, given that any increase may be offset (to a degree) by migration away from the Council area and the natural decline in the number of older electors in coming years. In regards to the latter, the 2016 data indicates that 7,614 persons (21.74% of the local population) were aged 55 – 69 years; and a further 5,962 persons (17.02% of the local population) were aged 70+ years.

Again, any assumptions regarding potential future elector numbers based on 2016 census age profiles need to be moderate, given the uncertainties associated with issues such as mortality and resident migration.

### 7.3 Quota

Section 33(2) of the Act indicates that a proposal which relates to the formation or alteration of wards of a council must observe the principle that the number of electors represented by a councillor must not vary from the ward quota by more than 10%. According to Section 33(2a)(b) of the Act, ward quota is determined to be: *"the number of electors for the area (as at the relevant date) divided by the number of councillors for the area who represent wards (assuming that the proposal were in operation and ignoring any fractions resulting from the division)."*

Given the above, any proposed future ward structure must incorporate wards wherein the distribution of electors is equitable, either in terms of numbers (if the wards have equal representation) or elector ratio. Under the latter circumstance, the elector ratio within each ward must be within 10% of the average elector ratio for the Council area.

Notwithstanding the above, Section 33(3) of the Act allows for the 10% quota tolerance limit to be exceeded in the short term, if demographic changes predicted by a Federal or State government agency indicate that the ward quota will not be exceeded at the time of the next periodic election.



## 8. WARD STRUCTURE OPTIONS

As indicated earlier, the existing ward structure can be retained under the current provisions of the Act because the elector ratios exhibited in all of the existing wards lay within the specified quota tolerance limits. This being the case, the existing ward structure has been presented as an option for consideration at this time (refer 8.1 Option 1), although it may be difficult to justify in regards to its level of representation; and the fact that it is potentially not sustainable in the long term given the provisions and intent of the Bill.

Three (3) additional ward structure options have been provided to **demonstrate** how the City of Holdfast Bay can be divided into wards, should the retention of wards be preferred over the alternative "no wards" arrangement. These options are only **examples** of how the Council area can be divided into wards under various composition scenarios, ranging from eight to ten ward councillors. No ward structure example has been provided based on eleven councillors, as Council believes that the level of representation within wards should be uniform, thereby avoiding an inequity in representation which could be perceived to afford the wards with more representation a greater, more influential voice on Council.

The presented ward structures have been developed to:

- ensure that all of the proposed wards exhibit a similar character (i.e. coastline and areas of established residential land uses);
- reflect some logical basis and an equitable distribution of elector numbers;
- exhibit a consistent level of representation between the proposed wards;
- accommodate anticipated future fluctuations in elector numbers;
- maintain existing communities of interest, where possible; and
- incorporate proposed ward boundaries which, where possible, align with suburb boundaries, main roads and/or prominent features.

The "no wards" structure has also been presented as an option, given the provisions of Section 12(1)(b) of the Act which allow for the abolition of wards.

It should be noted that any reduction in elected member numbers will save the community and Council a minimum of \$20,630 per annum per councillor (i.e. the prescribed member's allowance), although this should not be the defining factor when determining the most appropriate level of representation.



## 8.1 OPTION 1 (Current ward structure - Four wards, twelve councillors)

### 8.1.1 Description

The retention of the existing ward structure which divides the council area into four (4) wards, with each ward being represented by three (3) ward councillors.

### 8.1.2 Ward Representation

Ward	Councillors	Electors	Ratio	% Variance
Glenelg	3	6,860	1:2,287	- 1.04
Somerton	3	6,994	1:2,331	+ 0.89
Brighton	3	6,960	1:2,320	+ 0.40
Seacliff	3	6,915	1:2,305	- 0.25
<b>Total</b>	<b>12</b>	<b>27,729</b>		
<b>Average</b>			<b>1:2,311</b>	

### 8.1.3 Comments

The Council area has been divided into four (4) wards since 1999 (albeit in slightly different configurations over the years), with each ward being represented by three (3) ward councillors. As such, the existing ward structure is known to the local community and provides a level of ward representation which has long been accepted by the local community.

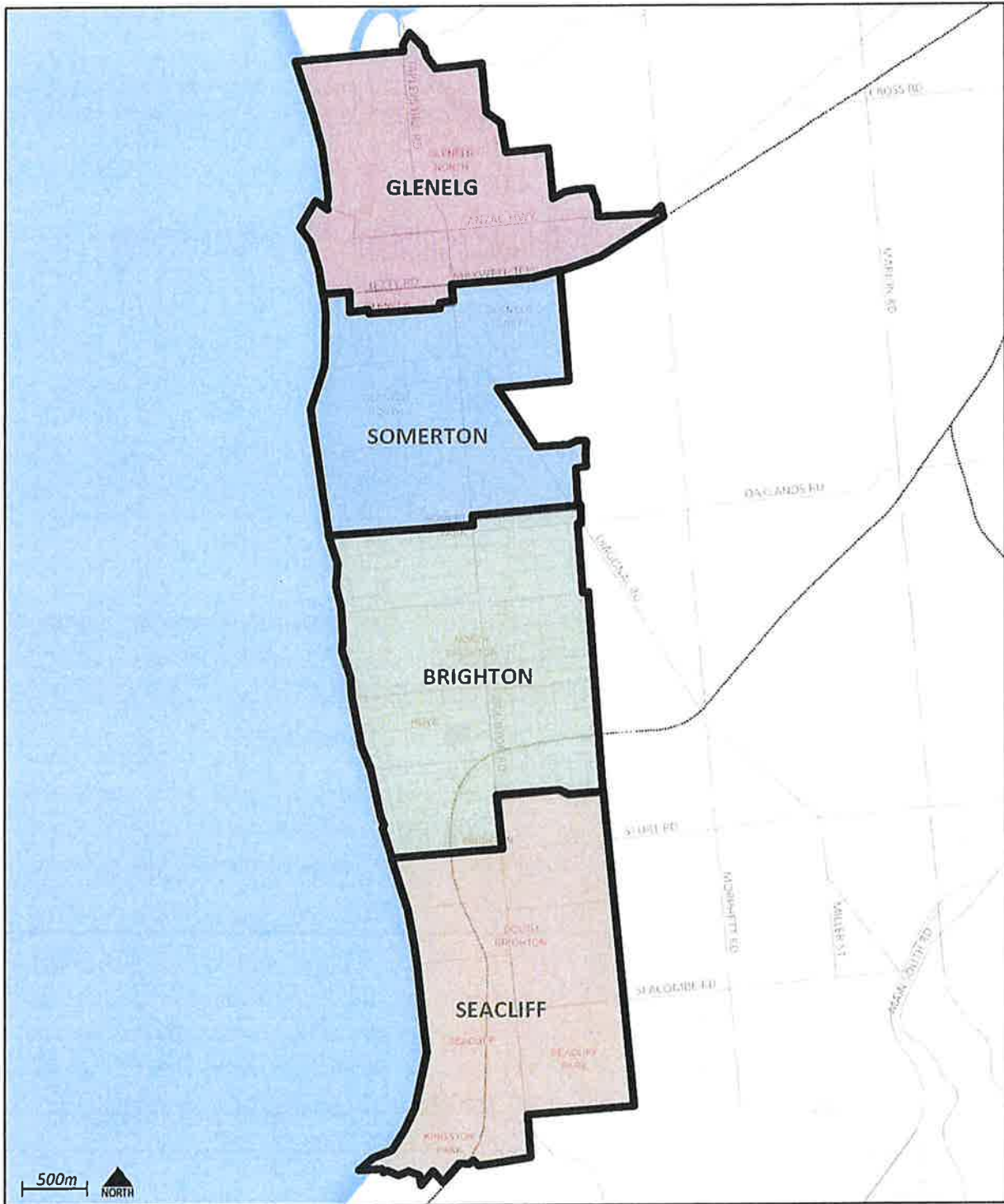
The level of representation in the wards is consistent and the elector ratios within each of the wards lay well within the specified quota tolerance limits (refer section 7.3 Quota). On the downside, the existing ward boundaries divide the suburbs (perceived communities of interest) of Glenelg, Glenelg East, Somerton Park and Brighton.

Notwithstanding the above, the retention of this ward structure may not be prudent or possible at this time, given the provisions of the Act, which require councils constituted of more than twelve (12) members to examine the question of whether the number of elected members should be reduced; and the intent of the Bill (i.e. to cap the number of elected members, including the principal member, at twelve (12)). This structure would not be compliant in future if the Bill is passed as is currently proposed.

Should the current ward structure be retained, and the Bill is passed, Council will likely be required to undertake another elector representation review prior to the scheduled Local Government election in 2026.

It should be noted that this ward structure can also accommodate eight (8) councillors (i.e. two (2) councillors per ward).

Option 1 (Current ward structure- four wards, twelve councillors)





## 8.2 OPTION 2 (Five wards, ten councillors)

### 8.2.1 Description

The division of the Council area into five (5) wards, with each of the proposed wards being represented by two (2) councillors.

Proposed Ward 1 incorporates the suburb of Glenelg North; and part of the suburb of Glenelg (north of High Street).

Proposed Ward 2 incorporates the suburbs of Glenelg East and Glenelg South; and part of the suburbs of Glenelg (south of High Street).

Proposed Ward 3 incorporates the suburb of Somerton Park; and part of the suburb of North Brighton (north of Cecelia Street).

Proposed Ward 4 incorporates the suburb of Hove; and part of the suburbs of Brighton (north of Sturt Road, Old Beach Road and Beach Road) and North Brighton (south of Repton Road).

Proposed Ward 5 incorporates the suburbs of South Brighton, Seacliff, Seacliff Park and Kingston Park; and part of the suburb of Brighton (south of Sturt Road, Old Beach Road and Beach Road).

### 8.2.2 Ward Representation

Ward	Councillors	Electors	Ratio	% Variance
Ward 1	2	5,559	1:2,780	+ 2.38
Ward 2	2	5,710	1:2,855	+ 2.96
Ward 3	2	5,329	1:2,665	- 3.91
Ward 4	2	5,502	1:2,751	- 0.79
Ward 5	2	5,629	1:2,815	+1.50
<b>Total</b>	10	27,729		
<b>Average</b>			1:2,773	

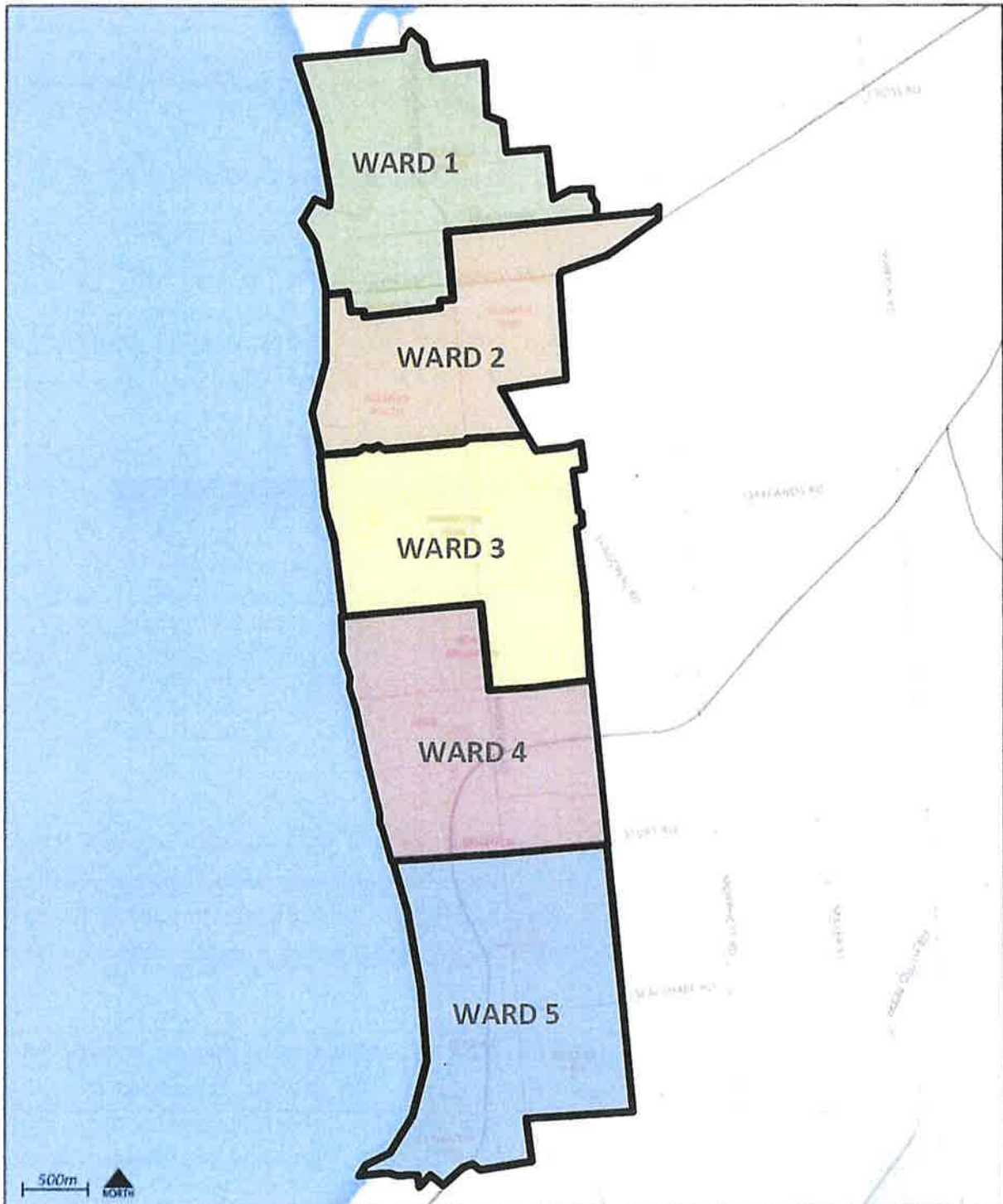
### 8.2.3 Comments

This proposed ward structure is slightly awkward in its configuration, but provides consistency in the level of ward representation (two (2) councillors) in each ward. In addition, it exhibits a relatively equitable distribution of electors between wards; complies comfortably with the specified quota tolerance limits; and, where possible, aligns proposed ward boundaries with long-established suburb boundaries, resulting in eight of the twelve suburbs being maintained (in their entirety) within a proposed ward.

Given the distribution of elector numbers between the proposed wards, each of the proposed wards should be capable of sustaining significant future fluctuations in elector numbers.

For example, under the worst case scenario whereby all future elector growth occurs in only one ward, each of the proposed wards could accommodate a minimum of 500 additional electors (before breaching the specified quota tolerance limits). As it is likely that the anticipated future population growth will occur across the whole of the Council area, this proposed ward structure should comfortably sustain any fluctuations in elector numbers until 2028/2029 (i.e. the next scheduled elector representation review).

Option 2 (Five wards, ten councillors)



### 8.3 OPTION 3 (Three wards, nine councillors)

#### 8.3.1 Description

The division of the Council area into three (3) wards, with each of the proposed wards being represented by three (3) councillors.

Proposed Ward 1 incorporates the suburbs of Glenelg North, Glenelg and Glenelg East.

Proposed Ward 2 incorporates the suburbs of Glenelg South, Somerton Park and North Brighton; and part of the suburb of Hove (south of Holder Road).

Proposed Ward 3 incorporates the suburbs of Brighton, South Brighton, Seacliff, Seacliff Park and Kingston Park; and part of the suburb of Hove (south of Cecelia Street).

#### 8.3.2 Ward Representation

Ward	Councillors	Electors	Ratio	% Variance
Ward 1	3	9,578	1:3,193	+ 3.62
Ward 2	3	8,935	1:2,978	- 3.33
Ward 3	3	9,216	1:3,072	- 0.29
<b>Total</b>	9	27,729		
<b>Average</b>			1:3,081	

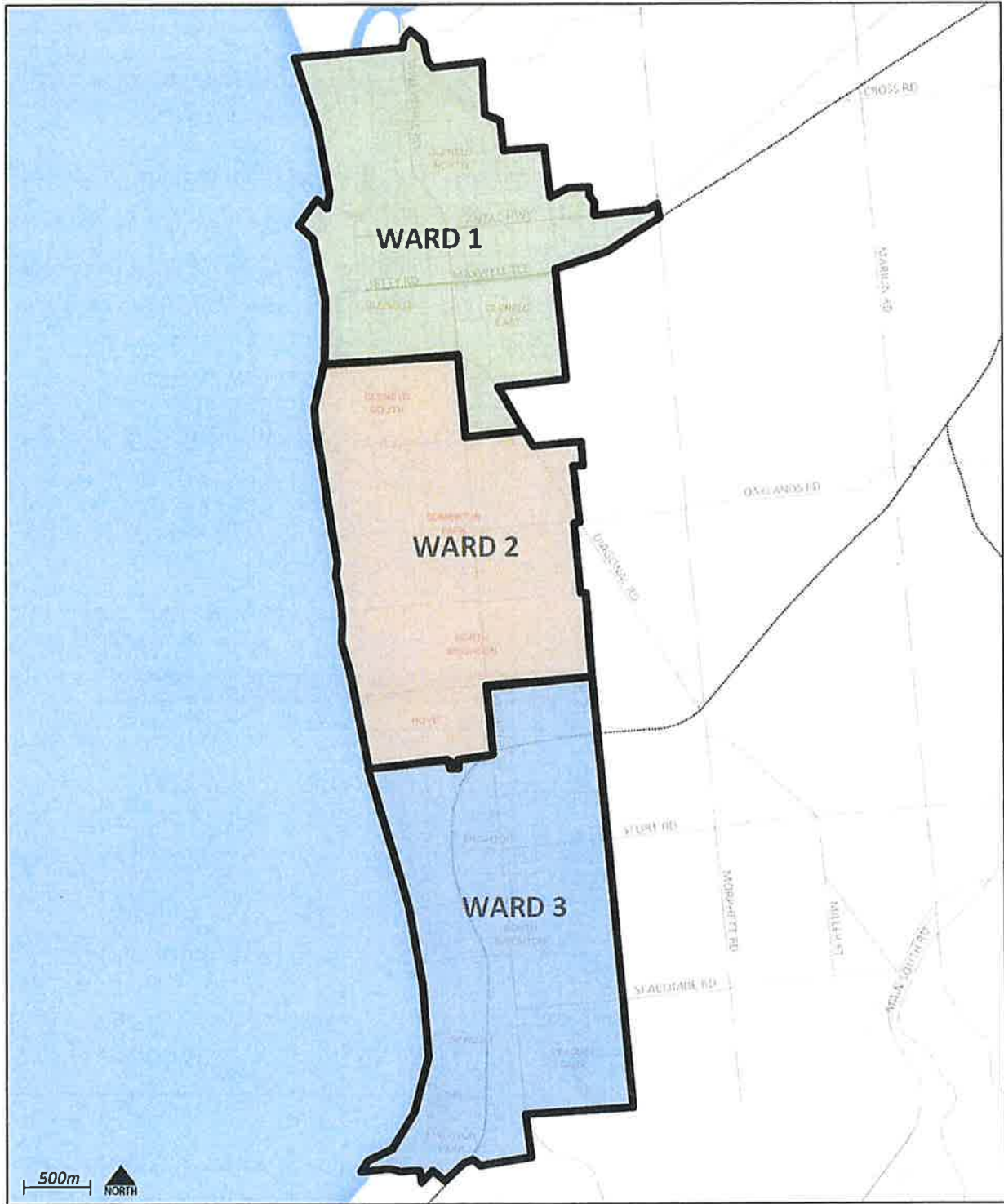
#### 8.3.3 Comments

A simple three (3) ward structure which exhibits the same level of representation in each of the proposed ward (three (3) ward councillors); an equitable distribution of electors between the proposed wards; similarly sized wards; ward elector ratios which lay comfortably within the specified quota tolerance limits; and proposed ward boundaries which in the main align with existing suburb boundaries.

In addition, the proposed ward structure should be capable of sustaining considerable fluctuations in elector numbers because of the higher level of ward representation. For example, under the extraordinary circumstances whereby all future elector growth occurs only in proposed ward 1, the proposed ward can accommodate an additional 900 electors (before breaching the specified quota tolerance limits). Under similar circumstances proposed wards 2 and 3 could sustain approximately 2,000 and 1,500 additional electors respectively.

With three (3) councillors representing each of the proposed wards, there is the potential for the ward councillors to work together (albeit informally) in a greater number to address the local ward issues.

Option 3 (Three wards, nine councillors)





## 8.4 OPTION 4 (Four wards, eight councillors)

### 8.4.1 Description

The division of the Council area into four (4) wards, with each of the proposed wards being represented by two (2) councillors.

Proposed Ward 1 incorporates the suburb of Glenelg North; and part of the suburbs of Glenelg (north of jetty Road) and Glenelg East (north of the tram line).

Proposed Ward 2 incorporates the suburb of Glenelg South; and part of the suburbs of Glenelg (south of Jetty Road) , Glenelg East (south of the tram line) and Somerton Park (north of Whyte Street and Chopin Road).

Proposed Ward 3 incorporates the suburbs of North Brighton and Hove; and part of the suburbs of Somerton Park (south of Whyte Street and Chopin Road) and Brighton (north of Old Beach Road and Beach Road).

Proposed Ward 4 incorporates the suburbs of South Brighton, Seacliff, Seacliff Park and Kingston Park; and part of the suburb of Brighton (north of Sturt Road).

### 8.4.2 Ward Representation

Ward	Councillors	Electors	Ratio	% Variance
Ward 1	2	6,755	1:3,378	- 2.56
Ward 2	2	7,099	1:3,550	+ 2.41
Ward 3	2	6,960	1:3,480	+ 0.40
Ward 4	2	6,915	1:3,458	- 0.25
<b>Total</b>	<b>8</b>	<b>27,729</b>		
<b>Average</b>			<b>1:3,466</b>	

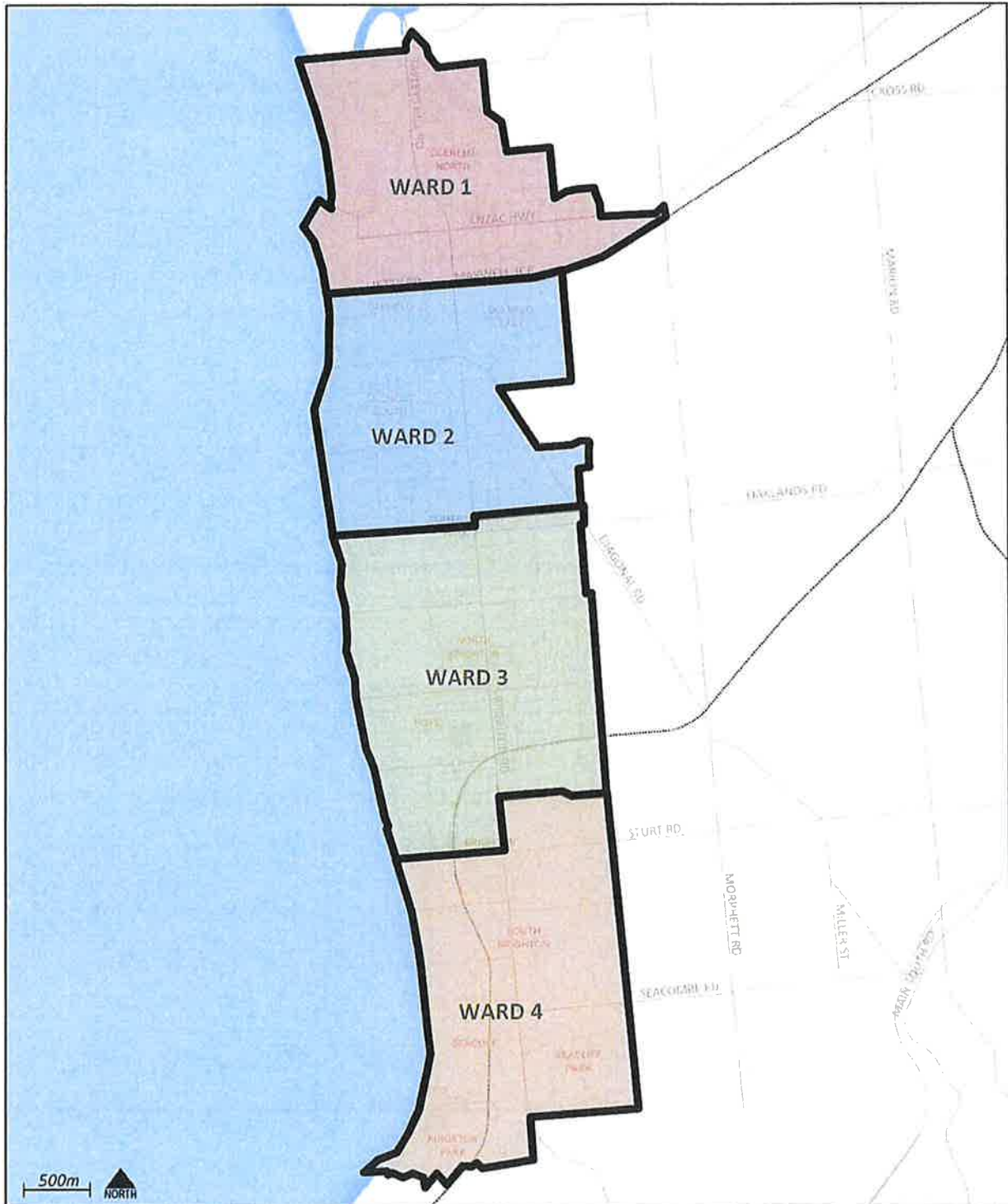
### 8.4.3 Comments

This proposed ward structure is a minor variation of the current ward structure. As such, it should be familiar to the community.

The proposed structure exhibits the same level of representation in each ward; an equitable distribution of electors between the proposed wards; ward elector ratios which lay well within the specified quota tolerance limits; and ward boundaries which generally align with suburb boundaries.

Like the existing ward structure (Option 1), this proposed structure can accommodate significant future fluctuations in elector numbers, ranging from approximately 700 to 1,200 per ward (under the aforementioned worst case scenario).

Option 4 (Four wards, eight councillors)





## 8.5 OPTION 5 (No wards)

### 8.5.1 Description

No wards (i.e. the abolition of wards resulting in council-wide or "at large" elections).

### 8.5.2 Comments

The "no wards" structure can accommodate any number of "area councillors" (i.e. councillors elected to represent the whole council area), as determined appropriate by Council. Further, the "no wards" structure automatically absorbs any fluctuations in elector numbers and there is no requirement for compliance with the specified quota tolerance limits which are applicable to wards.

The arguments for and against the "no ward" option have been previously presented (refer 6.1 Wards/No Wards).

Primarily, the abolition of wards will:

- overcome the division of the local community into wards based solely on the distribution of elector numbers;
- prevent ward-centric attitudes; and
- enable the electors within the community to vote for all members of Council, with the most favoured candidates being elected to represent (and act in the best interests of) the whole of the Council area, despite the geographical location of their place of residence.

## 9. SUMMARY

The representation review being undertaken by the City of Holdfast Bay must be comprehensive; open to scrutiny by, and input from the local community and, where possible, seek to improve elector representation. Further, the Council must examine and, where necessary, identify amendments to its present composition and ward structure, with the view to achieving fair and adequate representation of all of the electors across the council area.

This early stage of the review process requires the dissemination of relevant information pertaining to the review process and the key issues; and provides the community the opportunity to participate over the prescribed public consultation period. At the next stage of the review process Council will have to make some "in principle" decisions in respect to its future composition, and the future division of the Council area into wards (if required), taking into account the practical knowledge and experience of the individual elected members and the submissions made by the community.

The current composition and structure of the Council have been in place for over 20 years.

The principal member of Council has always been a **Mayor** who is elected by the community to lead the Council for a term of four (4) years. The only alternative is a Chairperson who is selected by and from amongst the councillors. The term of office and title of the Chairperson are determined by council. Fundamentally the roles and responsibilities of the Mayor and Chairperson are the same, with the only difference being in respect to the voting rights in chamber. At present only fifteen (15) regional councils have a chairperson as the principal member, and all of these bear the title of Mayor.

The provisions of the *Statutes Amendment (Local Government Review) Bill 2020* (the Bill) seek to abolish the position of selected Chairperson.

All elected members other than the principal member bear the title of councillor.

**Area councillors** represent the whole of the council area and are generally associated with those councils which have abolished wards. The alternative is a **ward councillor** who is specifically elected to represent a particular ward area. The legislation allows for area councillors, in addition to ward councillors, where the council area is divided into wards.

The Council currently comprises twelve (12) councillors, plus the Mayor and exhibits an elector ratio of 1:2,311. Whilst the level of elector representation is relatively consistent with other metropolitan councils of a similar size at this time, the elector ratio is considered to be low, especially when compared to the elector ratios exhibited by the larger metropolitan councils.

Whilst there is no formula that can be utilised to determine the appropriate **number of elected members**, the provisions of the *Local Government Act 1999* (the Act) give some guidance as they specifically require Council avoid over-representation in comparison to other councils of a similar size and type (at least in the longer term); and, if constituted of more than twelve members, examine the question of whether the number of elected members should be reduced. In addition, consideration should be given to the Bill, which seeks to restrict the maximum number of elected members in a council to twelve (12) (including the principal member).

Given the aforementioned, a reduction in the number of elected members warrants some consideration at this time.

When considering a reduction in the number of elected members, care must also be taken to ensure that any future council will comprise sufficient elected members to adequately represent the community, meet its obligations in respect to its roles and responsibilities, afford sufficient lines of communication with the community, provide potential for a diverse range of skill sets, expertise, experience and opinions, and manage the workloads of the elected members.

The Council area is currently divided into four wards.

The **division of the Council area into wards** guarantees the direct representation of all parts of the Council area, enables ward councillors to focus on local as well as council-wide issues, prevents a single interest group from gaining considerable representation on Council, enables and attracts candidates to contest ward elections, reduces the cost and effort required to campaign at an election, and potentially provides cost savings to Council in regards the conduct of elections and supplementary elections.

On the other hand, the abolition of wards enables an elector to vote for all of the vacant positions on Council, ensures that the most supported candidates from across the Council area will be elected, and overcomes parochial ward attitudes. Wards can also be seen as an unnecessary division of the community, an assertion that has some basis given that ward councillors do not have to reside within the ward that they represent.

Should it be determined that the Council area continue to be divided into wards, the current ward boundaries could be retained because the elector ratios in all of the wards lay comfortably within the specified quota tolerance limits. However, this arrangement may not be acceptable or may only last a short period of time, given the current requirements of the Act and the potential ramifications of the Bill. Accordingly, a number of ward structure options have been presented to demonstrate how the Council area can be divided into wards under circumstances whereby the Council comprises eight (8) to ten (10) councillors. These ward structures are all relatively well balanced (in regards to elector numbers), comply with the quota tolerance limits, allow for future elector growth, and exhibit proposed boundaries which generally align with long established suburb boundaries.

As for the issue of **ward identification**, further consideration will have to be given to this matter later in the review process. The allocation of suburb names (as per the current ward structure) can be confusing, and fails to reflect the existence of all of the twelve suburbs which are located within the Council area. The allocation of local geographical names and/or names of local heritage or cultural significance may be a more appropriate means of ward identification.

Interested members of the community are invited to make a **written submission** expressing their views on the future composition and structure of Council.

Submissions can be made as follows and will be accepted until 5.00pm on Friday 9 April 2021:

- Written submission addressed to: Chief Executive Officer, 24 Jetty Road, Brighton, SA 5048
- Emailed to: [governance@holdfast.sa.gov.au](mailto:governance@holdfast.sa.gov.au)
- Online: [www.yourholdfast.com/representation-review](http://www.yourholdfast.com/representation-review)

Further information regarding the Elector Representation Review can be obtained online or by contacting Nicole Roberts or Karrie McCann on telephone 8229 9999 or email [governance@holdfast.sa.gov.au](mailto:governance@holdfast.sa.gov.au)

**APPENDIX 12**



**To: The Chief Executive Officer  
Holdfast Bay Council  
24 Jetty Road  
Brighton S.A. 5048**

### **Elector Representation Review - Submission**

**The Holdfast Bay Residents Alliance and 5049 Coastal Community wish to jointly submit comments in regard to the Elector Representation Review.**

We have reviewed the "Representation Options Paper" and taken into consideration the proposed Government Bill before State Parliament which has determined possible mandatory change to several aspects within the review.

### **Mayor v Chairperson**

The State Government Bill proposes to abolish the option of a chairperson position. The Bill has had a negative effect on giving this matter the reasoning it deserves as there are salient points for such a position. EG.

- 1} Good candidates standing for Mayor are lost to the Council altogether should they lose. Under the Chairperson scenario they may succeed in being one of the elected members.
- 2) A chairperson can be changed during the 4 year council term, so other elected members have the possibility to undertake this important role.

The Mayoral position will appear to be the only method applicable in this debate.

### **Wards v No Wards.**

We note with interest that a Two (2) Ward scenario was not viewed as an option but we believe it should have been considered.

We would support the continuation of four (4) wards, only if there is a change in elected member representation, as cited below. Four wards have been in place for many years and seemingly accepted by the community.

In addition, 4 wards have currently equitable distribution between the wards and can accommodate significant future fluctuations in elector numbers.

### **Elected Members**

Taking into consideration the proposed State Government Bill and the Representation Options Paper Item 8.1 Option 1 we support Two (2) Elected Members per ward.

A revised total of Eight (8) Elected Members.

**Note:** Council statistics:

Holdfast Bay - 27,729 electors - Elector Ratio 1: 2,311

Marion – 66,137 electors – Elector Ratio 1: 5,511

Tea Tree Gully – 73,659 electors - Elector Ratio 1: 6,138,

Onkaparinga 127,327 electors - Elector Ratio 1: 10,611

all have 12 elected councillors, plus a mayor.

If Two (2) elected members for a Four (4) ward scenario was adopted eg. 8 elected members, the Ratio would be 1: 3,466 continuing to remain well below many other councils.

**Note:** Sydney - Parramatta Council has an estimated population of 257,000 - 4 wards & 15 elected members including the mayor.

Sydney - Northern Beaches Council has an estimated population of 255,000 - 5 wards & 15 elected members including the mayor.

An "Area Councillor" has been discussed in the Representation Option paper however this appears unnecessary and does not have credible support.



**In conclusion:**

We look forward to positive consideration of our submission by Council and a further opportunity to review the upcoming "Council Representation Review Report".

Holdfast Bay Residents Alliance

5049 Coastal Community.



Ken Daly  
President

David Bagshaw  
President

hbresidents@gmail.com

5049communicator@gmail.com

**APPENDIX 13**

1. Local Heritage Development Plan Amendment
2. Managed Taxi Rank on Colley Terrace
3. Elizabeth Street Carpark Update
4. April 2021 Visitation, Bay Discovery Centre & Visitor Information Outlet
5. Local Government Information Framework (LGIF)

Moved Councillor Lonie, Seconded Councillor Lindop **Carried Unanimously**

16.2 **Monthly Financial Report – 30 April 2021 (Report No: 159/21)**

Attached were financial reports as at 30 April 2021. They comprised of a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor Aged Care. The adjusted forecast budget included the carried forward amount as approved by Council 11 August 2020 and the three quarterly budget updates approved by Council 20 October 2020, 9 February 2021 and 27 April 2021.

The report included Council's resolution (C130421/2262) to increase the capital expenditure budget by \$30,000 for line marking and kerb ramp improvements adjacent to the Brighton Railway Station and Tutti Arts building. No other changes to Alwyndor and Municipal budgets were recommended at the time, but the report highlighted items that showed a material variance from the YTD budget.

**Motion**

**C250521/2296**

**That Council receives the financial reports and budget update for the 10 months to 30 April 2021 and notes:**

- no change to the Municipal activities 2020/21 revised operating budget forecast;
- an increase in forecast Municipal capital expenditure of \$30,000 from \$27.610 million to \$27.640 million; and
- no change to the Alwyndor Aged Care 2020/21 revised budget forecast.

Moved Councillor Abley, Seconded Councillor Smedley **Carried Unanimously**

16.3 **Representation Review Submissions Report and Representation Review Report Considerations (Report No: 145/21)**

On 9 February 2021 Council endorsed the release of the Representation Review Options Paper for public consultation (C090221/2218 - Report No. 43/21 Representation Review Options Paper). Consultation commenced Thursday, 18 February 2021 and closed on Friday, 9 April 2021. Sixty-one submissions were received.

A Representation Review Submissions Report containing the public consultation outcomes was provided as Attachment 2. The majority of submissions favoured:

- The retention of a Mayor as the principal member (66.6%)
- No area councillors (13.11% favoured no wards, no responses supported additional area councillors)
- The retention of wards (86.89%)
- A four ward configuration (63.93%)
- A reduction in the overall number of councillors (73.77%).

The next step in the process was for Council to determine, in principle, key matters so that the Representation Review Report could be developed for further community consultation. Council could choose any option for the next stage of consultation but may select only one.

When considering the Representation Review, Council took into account principles and matters under Section 26 and 33 of the *Local Government Act 1999*, particularly in relation to avoiding over-representation in comparison to councils of a similar size and type.

**Motion**

**C250521/2297**

**That Council:**

1. **notes the Representation Review Submissions Report outlining the public consultation outcomes; and**
2. **endorses in principle the following components of the proposed future composition of Council, for inclusion in the Representation Review Report:**
  - a. **the principal member of Council continue to be a Mayor, elected by the community at Council elections;**
  - b. **no area councillors be proposed;**
  - c. **the area of the Council should continue to be divided into 4 wards; and**
  - d. **that each ward is represented by 3 councillors.**

Moved Councillor Smedley, Seconded Councillor Snewin

**Carried**

**Division Called**

A division was called and the previous decision was set aside.

Those voting for: Councillors Miller, Smedley, Patton, Chabrel, Abley, Fleming, Snewin, Lindop, Lonie and Bradshaw (10)

Those voting against: Councillor Clancy (1)

Her Worship the Mayor declared the motion

**Carried**

**Item No:** 16.3

**Subject:** REPRESENTATION REVIEW SUBMISSIONS REPORT AND REPRESENTATION REVIEW REPORT CONSIDERATIONS

**Date:** 25 May 2021

**Written By:** Team Leader Governance

**General Manager:** Strategy and Corporate, Ms P Jackson

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### **SUMMARY**

On 9 February 2021 Council endorsed the release of the Representation Review Options Paper for public consultation (C090221/2218- Report No. 43/21 Representation Review Options Paper). Consultation commenced Thursday, 18 February 2021 and closed on Friday, 9 April 2021. Sixty-one submissions were received.

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- A reduction in the overall number of councillors (73.77%).

The next step in the process is for Council to determine, in principle, key matters so that the Representation Review Report can be developed for further community consultation. Council may choose any option for the next stage of consultation but may select only one.

When considering the Representation Review, Council must take into account principles and matters under Section 26 and 33 of the *Local Government Act 1999*, particularly in relation to avoiding over-representation in comparison to councils of a similar size and type.

---

### **RECOMMENDATION**

**That Council:**

1. notes the Representation Review Submissions Report outlining the public consultation outcomes; and
2. endorses in principle the following components of the proposed future composition of Council, for inclusion in the Representation Review Report:

- a. the principal member of Council continue to be a Mayor, elected by the community at Council elections
  - b. no area councillors be proposed
  - c. the area of the council should continue to be divided into \_\_\_ wards
  - d. that each ward is represented by \_\_\_ councillors.
- 

## COMMUNITY PLAN

Community: Fostering an engaged and contributing community

Culture: Providing customer-centred services

Culture: Enabling high performance

Culture: Being financially accountable

Culture: Supporting excellent, efficient operations

## COUNCIL POLICY

Not applicable

## STATUTORY PROVISIONS

*Local Government Act 1999*

*Statutes Amendment (Local Government Review) Bill 2020*

## BACKGROUND

On 9 July 2020, the Minister for Transport, infrastructure and Local Government declared that the City of Holdfast Bay must undertake a Representation Review by October 2021.

Council commenced the Representation Review process in September 2020 (C080920/2025-Report No. 242/20 Representation Review Commencement 2020/21).

The *Statutes Amendment (Local Government Review) Bill 2020*, which proposed a limit of 12 elected members (including a Mayor) and proposes to abolish the position of a Chairperson, is currently on hold and it is unknown if or when these provisions will come into effect. At this point in time, Council can only conduct its current review in accordance with the relevant provisions and requirements of the existing *Local Government Act 1999* (the Act).

C L Rowe and Associates were engaged to undertake the review on behalf of Council (as a qualified person pursuant to Section 12(5) of the Act).

Once the Representation Review process is concluded, changes to the Council's composition would come into effect at the next Local Government election (circa November 2022).

## REPORT

Council undertook public consultation on the Representation Review Options Paper, seeking written submissions from Thursday 18 February 2021 to 5pm to Friday 9 April 2021. The public were notified of the Representation Review Options Paper being available for public consultation by:

- Notice in the Gazette on 18 February 2021
- Notice in the Advertiser on 18 February 2021
- Council's webpage (<https://www.yourholdfast.com/representation-review>)
- Via email to registered users on Council's database (1800 community members plus 3800 businesses)
- Council's twitter account each week
- Council's LinkedIn account
- Council's facebook page
- Holdfast News – e-newsletter (approximate database of 1800), and
- Display in Brighton Civic Centre and Brighton and Glenelg libraries.

There were a total of three hundred and ninety nine (399) visits on Council's Your Holdfast webpage.

Sixty one (61) submissions were received (58 electronically and two by hard copy questionnaire and 1 by email). In summary, the submissions included the following results:

- Of the sixty (60) submissions which specifically addressed the issue of the principal member, forty (40) or 66.6% favoured the retention of an elected Mayor and twenty (20) supported a change to a Chairperson;
- Fifty-three (53) or 86.89% of the submissions received favoured an option which divided the Council area into wards, whilst only eight (8) or 13.11% favoured the abolition of wards;
- Forty-five (45) or 73.77% of the respondents favoured a reduction in the number of councillors;
- Sixteen (16) or 26.23% respondents favoured the retention of twelve (12) councillors;
- Twenty-five (25) / 40.58% respondents favoured eight (8) councillors; eleven (11) / 18.03% favoured nine (9) councillors; and seven (7) / 11.48% favoured ten (10) councillors; and
- The preferred ward structure was:
  - a slightly modified (4) ward structure (Option 4 – four wards and eight councillors - twenty-four (24) / 39.34% of the submissions);
  - followed by the current four (4) ward structure (Option 1 – four wards and twelve councillors - fifteen (15) / 24.59% of the submissions);
  - followed by a three (3) ward structure (Option 3 – three wards and nine councillors - eleven (11) / 20.75% of the submissions); and



- followed by a five (5) ward structure  
(Option 2 – five wards and ten councillors - three (3) / 5.66% of the submissions).

The outcomes from the consultation on the Representation Review Options Paper is detailed in the Representation Review Submissions Report attached.

*Refer Attachment 1*

The next stage is for CL Rowe and Associates to prepare the Representation Review Report based on the resolution of this meeting, for presentation at the Council meeting on 8 June 2021. The Representation Review Report must include information on the public consultation submission (stage one consultation), Council's response from the submissions made and set out any proposals that Council considers should be carried into effect and how the proposal relates to principles for its composition and structure. Once endorsed, the Representation Review Report must undertake public consultation (a second stage of public consultation) for a minimum of three (3) weeks.

Council may choose to select any of the options presented in the Review Options Paper or any other option they deem appropriate. For reference, the options that were included in the Review Options Paper and relative responses by the community are as follows:

Ward Option	Respondents	%
Option 4 (Four wards, eight councillors)	24	39.34
Option 1 (Four wards, twelve councillors)	15	24.59
Option 3 (Three wards, nine councillors)	11	18.03
Option 5 (No wards)	8	13.11
Option 2 (Five wards, ten councillors)	3	4.92
<b>Total</b>	<b>61</b>	

It should be noted that one community response also suggested two wards with eight elected members.

Whichever structure Council elects to endorse, justification will need to be provided to the Electoral Commission of South Australia (ECSA). Council should consider advice from ECSA in 2013 that stated "currently the City of Holdfast Bay has one of the lowest quotas within the metropolitan region and in future council should give more consideration to the principles and matters under Section 26 and 33 of the Act, particularly in relation to avoiding over-representation in comparison to councils of a similar size and type".

*Refer Attachment 2*

As part of the certification process, ECSA considers whether the requirements of the Act have been satisfied. ECSA has the discretion to either give certification or, if not satisfied, refer the matter back to Council together with a written explanation of the reasons for not certifying. Council must complete the Representation Review within the timeframe (including any further public consultation) by October 2021, otherwise ECSA may determine which proposal is to be put into effect.

**BUDGET**

The budget for the Representation Review was approved by Council on 8 September 2020 (C080920/2025). The current process is within budget.

**LIFE CYCLE COSTS**

Not applicable.

# Attachment 1



**SUBMISSIONS REPORT**

**ELECTOR REPRESENTATION REVIEW**

First Public Consultation

A Report to the

**CITY OF HOLDFAST BAY**

April 2021



**C L Rowe  
& Associates**

**Disclaimer**

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## 1. INTRODUCTION

Section 12(4) of the *Local Government Act 1999* (the Act) requires a council to undertake a review of all aspects of its composition and the division (or potential division) of the council area into wards, at least once in every period prescribed by the Minister for Local Government (generally eight years). The review for the City of Holdfast Bay (the Council) must be conducted and completed during the period October 2020 - October 2021.

The current review commenced in September 2020 and has progressed to the point where the first of the two prescribed public consultation stages has been completed. Council must now give consideration to the submissions received and determine ("in principle") what changes, if any, it proposes to bring into effect in respect to its future size, composition and structure.

## 2. PUBLIC CONSULTATION

Public consultation commenced on Thursday 18<sup>th</sup> February 2021 with the publishing of public notices in "The Advertiser" newspaper and the Government Gazette. An information leaflet and a copy of the Representation Options Paper were made available at the Brighton Civic Centre and the two libraries; information was disseminated via Council's established mailing list, Twitter, LinkedIn, Facebook and Holdfast News (e-newsletter); and information and a connection to the on-line survey were provided on the Council website ([yourholdfast.com/representation-review](http://yourholdfast.com/representation-review)).

At the expiration of the public consultation period (i.e. close of business on Friday 9<sup>th</sup> April 2021) Council had received sixty-one (61) submissions, fifty-eight (58) electronically via the aforementioned web page; two (2) by way of a completed questionnaire; and one (1) by email. During the course of the public consultation the website page recorded three hundred and ninety-nine (399) visits.

A summary of the submissions is provided in Attachment A; and it is understood that copies of the submissions will be available to Elected Members via the "HUB". It is recommended that the Elected Members take the time to peruse the submissions as some contain relevant comments and opinions of the respondents.

The receipt of sixty-one (61) submissions is considered to be a reasonable response, given that at the same stage of the previous elector representation review (January 2013) Council received only two (2) submissions. Whilst the recent submissions only represent a small sample of the public, they do provide some insight in respect to several specific issues being addressed by the representation review.

The following tables provide details of the public consultation (Stage 1) outcome demonstrating support by the public for the various composition and ward structure options.



Table 1: Preferred principal member

Principal Member	Respondent	%
Mayor (elected by the community)	40	65.57
Chairperson (selected by the elected members)	20	32.79
No preference stated	1	1.64
<b>Total</b>	<b>61</b>	

Table 2: Preferred structure

Ward Option	Respondents	%
Option 4 (Four wards, eight councillors)	24	39.34
Option 1 (Four wards, twelve councillors)	15	24.59
Option 3 (Three wards, nine councillors)	11	18.03
Option 5 (No wards)	8	13.11
Option 2 (Five wards, ten councillors)	3	4.92
<b>Total</b>	<b>61</b>	

Table 3: Preferred number of councillors

Preferred number of councillors	Respondents	%
Eight	25	40.98
Twelve	16	26.23
Nine	11	18.03
Ten	7	11.48
Six	1	1.64
Two	1	1.64
<b>Total</b>	<b>61</b>	

In summary:

- Forty (40) of the sixty (60) respondents who addressed the issue of the principal member favoured the retention of an elected Mayor.
- Fifty-three (53) of the sixty-one (61) respondents supported the retention of a ward structure.
- Of the fifty-three (53) respondents who indicated a preferred ward structure, the most favoured option was the a slightly modified four (4) ward structure (Option 4), followed by the current four (4) ward structure (Option 1), the three ward structure (Option 3) and the five ward structure (i.e. Option 2).
- Forty-five (45) of the sixty-one (61) respondents favoured a reduction in the number of councillors (i.e. a range of 2 – 10 councillors).
- The most favoured number of councillors was eight (8), followed by twelve (12), nine (9) and ten (10).

It should be noted that the provisions of Section 12 of the Act do not require Council to provide the individuals who made written submissions with the opportunity to address Council at this stage of the review process.

### 3. FUTURE COMPOSITION AND STRUCTURE

Council has now reached the stage of the prescribed review process where it must identify what changes (if any) it proposes to make to its current composition and/or ward structure. Council must then prepare a Representation Review Report which will set out details of Council's preferred structure and composition; and provide for community consideration and comment during the second of the prescribed consultation periods. The Representation Review Report will address the following issues.

#### 3.1 Mayor/Chairperson

The principal member of Council has long been a Mayor who is elected by the community. Currently, the only alternative is a Chairperson (selected by and from amongst the elected members).

**Of the sixty (60) submissions which specifically addressed the issue of the principal member, forty (40) or 66.6% favoured the retention of an elected Mayor and twenty (20) supported a change to a Chairperson.**

**Members are reminded that the *Statutes Amendment (Local Government Review) Bill 2020* (the Bill), which is currently before parliament (Legislative Council), seeks to abolish the position of Chairperson.**

At the time of preparing this report, it is understood that the Bill requires further consideration and debate in the Legislative Council. However, to date no amendment has been presented regarding the provision which seeks to abolish the Chairperson option.

Should the Bill pass through parliament in its current form, as expected, all councils within the state will have an elected Mayor.

At this point in time Council can only conduct its current review in accordance with the relevant provisions and requirements of the existing Act. This being the case, the following information relating to the two existing alternatives is provided to assist members in their deliberations.

### 3.1.1 Mayor

- A Mayor is elected by the community.
- The election of the Mayor affords all eligible members of the community the opportunity to express faith in a candidate and the result of the vote provides the elected Council with an identifiable principal member who is accountable to the community.
- A Mayor is elected for a four year term and therefore provides stability and continuity to Council.
- An elected Mayor cannot be removed from office unless where legislative breaches are proven.
- An elected Mayor does not have a deliberative vote on a matter before council, but has, in the event of a tied vote, a casting vote.
- The office of Mayor (elected) is additional to the number of councillors and, as such, comes at an additional cost to Council (i.e. members allowances, administrative costs and alike).
- As an election (or supplementary election) for the office of Mayor must be conducted across the whole of the council area, a significant cost can be incurred by Council on every occasion the office is contested.
- At present all of the metropolitan councils have an elected Mayor, as do all bar fifteen regional councils.
- Candidates for the office of Mayor cannot also stand for election as a councillor and, as such, the experience and expertise of unsuccessful mayoral candidates will be lost to Council.

### 3.1.2 Chairperson

- A Chairperson is selected by and from amongst the elected members.
- The office of Chairperson provides flexibility and opportunity for a number of elected members to gain experience as the principal member during the four year term of the Council; and to bring their particular skill set and opinions to the position, albeit for what could be a limited period of time.
- The term of a Chairperson is decided by Council (1 - 4 years).
- Council decides the title of a Chairperson (e.g. mayor), pursuant to Section 51(1)(b) of the Act.
- Fifteen regional councils currently have a Chairperson, all of which bear the title of mayor.
- A Chairperson has a deliberative vote at a council meeting, but does not have a casting vote.
- The selection of a Chairperson is not reliant upon an election. Should a Chairperson not be able to complete a full term of office, a replacement can be selected from the existing elected members and costs will only be incurred by Council when it seeks to fill the vacant position of councillor (which is limited to the specific ward if a ward structure is in place).

It should be noted that, if Council intends to pursue a change from an elected Mayor to a Chairperson, the proposed change cannot proceed unless or until a poll has been conducted in accordance with the requirements of Section 12 (11a-d) of the Act. Given the requirements and likely outcomes of the Bill, and the fact that the required poll would likely be conducted at the periodic Local Government election in November 2022, there appears to little or no benefit to be achieved by such a proposal at this time.

## 3.2 Structure

### 3.2.1 Wards/No Wards

The City of Holdfast Bay has always been divided into wards.

**Fifty-three (53) or 86.89% of the submissions received favoured an option which divided the Council area into wards, whilst only eight (8) or 13.11% favoured the abolition of wards.**

The main arguments supporting a ward structure include:

- wards guarantee some form and level of direct representation to existing communities of interest and/or parts of the Council area;
- ward councillors can focus on local issues;
- under the "no wards" structure Council has to conduct elections and supplementary elections across the whole of the Council area (at a significant expense); and

- under the “no wards” structure the more popular or known councillors may receive more enquiries from the public (i.e. inequitable workloads).

The key arguments supporting the abolition of wards include:

- the electors have the opportunity to vote for all of the vacant positions on Council;
- the most supported candidates from across the council area will likely be elected;
- the elected members should be free of parochial local/ward attitudes;
- the lines of communication between Council and the community should be enhanced, given that members of the community will be able to consult with any and/or all members of Council, rather than be obliged to consult with their specific ward councillors;
- under the current proportional representation method of voting the “no ward” structure still affords opportunities for the smaller “communities of interest” within the council area to be directly represented on Council (subject to voter turnout); and
- the “no ward” structure automatically absorbs fluctuations in elector numbers (i.e. the quota tolerance limits do not apply).

At present thirty-three (33) regional councils and two (2) metropolitan councils (i.e. the Towns of Walkerville and Gawler) have no wards.

Should it be the preference of the elected members to retain a ward structure, Council will not only have to identify an appropriate ward structure but will also have to determine the need for area councillors in addition to ward councillors; the level of representation within the wards; and appropriate ward names.

### 3.2.2 Ward Structures

The Act requires that Council must ensure that all aspects of its composition and the issue of the division, or potential division, of the council area are comprehensively reviewed.

The current ward structure can be retained because the elector ratios in all of the existing wards lay comfortably within the specified 10% quota tolerance limit prescribed under Section 33(2) of the Act (refer Table 4).

Table 4: Current ward structure - elector numbers and elector ratios

Ward	Crs	H of A Roll	Council Roll	Electors	Ratio	% Variance
Glenelg	3	6,942	50	6,992	1:2,331	- 1.31
Somerton	3	7,146	24	7,170	1:2,390	+ 1.20
Brighton	3	7,080	12	7,092	1:2,364	+ 0.10
Seacliff	3	7,077	8	7,085	1:2,362	0.00
<b>Total</b>	12	28,245	94	28,339		
<b>Average</b>					1:2,362	

Source: Electoral Commission SA (4 March 2021)



Should Council be of the mind to retain wards, the Elected Members will have to identify their preferred future ward structure. This could be one of the ward structure options presented in the Representation Options Paper (including the current ward structure), or a newly developed structure based on the specific needs of Council in respect to councillor numbers and/or levels of ward representation.

**It is noted that twenty-four (24) or 39.34% of the submissions supported the a slightly modified four (4) ward structure (Option 4), whilst fifteen (15) or 24.59% favoured the retention of the current four (4) ward structure (Option 1), eleven (11) or 20.75% favoured the three ward structure (Option 3) and three (3) or 5.66% favoured the five ward structure (i.e. Option 2).**

Given that the council area has long been divided into four (4) wards, the retention of the current ward structure (Option 1) or the introduction of a slightly modified variation thereof (Option 4) will likely be accepted by the local community; and will provide some perceived continuity within the Council structure. However, the need for four (4) wards within the council area of only 13.72km<sup>2</sup> is questionable.

The uncertainty in respect to the provisions and fate of the Bill also serves to complicate deliberations.

Under the current provisions of the Act the current ward structure can be retained at this time. However, the initial provisions of the Bill required the number of elected members (including the principal member) to be capped at twelve (12). This issue is still the subject of debate within parliament and amendments have been proposed (but not yet accepted/adopted). If the initial provisions of the Bill are passed, a ward structure based on twelve or more councillors will obviously be at odds with the legislation.

Regardless, any ward structure should:

- provide an equitable balance of electors (which can be maintained, within tolerance, over the extended period between reviews);
- allow for likely fluctuations in elector numbers, primarily as a consequence of anticipated future population fluctuations and/or residential development;
- exhibit an elector ratio which is similar to those exhibited by other councils of a comparable size and type (i.e. avoids over-representation); and
- take into account the likely future number of elected members (given the potential impacts of the Bill); the preferred level of ward representation; the character and topography of the area; and the likely impacts upon existing "communities of interest".

### 3.2.3 Area Councillors (in addition to ward councillors)

Section 52 of the Act indicates that councillors can be elected as a representative of a ward, or alternatively, to represent the council area as a whole (whether or not the council area is divided into wards). If Council is considering the retention of wards, it will need to determine whether area councillors are required in addition to ward councillors.

As indicated in the Representation Options Paper, ward councillors generally consider themselves to represent not only their ward, but the council area as a whole. This being the case, the need for area councillors in addition to ward councillors is questionable, an assertion which is seemingly supported by the fact that only the City of Adelaide has a structure which incorporates two levels of representation. Further, it is noted that under such an arrangement area councillors hold no greater status than a ward councillor; have no greater responsibilities than a ward councillor; and need not comply with any extraordinary or additional eligibility requirements.

In addition, any contested election (and/or supplementary election) for area councillors must be conducted across the whole of the council area, at a significant cost to Council.

For these and the other reasons previously presented to Council, it is considered that if the council area is to be divided into wards, area councillors (in addition to ward councillors) would be an unwarranted, unnecessary and potentially costly additional tier of representation.

### 3.2.4 Ward Identification

As indicated in the Representation Options Paper, wards can be identified through the allocation of numbers, alphabetical letters, direction or geographical references (e.g. north, south, east, west, central); place or suburb names; and/or names of European and/or Aboriginal heritage/cultural significance.

The existing ward names are appropriate and acceptable; and are likely to be known by the community. As such, they can be retained, if they suit the ward structure favoured by Council.

Notwithstanding the aforementioned, it is suggested that the allocation of suburb names (as per the current ward structure) can be confusing and fails to reflect the existence of all twelve suburbs within the council area. Whilst this is not a major issue, the review affords the opportunity for Council to consider appropriate alternatives. Council can consider suggestions from the community in respect to the names/identification of any preferred future wards.



### 3.3 Composition

When considering the future composition of Council, some guidance can be taken from the following.

- Sections 26 and 33 of the Act espouse the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term).
- Section 12(6) of the Act requires that, where a Council is constituted of more than twelve (12) members, the elector representation review must examine the question of whether the number of elected members should be reduced.
- The current Bill seeks to set the maximum number of elected members in a council (including the principal member) at twelve (12).

In addition, care must be taken to ensure that:

- sufficient elected members are available to manage the affairs of council;
- the elected member's workloads do not become excessive;
- there is an appropriate level of elector representation;
- the potential for diversity in the elected member's skill sets, experience and backgrounds is maintained; and
- adequate lines of communication will exist between a growing community and council.

In addition, members should take into account the fact that:

- the population (and therefore elector numbers) within the Council area is projected to increase in the coming years;
- some allowance may need to be made to accommodate the likely outcome of the Bill (i.e. the potential capping of the total number of Elected Members at twelve (12));
- a reduction in the number of Elected Members will result in some cost savings to Council (e.g. Elected Member's allowances for the Council alone are \$20,630 per annum (plus CPI annual increase) per councillor);
- fewer Elected Members may expedite debate and the decision making process in Council; and
- enhanced communication and information technology should have served to reduce any difficulties previously experienced by elected members in respect to their day to day tasks and communication with both Council and the community.

The data provided in Table 5 indicates that the City of Holdfast Bay is one of the smaller metropolitan councils in terms of area and elector numbers; has an average number of elected members; and exhibits a relatively low elector ratio (1:2,311).

Table 5: Elector data and representation (Metropolitan Adelaide councils)

Council	Councillors	Electors	Elector Ratio
Walkerville (1.34 km <sup>2</sup> )	8	5,740	1:718
Gawler (41.10km <sup>2</sup> )	10	18,452	1:1,845
Prospect (7.81 km <sup>2</sup> )	8	15,003	1:1,875
Norwood Payneham & St Peters (15.1 km <sup>2</sup> )	13	25,742	1:1,980
Unley (14.29 km <sup>2</sup> )	12	27,485	1:2,290
<b>Holdfast Bay (13.72 km<sup>2</sup>)</b>	<b>12</b>	<b>28,339</b>	<b>1:2,362</b>
Adelaide Hills (795.1 km <sup>2</sup> )	12	29,516	1:2,460
Burnside (27.53 km <sup>2</sup> )	12	31,923	1:2,660
West Torrens (37.07 km <sup>2</sup> )	14	41,843	1:2,989
Campbelltown (24.35 km <sup>2</sup> )	10	36,109	1:3,611
Mitcham (75.55 km <sup>2</sup> )	13	48,777	1:3,752
Adelaide* (15.57 km <sup>2</sup> )	7	27,846	1:3,978
Playford (344.9 km <sup>2</sup> )	15	64,209	1:4,281
Port Adelaide/Enfield (97.0 km <sup>2</sup> )	17	86,461	1:5,086
Charles Sturt (52.14 km <sup>2</sup> )	16	87,547	1:5,472
Marion (55.5km <sup>2</sup> )	12	66,345	1:5,529
Tea Tree Gully (95.2 km <sup>2</sup> )	12	73,637	1:6,136
Salisbury (158.1 km <sup>2</sup> )	14	96,170	1:6,869
Onkaparinga (518.4 km <sup>2</sup> )	12	127,784	1:10,649

Source: Electoral Commission SA (4 March 2021)

\* City of Adelaide also comprises four (4) "area councillors"

#### It is noted that:

- **forty-five (45) or 73.77% of the respondents favoured a reduction in the number of councillors;**
- **twenty-five (25) or 40.58% respondents favoured eight (8) councillors, eleven (11) or 18.03% favoured nine (9) councillors and seven (7) or 11.48% favoured ten (10) councillors; and**
- **sixteen (16) or 26.23% respondents favoured the retention of twelve (12) councillors.**

A reduction in the number of Elected Members will serve to increase the elector ratio from the current 1:2,362 to 1:2,576 (eleven councillors); 1:2,834 (ten councillors); 1:3,149 (nine councillors) or 1:3,542 (eight councillors). These alternative elector ratios are considered to be more consistent with the elector ratios exhibited by most of the councils cited in Table 5.

On the other hand, any thought of increasing the number of elected members will likely be difficult to justify, given the additional cost; the requirements of Sections 26 and 33 of the Act (in terms of avoiding over-representation by comparison with other councils of a similar size and type); and the intent of the Bill (i.e. maximum of twelve (12) members).

#### 4. REVIEW PROCESS

The next stage of the review process, as specified under Section 12(8a) of the Act, involves Council preparing a "Representation Review Report" which will:

- provide information regarding the initial public consultation undertaken and Council's response to the issues arising from the submissions received;
- set out the proposal that Council considers should be carried into effect; and
- present evidence of how the proposal relates to the provisions of Sections 26 and 33 of the Act.

Once completed, the report has to be presented to the community for consideration and comment, in accordance with the provisions of Section 12(9) and (10) of the Act. This second public consultation stage must:

- occur for a minimum period of three (3) weeks;
- provide copies of the Representation Review Report for public inspection; and
- afford all interested persons the opportunity to make a written submission to Council.

Any person who makes a written submission during the second consultation period must be given the opportunity to address Council, either in person or by way of a representative, in support of his/her submission.

Upon completion of the second public consultation, and after due consideration of all submissions received in response thereto, Council will be in a position to make final decisions regarding its future composition and structure. The final stage of the review process is the presentation of a formal report to the Electoral Commissioner, for consideration and certification.

#### 5. NEXT STEP

The next step in the review process is the preparation of a draft Representation Review Report, pursuant to the provisions of Section 12(8a) of the Act. This report will have to be considered and endorsed by Council; and will form the basis of the second of the prescribed public consultation stages.

To facilitate the preparation of the Representation Review Report, feedback is now sought from Council in relation to the following:

- The principal member, more specifically whether it should continue to be a Mayor, elected by the community or be a Chairperson (perhaps with the title of mayor), bearing in mind that any change will require the conduct of a poll (pursuant to Section 12 (11a-d) of the Act); and taking into account the fact that the provisions of the Bill seek to abolish the Chairperson alternative.
- Whether the Council area should continue to be divided into wards, or whether the ward structure should be abolished?
- If the Council area is to be divided into wards, what is the preferred future ward structure and why?
- If the Council area is to be divided into wards, how are the proposed wards to be identified?
- Whether the number of Elected Members should be reduced, taking into account the provisions and intent of Section 12(6), 26(1) and 33(1) of the Act (which require councils with twelve (12) or more elected members to consider a reduction; and seek avoidance of over-representation in comparison to other councils of a similar size and type); and Section 11A of the Bill which seeks to cap the number of elected members in any council at twelve (12), although amendments are proposed.

In respect to the aforementioned, it is recommended that Council:

- give further consideration to the abolition of wards, given the size of the council area, and despite the Elected Members having previously indicated a preference for the retention of wards; and
- consider a reduction to eight (8) or nine (9) councillors, thereby increasing the elector ratio to a level which is more consistent with the elector ratios of other metropolitan councils which are of a similar size (in area and elector numbers) and type.

### ATTACHMENT A - Summary of submissions

Respondent	Preferences
Respondent #1 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #2 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #3 GLENELG EAST	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #4 GLENELG NORTH	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #5 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #6 GLENELG	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #7 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #8 GLENELG SOUTH	<ul style="list-style-type: none"> <li>• Chairperson</li> <li>• 2 wards, 8 councillors</li> </ul>
Respondent #9 KINGSTON PARK	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #10 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #11 GLENELG EAST	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #12 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #13 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 2 (5 wards, 10 councillors)</li> </ul>



Respondent	Preferences
Respondent #14 GLENELG	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #15 GLENELG SOUTH	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #16 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #17 PORT WILLUNGA	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #18 GLENELG	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #19 NORTH BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #20 SOMERTON PARK	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #21 SOUTH BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #22 SEACLIFF	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #23 GLENELG EAST	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #24 GLENELG EAST	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #25 GLENELG SOUTH	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #26 SOUTH BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #27 HOVE	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>

Respondent	Preferences
Respondent #28 GLENELG SOUTH	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #29 ABERFOYLE PARK	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #30 SEACLIFF	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #31 HUNTFIELD HEIGHTS	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #32 GLENELG NORTH	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #33 UNKNOWN	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #34 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #35 GLENELG EAST	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #36 SOMERTON PARK	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 2 (5 wards, 10 councillors)</li> </ul>
Respondent #37 GLENELG	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #38 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #39 HOLDFAST BAY	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #40 BRIGHTON	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #41 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>



Respondent	Preferences
Respondent #42 GLENELG EAST	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #43 UNKNOWN	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #44 NORTH GLENELG	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #45 GLENELG	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #46 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #47 UNKNOWN	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #48 UNKNOWN	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #49 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #50 SOUTH BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #51 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #52 UNKNOWN	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• 3 wards, 12 councillors</li> </ul>
Respondent #53 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #54 SEACLIFF	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #55 GLENELG EAST	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 5 (no wards)</li> </ul>

Respondent	Preferences
Respondent #56 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #57 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #58 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #59 SOUTH BRIGHTON	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 2 (5 wards, 10 councillors)</li> </ul>
Respondent #60 SOUTH BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor or Chairperson</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #61 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor or Chairperson</li> <li>• Option 1 - Current structure but with 2 councillors per ward, 8 councillors</li> </ul>

# Attachment 2



In reply please quote:322-2 / 2010



5 November 2013

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



Dear Mr Lynch

**Re: Elector Representation Review**

I have considered the elector representation review the City of Holdfast Bay has submitted for certification.

I have assessed Council's report and I advise that this letter serves as the certificate that the Review has been conducted appropriately and has complied with the requirements of section 12 of the Local Government Act, 1999.

However I note that currently the City of Holdfast Bay has one of the lowest quotas within the metropolitan region and in future council should give more consideration to the principles and matters under section 26 and 33 of the Act, particularly in relation to avoiding over-representation in comparison to councils of a similar size and type.

Section 12 (18) provides for the revised representation arrangements for the City of Holdfast Bay to take effect from the day of the first periodic election held after the publication of the notice in the Gazette.

Council must arrange for a notice to appear in the SA Government Gazette before or by 12 December 2013 to show Council has reviewed their membership structure and notify the result of the review. Please forward a copy of the notice to our office prior to placing in the Government Gazette.

It is the responsibility of the council to prepare detailed ward boundary maps prescribing the alterations for inclusion in the technical description, which must be gazetted as part of the review process.

A full page of the SA Government Gazette should be allocated to each ward with a boundary change to ensure the boundary alterations are readable. Outer ward boundary descriptors are required for each ward with boundary changes.

If you have further concerns please do not hesitate to contact the office to discuss.

Yours sincerely

K Mousley  
Electoral Commissioner

P 08 7424 7400  
F 08 7424 7411  
W 08 7424 7400

Electoral Commissioner, South Australia  
ABN: 96 029 752 465  
Level 15, 100 Adelaide Adelaide SA 5000  
Postal Address: GPO Box 1416 Adelaide SA 5001

**APPENDIX 14**

**Motion****C080621/2308**

**That Council endorse the attached Development Plan Amendment with the inclusion of twenty-seven (27) places for recommendation to the Minister for Planning and that these be formally assigned Local Heritage Place status.**

Moved Councillor Miller, Seconded Councillor Lonie

**Carried Unanimously****15.3 Implementation of Smoke Free Areas at Community Facilities (Report No: 172/21)**

Following endorsement of the updated Smoke Free Policy and subsequent Council Resolution (C280720/1977) on 28 July 2021, Administration commenced consultation with Council owned sporting and community facilities to develop smoke free areas.

Administration completed site assessments and consultation with sporting clubs and community centres, to delineate smoke free areas with a 10 metre exclusion zone from recreation areas, viewing/seating areas, entrances or walkways. Assessment findings highlighted inadequate clearances and available space at each respective Council owned facility and Community Centre to effectively apply to 10 metre exclusion zones. Additionally, exclusion zones were typically enforced by club volunteers.

Due to these constraints, this Report recommended Administration work with clubs to encourage the development of smoke free policy and Good Sports accreditation, Australia's largest community health sports program, to support safe and welcoming clubs and facilities throughout the City of Holdfast Bay.

**Motion****C080621/2309**

**That Council endorse Administration continue working with sporting clubs and accreditation programs to encourage and promote safe and welcoming clubs and facilities which includes establishing smoke free plans and policies.**

Moved Councillor Lonie, Seconded Councillor Clancy

**Carried Unanimously****15.4 Representation Review Report (Report No: 191/21)**

On 9 February 2021, Council endorsed the release of the Representation Review Options Paper for public consultation (Council Resolution No. C090221/2218).

On 25 May 2021, a Representation Review Submissions Report and a Council in principle decision resolved the content for the development of the Representation Review Report presented at this meeting (Council Resolution No. C250521/2297).

The Representation Review Report is required to be prepared in accordance with Section 12(8a) of the *Local Government Act 1999*. This report recommended

Council endorse the Representation Review Report and release for public consultation.

**Motion**

**C080621/2310**

**That Council endorses the Representation Review Report be released for public consultation which proposes:**

- the principal member of Council continues to be a Mayor elected by the community;
- area councillors are not introduced in addition to ward councillors;
- the future elected body of Council comprise the Mayor and twelve (12) ward councillors;
- the Council area continue to be divided into four (4) wards, as per the current ward structure, with each of the wards being represented by three (3) councillors; and
- the wards continue to be named Glenelg, Somerton, Brighton and Seacliff.

Moved Councillor Lindop, Seconded Councillor Smedley

**Carried**

**Division Called**

A division was called and the previous decision was set aside.

Those voting for: Councillors Bouchee, Miller, Smedley, Patton, Chabrel, Abley, Fleming, Snewin, Lindop and Lonie (10)

Those voting against: Councillors Clancy and Bradshaw (2)

Her Worship the Mayor declared the motion

**Carried**

**15.5 Draft 2021-22 Annual Business Plan Consultation Outcomes (Report No: 196/21)**

Council received 10 submissions in response to its Draft 2021-22 Annual Business Plan community consultation. A broad range of topics were raised through the consultation including but not limited to the Kingston Park Kiosk, rates increase, tourism marketing, Brighton Holiday Park, Quality of Life results and support for a range of Environment initiatives.

**Motion**

**C080621/2311**

**That Council note the submissions received during the Draft 2021-22 Annual Business Plan engagement and the answers that will be provided.**

Moved Councillor Lindop, Seconded Councillor Lonie

**Carried Unanimously**

**16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**



Item No: 15.4  
Subject: REPRESENTATION REVIEW REPORT  
Date: 8 June 2021  
Written By: Team Leader Governance  
General Manager: Strategy and Corporate, Ms P Jackson

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### SUMMARY

On 9 February 2021, Council endorsed the release of the Representation Review Options Paper for public consultation (C090221/2218 - Report No. 43/21 Representation Review Options Paper).

On 25 May 2021, a Representation Review Submissions Report and a Council in principle decision resolved the content for the development of the Representation Review Report presented at this meeting (C250521/2297 - Report No. 145/21 Representation Review Submissions Report and Considerations).

The Representation Review Report is required to be prepared in accordance with section 12(8a) of the *Local Government Act 1999*. Council is requested to endorse the attached report to be released for public consultation.

---

### RECOMMENDATION

That Council endorses the Representation Review Report (Attachment 1) be released for public consultation which proposes:

- The principal member of Council continues to be a Mayor elected by the community;
  - Area councillors are not introduced in addition to ward councillors;
  - The future elected body of Council comprise the Mayor and twelve (12) ward councillors;
  - The Council area continue to be divided into four (4) wards, as per the current ward structure, with each of the wards being represented by three (3) councillors; and
  - The wards continue to be named Glenelg, Somerton, Brighton and Seacliff.
- 

### COMMUNITY PLAN

Community: Fostering an engaged and contributing community  
Culture: Providing customer-centred services  
Culture: Enabling high performance  
Culture: Being financially accountable  
Culture: Supporting excellent, efficient operations

## COUNCIL POLICY

Community Consultation and Engagement Policy

## STATUTORY PROVISIONS

*Local Government Act 1999*

*Statutes Amendment (Local Government Review) Bill 2020*

## BACKGROUND

On 9 July 2020, the Minister for Local Government declared that the City of Holdfast Bay must undertake a Representation Review by October 2021.

The *Statutes Amendment (Local Government Review) Bill 2020*, which proposed a limit of 12 elected members (including a Mayor) and proposes to abolish the position of a Chairperson, is currently on hold and it is unknown if or when these provisions will come into effect. At this point in time, Council can only conduct its current review in accordance with the relevant provisions and requirements of the existing *Local Government Act 1999* (the Act).

C L Rowe and Associates were engaged to undertake the review on behalf of Council (as a qualified person pursuant to Section 12(5) of the Act).

Once the Representation Review process is concluded, changes to the Council's composition would come into effect at the next Local Government election (circa November 2022).

## REPORT

In accordance with Council's in principle decision on 25 May 2021 for the development of the Representation Review Report (the Review Report), the Review Report for Council to endorse is attached.

The Review Report includes information on the first public consultation submissions (stage one consultation), Council's response from the submissions made and sets out any proposals that Council considers should be carried into effect and how the proposal relates to principles for its composition and structure.

*Refer Attachment 1*

Once the Review Report has been endorsed by Council, Administration will undertake public consultation on the endorsed Review Report, seeking written submissions for a minimum of three (3) weeks (stage two consultation to commence in June 2021). The views of the community will be collected via:

- council's website
- written submissions by email or letter, and

- hard copy survey forms available with copies of the Options Paper via the Civic Centre and Glenelg and Brighton libraries.

The public will be notified of the Review Report being available for public consultation by:

- Notice in the Gazette
- Notice in the Advertiser
- Council's webpage (<https://www.yourholdfast.com/representation-review>)
- Via email to registered users on Council's database (1800 community members plus 3800 businesses)
- Council's twitter account each week
- Council's LinkedIn account
- Council's facebook page
- Holdfast News – e-newsletter (approximate database of 1800), and
- Display in Brighton Civic Centre and Brighton and Glenelg libraries.

Any person making a written submission will be given the opportunity to attend a Council meeting to appear personally and speak to the Council in a July Council meeting.

Following receipt of all written submissions and any attendances at the nominated Council meeting, CL Rowe will prepare the a final submissions report for Council to receive and authorise Administration to write to ECSA with the proposal, which will be presented to the Electoral Commission for certification and gazettal.

#### **BUDGET**

The budget for the Representation Review was approved by Council on 8 September 2020 (C080920/2025). The current process is within budget.

#### **LIFE CYCLE COSTS**

Not applicable.

# Attachment 1





## REPRESENTATION REVIEW REPORT

(SECTION 12(8a) OF THE LOCAL GOVERNMENT ACT 1999)

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**ATTACHMENT A – Summary of Submissions**



## 1. INTRODUCTION

Section 12(4) of the *Local Government Act 1999* (the Act) requires each council to undertake a review of all aspects of its composition and the division (or potential division) of the council area into wards, with the view to determining whether the local community would benefit from an alteration to the current composition and/or structure of a council.

The Minister for Local Government has specified that the City of Holdfast Bay (the Council) is required to undertake and complete a review during the period October 2020 – October 2021.

This report has been prepared in accordance with the requirements of Section 12(8a) of the Act. It:

- provides information on the initial public consultation undertaken by Council;
- sets out the proposal that Council believes should be carried into effect; and
- presents an analysis of how Council's proposal relates to the relevant provisions and principles of the Act.

The key issues that need to be addressed during the review include:

- the principal member of Council, more specifically whether it should be a Mayor elected by the community or a Chairperson chosen by (and from amongst) the elected members;
- the need for area councillors in addition to ward councillors (under a ward structure);
- the division of the Council area into wards, or alternatively the abolition of wards;
- the number of elected members required to provide fair and adequate representation to the community; and
- if applicable, the level of ward representation and the name of any proposed future wards (if required).

The review process commenced in September 2020 and since that time Council has had numerous briefings and discussions regarding the various review issues; has deliberated over a range of representation and ward structure options; has considered the opinions and comments received from the community during the initial public consultation stage of the review process; and has taken into account the current legislative requirements and the potential implications of the *Statutes Amendment (Local Government Review) Bill 2020* (the Bill), including the proposal to cap the number of elected members within a Council.

Whilst the proposal presented herein reflects the current position of the Council (following the extensive review process to date), no final decision will be made in respect to Council's future composition and/or structure until consideration has been given to any and all public submissions, which may be received during the current public consultation stage.

## 2. BACKGROUND

The Council covers approximately 13.72 km<sup>2</sup> and had an estimated resident population of 37,315 on 30th June 2020.

In March 2021 there were 28,443 eligible electors within the Council area, this equating to an elector ratio (i.e. the average number of electors represented by a councillor) of 1:2,370.

The Council area is currently divided into four wards (refer Map 1), with each of the wards being represented by three (3) councillors (i.e. a total of twelve councillors). The Mayor is the thirteenth and principal member of Council. The current structure, which was adopted by Council at the previous elector representation review in 2012/2013, came into effect at the periodic Local Government elections in November 2014.

Table 1 provides current data pertaining to the level of representation and the number of electors (House of Assembly and Council's Supplementary Voters Roll) in each of the existing wards; and demonstrates the variance in respect to the ward elector ratios (i.e. the average number of electors represented by a ward councillor) and the "quota" for the whole Council area (i.e. the average number of electors represented by a councillor across the Council area).

Table 1: Current ward structure - elector numbers and elector ratios

Ward	Crs	H of A Roll	Council Roll	Electors	Ratio	% Variance
Glenelg	3	6,970	55	7,025	1:2,342	- 1.12
Somerton	3	7,154	25	7,179	1:2,393	+ 0.96
Brighton	3	7,115	12	7,127	1:2,376	+ 0.23
Seacliff	3	7,095	7	7,102	1:2,367	- 0.12
<b>Total</b>	12	28,334	99	28,443		
<b>Average</b>					1:2,370	

Source: Electoral Commission SA (March 2021)

Council commenced its current Elector Representation Review in September 2020 and completed the first of the prescribed public consultation stages on Friday 9<sup>th</sup> April 2021. Sixty-one (61) submissions were received by Council.

At its meeting on the Tuesday 25<sup>th</sup> May 2021, Council considered all matters relevant to the review; and made "in principle" decisions to retain its current composition and ward structure.

### 3. PUBLIC CONSULTATION

The initial public consultation relating to the Elector Representation Review was undertaken in accordance with the provisions of Sections 12(7) and 12(8) of the Act.

Public consultation commenced on Thursday 18<sup>th</sup> February 2021 with the publishing of public notices in "The Advertiser" newspaper and the Government Gazette. An information leaflet and a copy of the Representation Options Paper were made available at the Brighton Civic Centre and the two libraries; information was disseminated via Council's established mailing list, Twitter, LinkedIn, Facebook and Holdfast News (e-newsletter); and information and a connection to the on-line survey were provided on the Council website ([yourholdfast.com/representation-review](http://yourholdfast.com/representation-review)).

At the expiration of the public consultation period (i.e. close of business on Friday 9<sup>th</sup> April 2021) Council had received sixty-one (61) submissions, fifty-eight (58) electronically via the aforementioned web page; two (2) by way of a completed questionnaire; and one (1) by email. During the public consultation the website page recorded three hundred and ninety-nine (399) visits.

A summary of the submissions is provided in Attachment A.

The receipt of sixty-one (61) submissions is considered to be a reasonable response, given that at the same stage of the previous Elector Representation Review (January 2013) Council received only two (2) submissions. Whilst the recent submissions only represent a small sample (0.21%) of the eligible electors within the Council area, they did provide some insight in respect to several specific issues being addressed by the representation review.

The following tables provide details of the support demonstrated by the community for the various composition and ward structure options.

Table 2: Preferred principal member

Principal Member	Respondent	%
Mayor (elected by the community)	40	65.57
Chairperson (selected by the elected members)	20	32.79
No preference stated	1	1.64
<b>Total</b>	<b>61</b>	

Table 3: Preferred structure

Ward Option	Respondents	%
Option 4 (Four wards, eight councillors)	24	39.34
Option 1 (Four wards, twelve councillors)	15	24.59
Option 3 (Three wards, nine councillors)	11	18.03
Option 5 (No wards)	8	13.11
Option 2 (Five wards, ten councillors)	3	4.92
<b>Total</b>	<b>61</b>	

Table 4: Preferred number of councillors

Preferred number of councillors	Respondents	%
Eight	25	40.98
Twelve	16	26.23
Nine	11	18.03
Ten	7	11.48
Six	1	1.64
Two	1	1.64
<b>Total</b>	<b>61</b>	

In summary:

- Forty (40) of the sixty (60) respondents who addressed the issue of the principal member favoured the retention of an elected Mayor.
- Fifty-three (53) of the sixty-one (61) respondents supported the retention of a ward structure.
- Of the fifty-three (53) respondents who indicated a preferred ward structure, the most favoured option was the slightly modified four (4) ward structure (Option 4), followed by the current four (4) ward structure (Option 1), the three ward structure (Option 3) and the five ward structure (i.e. Option 2).
- Forty-five (45) of the sixty-one (61) respondents favoured a reduction in the number of councillors (i.e. a range of 2 – 10 councillors).
- The most favoured number of councillors was eight (8), followed by twelve (12), nine (9) and ten (10).

It should be noted that the provisions of Section 12 of the Act do not afford the respondents with the opportunity to address Council at the first consultation stage of the review process.

## 4. PROPOSAL

Having duly considered all relevant provisions of the Act; the information and alternatives contained within the Representation Options Paper; the submissions received from the community; and the potential ramifications of the Bill, Council proposes the following in respect to its future composition and structure.

- The principal member of Council continues to be a Mayor elected by the community.
- Area councillors are not introduced in addition to ward councillors.
- The future elected body of Council comprise the Mayor and twelve (12) ward councillors.
- The Council area continue to be divided into four (4) wards, as per the current ward structure (refer Map 1), with each of the wards being represented by three (3) councillors.
- The wards continue to be named Glenelg, Somerton, Brighton and Seacliff.

The proposed wards are described as follows.

Glenelg Ward incorporates the suburb of Glenelg North; and parts of the suburbs of Glenelg and Glenelg East; with the southern ward boundary aligning with Maxwell Terrace, Brighton Road, High Street, Moseley Street and Jetty Road to the coast.

Somerton Ward incorporates the suburb of Glenelg South; and parts of the suburbs of Glenelg, Glenelg East and Somerton Park; with the northern ward boundary aligning with Maxwell Terrace, Brighton Road, High Street, Moseley Street and Jetty Road to the coast and the southern ward boundary aligning with Chopin Road, Brighton Road and Whyte Street to the coast.

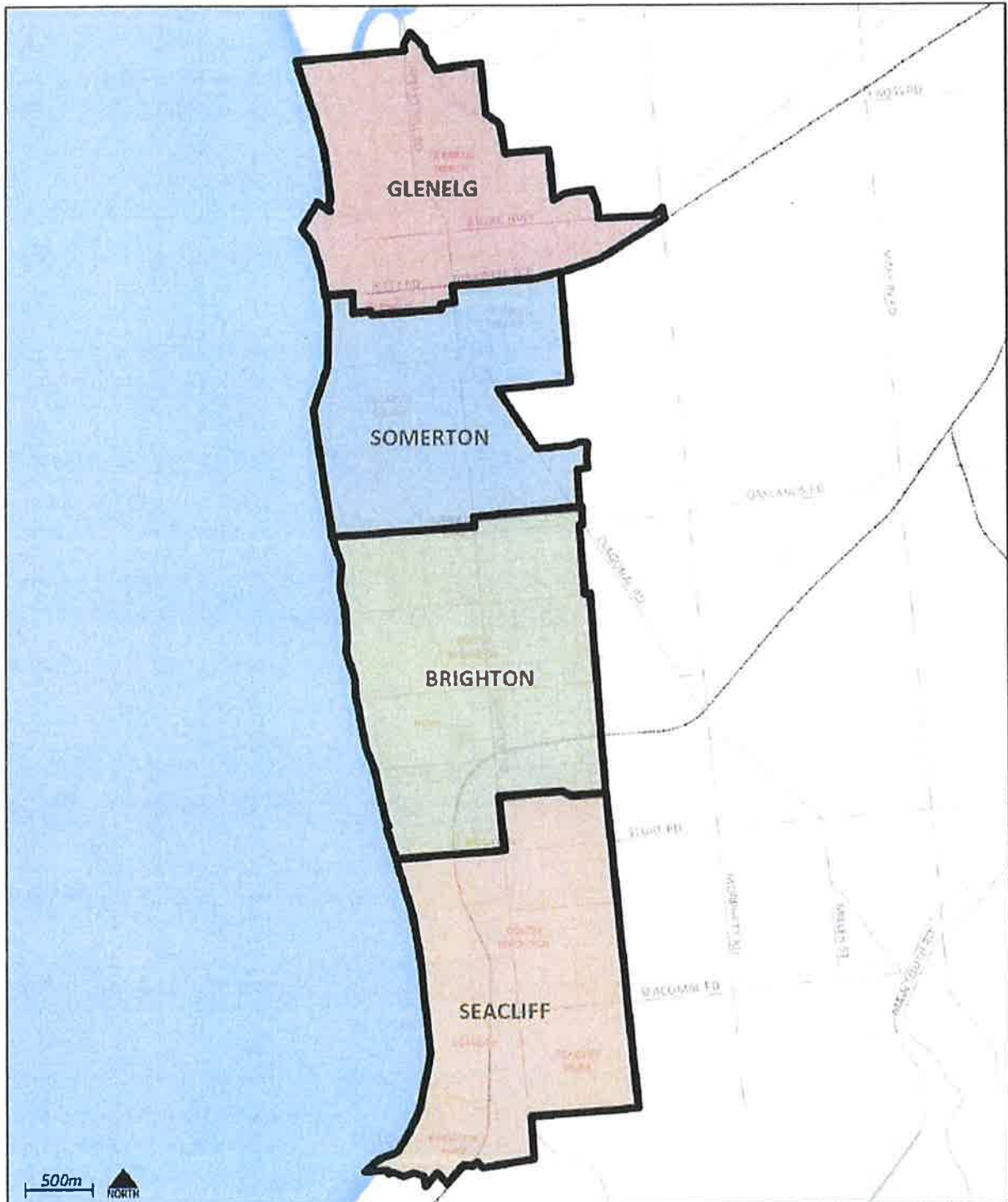
Brighton Ward incorporates the suburbs of North Brighton and Hove; and part of the suburbs of Somerton Park and Brighton; with the northern ward boundary aligning with Chopin Road, Brighton Road and Whyte Street to the coast and the southern ward boundary aligning with Sunshine Avenue, High Street, Brighton Road, Old Beach Road and Beach Road to the coast.

Seacliff Ward incorporates the suburbs of South Brighton, Seacliff, Seacliff Park and Kingston Park; and part of the suburb of Brighton; with the northern ward boundary aligning with Sunshine Avenue, High Street, Brighton Road, Old Beach Road and Beach Road to the coast.

The reasons for Council's "in principle" decisions, together with an analysis of compliance with the relevant provisions and requirements of the Act, are provided hereinafter.



Map 1: Proposed ward structure



## 5. PROPOSAL RATIONALE

### 5.1 Principal Member

The principal member of Council has always been a Mayor who has been elected by the community. The only alternative at this time is a Chairperson who is chosen by (and from amongst) the elected members of council.

Council believes that:

- a Mayor elected by the community is in accord with a fundamental principle of democracy – choice;
- the election of a Mayor affords all eligible members of the community the opportunity to express faith in a candidate, should they choose to do so, and provides Council with an identifiable principal member who is directly accountable to the community;
- the office of Mayor has served the City of Holdfast Bay well since its proclamation in 1997;
- the retention of an elected Mayor brings stability and continuity to the Council, given the four-year term of office;
- little practical benefit will likely be achieved by changing to a Chairperson at this time; and
- the retention of an elected Mayor as the principal member is consistent with the structure of most councils within the state.

Further, Council is aware that:

- the Bill, which is presently being considered by State Parliament, seeks to abolish the office of Chairperson; and
- forty (40) or 66.66% of the submissions received which addressed the issue of the principal members supported the retention of an elected Mayor.

Given the above, Council is confident that the community desires and supports an elected Mayor as the principal member of Council.

Ultimately, Council must conduct its current review in accordance with the relevant provisions and requirements of the Act which are in existence at this time. This being the case, should it have been Councils' desire to change from an elected mayor to a Chairperson, a poll of the community would have had to be conducted in accordance with the requirements of Section 12 (11a-d) of the Act; and the result thereof would have had to clearly support the proposed change. Such a poll would have to be conducted by Electoral Commission SA at the cost of Council. This course of action is considered to be superfluous, given the intent and likely ramifications of the Bill.

**Having duly considered all relevant matters, Council believes that the principal member should continue to be a Mayor elected by the community.**



## 5.2 Wards/No Wards

The City of Holdfast was initially divided into six (6) wards but introduced a four (4) ward structure in 1999.

Council believes that wards provide for direct representation of all areas and communities within the Council area; ensure local interests and/or issues are not overlooked in favour of the bigger "council-wide" picture; and provide recognizable lines of communication with Council through the ward councillors. It is also considered that ward councillors have empathy for, and an affiliation with, all of the communities within their ward; and that ward councillors deliberate and make decisions on the basis of achieving the best outcome for the ward which they represent and the Council area as a whole.

Further, Council believes that the community knows and accepts the division of the Council area into wards; and the structure of representation that it provides. This assertion is seemingly supported by the fact that fifty-three (53) or 86.89% of the submissions received during the initial public consultation period favoured the retention of a ward structure. Thirty-nine (39) of these submissions favoured the retention of the existing four (4) ward structure or a slight variation thereof.

In addition, the retention of the existing ward structure, as proposed, could be perceived by many within the local community as an indication of stability within Local Government; would avoid the possibility of confusion amongst the community if the existing ward boundaries were amended; and would continue to provide the level and quality of representation expected by many of the local community. Further, the existing ward structure is reasonably well balanced in regard to the distribution of electors between the proposed wards; exhibits ward elector ratios which lay well within the specified quota tolerance limits (and are therefore capable of sustaining reasonable fluctuations in elector numbers); and exhibits consistent levels of representation across all of the wards.

Council acknowledges that the "no wards" alternative affords electors the opportunity to vote for all of the vacant positions on Council; allows for the most supported candidates from across the Council area to be elected; and enables the elected members to be free of parochial ward attitudes. Notwithstanding this, Council is concerned that the "no wards" alternative:

- does not guarantee direct representation of all communities across the Council area;
- may make it easier for single interest candidates and/or groups to gain support (than does the existing ward-based system);
- has the potential to make the task and expense of contesting council-wide elections difficult and excessive; and
- has the potential to increase the cost of conducting elections and supplementary elections, given that all contested elections must be conducted on a council-wide basis.

**Having considered the aforementioned, Council is of the opinion that the Council area should continue to be divided into wards; and that the current ward structure should be retained.**

### **5.3 Area Councillors (in addition to ward councillors)**

Council is aware that area councillors (in addition to ward councillors) are unique to the City of Adelaide and considers that this form of elected member/representation affords few advantages.

Under a ward structure area councillors hold no greater status than a ward councillor; have no greater responsibilities than a ward councillor; nor need comply with any extraordinary or additional eligibility requirements. Furthermore, ward councillors generally consider themselves to represent not only the ward in which they were elected, but the Council area as a whole.

In addition, any contested election (and/or supplementary election) for area councillors must be conducted across the whole of the Council area, at a significant cost to Council.

**Council considers that the introduction of area councillors (in addition to ward councillors) is unwarranted, unnecessary and could potentially be a costly additional tier of elector representation.**

### **5.4 Ward Names**

Council is of the opinion that the existing ward names reflect the geographical locations of the existing wards and, as such, are appropriate for the current ward structure. These ward names have also been utilised for many years and, as such, are likely to be known and accepted by the local community.

Council is aware that the alternative means by which wards can be identified are limited, but can include letters, numbers, directions (e.g. north, south, east and west), geographical features, place names or names of local heritage significance.

Whilst this is not a major issue, the review affords the opportunity for Council to consider appropriate alternative ward names. This being the case, Council seeks further suggestions from the community in respect to the names/identification of the proposed future wards.

**Council believes that the existing ward names are appropriate and acceptable; but is prepared to consider any alternative names which may be suggested by the local community.**

## 5.5 Number of Councillors

Council has comprised twelve (12) ward councillors since 1997.

Council is aware that:

- the provisions of Sections 26 and 33 of the Act stipulate the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term);
- the provisions of Section 12(6) of the Act also require a Council that is constituted of more than twelve members to examine the question of whether the number of elected members should be reduced; and
- the provisions of the Bill (in its amended form) seek to cap the number of elected members within a Council (including the principal member) at thirteen (13), although further amended provisions allowing for exceptions are now also being proposed.

Throughout the review Council has considered its future composition, with options ranging from eight (8) to twelve (12) councillors. These options were outlined in the Representation Options Paper which was previously presented to the local community for consideration and comment.

Other factors which have been taken into consideration include the following.

Of the sixty-one (61) public submissions which specifically addressed the issue of the number of councillors, sixteen (16) or 26.23% favoured the retention of twelve (12) councillors, whilst overall forty-five (45) or 73.77% favoured a reduction in the number of councillors (albeit to different levels). Council acknowledges the support for fewer elected members; but believes that little practical benefit will be obtained from such a move at this time.

Whilst the Council is one of the smaller metropolitan councils, both in terms of elector numbers and area, it is not dissimilar to other long-established metropolitan councils in terms of its composition and/or elector ratio (refer Table 5, page 10). Indeed, it is considered that the City of Holdfast Bay is comparable to, and consistent with, the City of Norwood Payneham & St Peters, the City of Unley, the Adelaide Hills Council and the City of Burnside in regard to physical size (with the exception of the Adelaide Hills Council), elector numbers, the number of councillors and elector ratios. Interestingly, all of these councils comprise twelve (12) or more councillors.

The only likely differences between the City of Holdfast Bay and the cited councils are the additional issues which confront the Council as a seaside council and popular tourist destination.

Table 5: Elector data and representation (Metropolitan Adelaide councils)

Council	Councillors	Electors	Elector Ratio
Walkerville (1.34 km <sup>2</sup> )	8	5,763	1:720
Gawler (41.10km <sup>2</sup> )	10	18,521	1:1,852
Prospect (7.81 km <sup>2</sup> )	8	14,990	1:1,874
Norwood Payneham & St Peters (15.1 km <sup>2</sup> )	13	25,790	1:1,984
Unley (14.29 km <sup>2</sup> )	12	27,505	1:2,293
<b>Holdfast Bay (13.72 km<sup>2</sup>)</b>	<b>12</b>	<b>28,433</b>	<b>1:2,369</b>
Adelaide Hills (795.1 km <sup>2</sup> )	12	29,468	1:2,456
Burnside (27.53 km <sup>2</sup> )	12	32,019	1:2,668
West Torrens (37.07 km <sup>2</sup> )	14	42,182	1:3,013
Campbelltown (24.35 km <sup>2</sup> )	10	36,176	1:3,618
Mitcham (75.55 km <sup>2</sup> )	13	48,841	1:3,757
Adelaide* (15.57 km <sup>2</sup> )	7	28,279	1:4,040
Playford (344.9 km <sup>2</sup> )	15	64,448	1:4,297
Port Adelaide/Enfield (97.0 km <sup>2</sup> )	17	86,605	1:5,094
Charles Sturt (52.14 km <sup>2</sup> )	16	87,838	1:5,490
Marion (55.5km <sup>2</sup> )	12	66,559	1:5,547
Tea Tree Gully (95.2 km <sup>2</sup> )	12	73,685	1:6,140
Salisbury (158.1 km <sup>2</sup> )	14	96,326	1:6,880
Onkaparinga (518.4 km <sup>2</sup> )	12	127,988	1:10,666

Source: Electoral Commission SA (March 2021)

\* City of Adelaide also comprises four (4) "area councillors".

In addition, whilst the councillors are elected to provide representation of, and assistance to, the constituents within their wards, they also act in the best interest of all of the community within the Council area, including approximately 9,000 additional residents who are not enrolled to vote but experience the same day-to-day concerns and issues confronting the eligible electors throughout the Council area.

Another key factor considered is the expectation of on-going population growth in the foreseeable future across the Council area. This matter is addressed later (refer 6.5, Demographic Trends). The anticipated increase in the future population of the Council area will likely result in greater elector numbers, higher elector ratios and potentially greater workloads for the elected members.

Council has also mindful of the need to:

- comprise sufficient elected members to manage the affairs of Council and afford reasonable opportunities to attract potential future candidates to seek election to Council;
- maintain a suitable level and quality of representation in a growing community;
- avoid excessive workloads for the elected members;



- provide adequate and readily available lines of communication between Council and the community; and
- ensure that the potential for diversity in the elected member's skill sets, experience and backgrounds is maintained.

Council believes that it is important to maintain the quality and level of representation that has long been experienced and expected by the local community. As such, a reduction in the number of councillors at this time would be untenable, given that it will likely result in increased workloads for the councillors which, in turn, may impact upon the quality of representation provided to the community. **This being the case, Council has formed the opinion that a change in the number of councillors is not warranted at this time.**



## 6. LEGISLATIVE REQUIREMENTS

The provisions of Sections 26(1)(c) and 33(1) of the Act require Council to consider, as far as practicable, the following when developing a proposal that relates to its composition and structure.

### 6.1 Quota

Section 33(2) of the Act states: *"A proposal that relates to the formation or alteration of wards of a council must also observe the principle that the number of electors represented by a councillor must not, as at the relevant date (assuming that the proposal were in operation), vary from the ward quota by more than 10 per cent..."*

According to Section 33(2a)(b) of the Act, ward quota is determined to be: *"the number of electors for the area (as at the relevant date) divided by the number of councillors for the area who represent wards (assuming that the proposal were in operation and ignoring any fractions resulting from the division)."*

The breakdown of elector data provided in Table 1 (page 2) indicates that the elector ratios in all of the existing/proposed wards lay comfortably within the specified quota tolerance limits and, as such, it is expected that all of the wards will be capable of sustaining reasonable future fluctuations in elector numbers.

### 6.2 Communities of Interest and Population

The Act speaks of the desirability of reflecting communities of interest of an economic, social, regional or other kind.

"Communities of interest" have previously been defined "as aspects of the physical, economic and social systems which are central to the interactions of communities in their living environment", and are generally identified by considering factors relevant thereto, including neighbourhood communities; history and heritage communities; sporting facilities; community support services; recreation and leisure communities; retail and shopping centres; work communities; industrial and economic development clusters; and environmental and geographic interests.

Council believes that there are numerous communities of interest within the Council area, including but not limited to the twelve long-established suburbs and/or the various residential, commercial, industrial, manufacturing and foreshore precincts.

A four ward structure similar to the existing/proposed ward structure was first introduced at the Local Government elections in 2003, and variations thereof were subsequently introduced at the 2010 and 2014 Local Government elections. When developing the initial and existing ward structures, care was taken to ensure that, where possible, the identified land use precincts were maintained in their entirety within the bounds of a ward, considering the features of the landscape and/or the urban development. To achieve this, Council has always sought (where possible) to maintain entire suburbs within wards.

Council believes that the proposed ward structure constitutes a practical division of the Council area which is known to the community and still, in the main, reflects the long existing land use precincts and "communities of interest".

### **6.3 Topography**

The Council covers approximately 13.72 kms<sup>2</sup> and incorporates considerable coastline; long established residential, manufacturing and commercial sectors; and the popular foreshore precinct at Glenelg. The local road, rail and tram networks are also prominent physical features.

It is considered that the proposed/existing ward structure is a relatively simple and efficient division of the Council area, with each ward incorporating a stretch of foreshore, long-established residential development and commercial and/or industrial precincts. The existing/proposed ward structure, which has essentially been in place since 2003 (albeit in slightly modified configurations), befits and accommodates the existing topographical features and has effectively served to establish "communities of interest" within the bounds of each of the proposed wards.

It is considered that the topography of the Council area will have little or no impact upon Council's proposal, given that the existing ward structure is to be retained and that the ward structure was originally developed with the view to maintaining, where possible, entire "communities of interest", taking into account the existing topographical features.

### **6.4 Feasibility of Communication**

Council believes that its existing composition and ward structure has provided the optimum arrangement for communication between the community and Council over the past eighteen or more years. The retention of twelve councillors and the existing ward structure, as proposed, will serve to maintain the established lines of communication with the community; and the proposed/continued level of ward representation (i.e. three councillors per ward) should ensure local interests and/or issues are not overlooked and continue to provide suitable communication alternatives for the communities within each ward.

Further, the Council area is relatively small in size and the ever-improving communication and information technology provides improved communication opportunities between the elected members and the local community.

In brief, Council believes that the proposed ward structure and level of ward representation will ensure the continued provision of a tried and tested communication network between the community and Council.



## 6.5 Demographic Trends

During the review process Council has considered the following information.

- According to data provided by Electoral Commission SA, the total number of eligible electors in the Council area increased by 2,260 (8.67%) during the period September 2013 – March 2021. It is also noted that all of the existing wards recorded an increase in elector numbers of between 477 (7.35%) and 641 (9.92%).
- Residential in-fill development will likely continue to occur across the whole of the Council area, with the potential of a 10% - 15% increase in dwelling density being possible, although the uptake on potential redevelopment opportunities (e.g. the division of long existing allotments) has been somewhat low in recent times. Areas of residential development focus will continue to be along the foreshore; Glenelg and Glenelg North (including Adelphi Crescent, Jetty Road and Anzac Highway); and North Brighton (i.e. Minda Incorporated Brighton Campus).
- Population projections prepared by the PlanSA (then Department of Planning, Transport and Infrastructure) in 2020 indicate that the population of the City of Holdfast Bay is anticipated to increase by 2,727 or 7.46% (i.e. 36,532 to 39,258) during the period 2016 – 2036.
- According to data provided by the Australian Bureau of Statistics (refer 3218.0 Regional Population Growth, Australia), the estimated population of the City of Holdfast Bay increased every year during the period 2005 – 2019 (i.e. from 34,007 to 37,435), which equates to a total increase of 3,428 or 10.08%.
- The Council "Community Profile" (as prepared by .id – the population experts) indicates that, based on the 2016 census data and a comparison with the data applicable to the average for Greater Adelaide, the Council area had a lower proportion of people in the younger age groups (under 15 years) and a higher proportion of people in the older age groups (60+ years). The major areas of difference were:
  - a larger percentage of persons aged 85 years and older (4.8% compared to 2.7%);
  - a larger percentage of persons aged 65 to 69 years (6.9% compared to 5.3%);
  - a larger percentage of persons aged 60 to 64 years (7.2% compared to 5.7%); and
  - a smaller percentage of persons aged 0 to 4 years (4.3% compared to 5.9%).

The data also indicated that an estimated 5,010 persons (i.e. 14.3% of the local population) were in the age bracket 5 – 19 years; 7,614 persons (21.74% of the local population) were aged 55 – 69 years; and a further 5,962 persons (17.02% of the local population) were aged 70+ years.

## 6.6 Adequate and Fair Representation

For the reasons espoused earlier, Council is confident that its proposed future composition will provide the number of elected members required to manage the affairs of Council; maintain an appropriate and accepted level of elector representation; allow for diversity in the skill set, experience and expertise amongst the elected members; and present adequate lines of communication between the community and Council.

## 6.7 Section 26, Local Government Act 1999

Section 26(1) of the Act requires that several broader Principles also be taken into account during the review process. These are similar in nature to those presented under Section 33 of the Act and include the following.

- The desirability of avoiding significant divisions within the community.
- Proposed changes should, wherever practicable, benefit ratepayers.
- A Council having a sufficient resource base to fulfill its functions fairly, effectively and efficiently.
- A Council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations.
- Residents should receive adequate and fair representation within the local government system, while over-representation in comparison with Councils of a similar size and type should be avoided (at least in the longer term).

The composition and structure being proposed by Council is considered to comply with the cited legislative provisions, in that it will:

- incorporate sufficient elected members to undertake the various roles and responsibilities of Council;
- have little if any detrimental impact upon the ratepayers and/or existing communities of interest;
- provide adequate and fair representation to all electors; and
- compare favourably with the composition and elector ratios of other metropolitan councils that are of a similar size (in terms of elector numbers) and type.

## 7. CURRENT PUBLIC CONSULTATION

In accordance with Section 12(9) of the Act, interested persons are invited to make a written submission to Council in respect to this report, and more specifically the composition and structure that Council proposes to implement at the date of the next Local Government elections in November 2022. Any person who makes a written submission at this time will be afforded the opportunity to address Council or a committee thereof, either in person or by a representative, in support of their submission.

Interested members of the community are invited to make a submission expressing their views on the future composition and structure of Council. Submissions can be made as follows; and will be accepted until 5.00pm on Friday 9<sup>th</sup> July 2021.

- In writing to: Chief Executive Officer, 24 Jetty Road, Brighton, SA 5048
- Emailed to: [governance@holdfast.sa.gov.au](mailto:governance@holdfast.sa.gov.au)
- Online: [yourholdfast.com/representation-review](http://yourholdfast.com/representation-review)

Further information regarding the elector representation review can be obtained on Council's website or by contacting Nicole Roberts or Karrie McCann on telephone 8229 9999 or email [governance@holdfast.sa.gov.au](mailto:governance@holdfast.sa.gov.au)



### ATTACHMENT A - Summary of submissions

Respondent	Preferences
Respondent #1 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #2 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #3 GLENELG EAST	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #4 GLENELG NORTH	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #5 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #6 GLENELG	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #7 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #8 GLENELG SOUTH	<ul style="list-style-type: none"> <li>• Chairperson</li> <li>• 2 wards, 8 councillors</li> </ul>
Respondent #9 KINGSTON PARK	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #10 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #11 GLENELG EAST	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #12 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #13 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 2 (5 wards, 10 councillors)</li> </ul>
Respondent #14 GLENELG	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #15 GLENELG SOUTH	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #16 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #17 PORT WILLUNGA	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #18 GLENELG	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #19 NORTH BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #20 SOMERTON PARK	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #21 SOUTH BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 5 (no wards)</li> </ul>

Respondent	Preferences
Respondent #22 SEACLIFF	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #23 GLENELG EAST	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #24 GLENELG EAST	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #25 GLENELG SOUTH	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #26 SOUTH BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #27 HOVE	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #28 GLENELG SOUTH	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #29 ABERFOYLE PARK	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #30 SEACLIFF	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #31 HUNTFIELD HEIGHTS	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #32 GLENELG NORTH	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #33 UNKNOWN	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #34 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #35 GLENELG EAST	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #36 SOMERTON PARK	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 2 (5 wards, 10 councillors)</li> </ul>
Respondent #37 GLENELG	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #38 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #39 HOLDFAST BAY	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #40 BRIGHTON	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #41 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #42 GLENELG EAST	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #43 UNKNOWN	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>



Respondent	Preferences
Respondent #44 NORTH GLENELG	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #45 GLENELG	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #46 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #47 UNKNOWN	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #48 UNKNOWN	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #49 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #50 SOUTH BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 3 (3 wards, 9 councillors)</li> </ul>
Respondent #51 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #52 UNKNOWN	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• 3 wards, 12 councillors</li> </ul>
Respondent #53 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #54 SEACLIFF	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #55 GLENELG EAST	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 5 (no wards)</li> </ul>
Respondent #56 HOVE	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #57 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #58 BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Option 4 (4 wards, 8 councillors)</li> </ul>
Respondent #59 SOUTH BRIGHTON	<ul style="list-style-type: none"> <li>• Chairperson (optional with the title of Mayor)</li> <li>• Option 2 (5 wards, 10 councillors)</li> </ul>
Respondent #60 SOUTH BRIGHTON	<ul style="list-style-type: none"> <li>• Mayor or Chairperson</li> <li>• Option 1 (4 wards, 12 councillors)</li> </ul>
Respondent #61 UNKNOWN	<ul style="list-style-type: none"> <li>• Mayor or Chairperson</li> <li>• Option 1 - Current structure but 8 councillors (2 per ward)</li> </ul>

**APPENDIX 15**



**5. APOLOGIES**

- 5.1 Apologies Received – Mayor A Wilson, Deputy Mayor R Abley, Councillor P Chabrel and Councillor M Bouchee
- 5.2 Absent - Nil

**Nomination**

In the absence of the Mayor and Deputy Mayor, the Chief Executive Officer called for nominations for an Acting Presiding Member.

The Chief Executive Officer called for nominations.

Nominations were received for Councillor Smedley.

**Motion****C130721/2332**

**That Council appoint Councillor Smedley Acting Presiding Member to preside at the meeting on 13 July 2021.**

Moved Councillor Snewin, Seconded Councillor Lonie

**Carried Unanimously**

Councillor Smedley then took over the meeting as the Acting Presiding Member at 7.02pm.

**6. REPRESENTATION REVIEW REPORT SUBMISSIONS**

Under Section 12(10) of the *Local Government Act 1999*, Council provided an opportunity for any person who made a written submission in response to the public consultation on the Representation Review Report an opportunity to appear personally before the Council and be heard on their submission.

Her Worship the Mayor received a submission from Mr Kevin Decean who appeared to be heard.

**7. ITEMS PRESENTED TO COUNCIL - Nil****8. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**9. CONFIRMATION OF MINUTES****Motion****C130721/2333**

**That the minutes of the Ordinary Meeting of Council held on 22 June 2021 be taken as read and confirmed.**

Moved Councillor Lonie, Seconded Councillor Patton

**Carried Unanimously****10. PUBLIC PRESENTATIONS**

**APPENDIX 16**

- subject to all necessary approvals sought under the PDI Act for the building upgrades; and

**RETAIN IN CONFIDENCE - Section 91(7) Order**

2. having considered Attachments 3 and 4 to Report No: 245/21 Brighton and Seacliff Yacht Club – Proposed Facility Redevelopment in confidence under Section 90(2) and (3)(b) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that Attachments 3 and 4 be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

Moved Councillor Lindop, Seconded Councillor Lonie

**Carried Unanimously**

**15.3 Representation Review Report Submissions Report and Approval to Report to the Electoral Commissioner of South Australia (Report No: 243/21)**

On 8 June 2021, Council endorsed the Representation Review Report to go to public consultation (second stage of consultation – Council Resolution No. C080621/2311), which commenced Thursday, 18 June 2021 and closed Friday, 9 July 2021 at 5pm.

A Submissions Report containing the public consultation outcomes was provided. Of the 23 submissions received:

- Ten (10) (43.5%) agreed with retaining the current ward and council structure, 13 (56.5%) did not agree.
- Of those who did not agree, 7 favoured a model of 8 councillors and 2 expressed a preference for whole of area Councillors, rather than wards.
- Five (5) submissions expressed views that the City of Holdfast Bay is over-represented.
- Five (5) submissions referred to the results of the previous round of consultation, expressing disappointment that Council did not follow the preference of 74% of respondents to reduce the number of Councillors.
- Of those who did agree, three specified that the existing structure was fair/working well.

Council was required to confirm its proposed structure and approval for Administration to provide the Final Report to the Electoral Commission of South Australia (SA) in accordance with Section 12(12) of the *Local Government Act 1999*.

**Motion**

**C270721/2361**

**That Council:**

1. notes the Submissions Report outlining the public consultation outcomes; and

2. endorses that Administration provides the Final Report pursuant to Section 12(12) of the Local Government Act 1999 to the Electoral Commissioner of SA with the following proposal:
- the principal member of Council continues to be a Mayor elected by the community;
  - area councillors are not introduced in addition to ward councillors;
  - the future elected body of Council comprise the Mayor and twelve (12) ward councillors;
  - the Council area continue to be divided into four (4) wards, as per the current ward structure, with each of the wards being represented by three (3) councillors; and
  - the wards continue to be named Glenelg, Somerton, Brighton and Seacliff.

Moved Councillor Lonie, Seconded Councillor Fleming

Carried

#### Division Called

A division was called and the previous decision was set aside.

Those voting for: Councillors Bouchee, Miller, Fleming, Patton, Chabrel, Abley, Snewin, Lindop and Lonie (9).

Those voting against: Councillors Clancy and Bradshaw (2).

Her Worship the Mayor declared the motion

Carried

#### 15.4 **185<sup>th</sup> Proclamation Day** (Report No: 229/21)

This report provided an update to Council for the planning of the 185th Proclamation Day event in collaboration with Kaurna Nation. Administration made the following recommendation.

**C270721/2362**

#### Motion

**That Council notes this report.**

Moved Councillor Abley, Seconded Councillor Miller

Carried Unanimously

#### 15.5 **Operational Support at Glenelg Community Centre** (Report No: 241/21)

In response to Council Motion C280720/1971, a Community Wellbeing staff member was based at Glenelg Community Centre one day per week.

Item No: 15.3

Subject: REPRESENTATION REVIEW REPORT SUBMISSIONS REPORT AND APPROVAL TO REPORT TO THE ELECTORAL COMMISSIONER OF SOUTH AUSTRALIA

Date: 27 July 2021

Written By: Team Leader Governance

General Manager: Strategy and Corporate, Ms P Jackson

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## SUMMARY

On 8 June 2021, Council endorsed the Representation Review Report to go to public consultation (second stage of consultation – Council Resolution No. C080621/2311), which commenced Thursday, 18 June 2021 and closed Friday, 9 July 2021 at 5pm.

A Submissions Report containing the public consultation outcomes is provided as Attachment 1. Of the 23 submissions received:

- Ten (10) (43.5%) agreed with retaining the current ward and council structure, 13 (56.5%) did not agree.
- Of those who did not agree, 7 favoured a model of 8 councillors and 2 expressed a preference for whole of area Councillors, rather than wards.
- Five (5) submissions expressed views that the City of Holdfast Bay is over-represented.
- Five (5) submissions referred to the results of the previous round of consultation, expressing disappointment that Council did not follow the preference of 74% of respondents to reduce the number of Councillors.
- Of those who did agree, three specified that the existing structure was fair/working well.

Council is required to confirm its proposed structure and approve for Administration to provide the Final Report to the Electoral Commission of South Australia (SA) in accordance with section 12(12) of the *Local Government Act 1999*.

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## RECOMMENDATION

**That Council:**

1. notes the Submissions Report outlining the public consultation outcomes; and
2. endorses that Administration provides the Final Report pursuant to section 12(12) of the *Local Government Act 1999* to the Electoral Commissioner of SA with the following proposal:

- the principal member of Council continues to be a Mayor elected by the community;
  - area councillors are not introduced in addition to ward councillors;
  - the future elected body of Council comprise the Mayor and twelve (12) ward councillors;
  - the Council area continue to be divided into four (4) wards, as per the current ward structure, with each of the wards being represented by three (3) councillors; and
  - the wards continue to be named Glenelg, Somerton, Brighton and Seacliff.
- 

## **COMMUNITY PLAN**

Community: Fostering an engaged and contributing community

Culture: Providing customer-centred services

Culture: Enabling high performance

Culture: Being financially accountable

Culture: Supporting excellent, efficient operations

## **COUNCIL POLICY**

Community Consultation and Engagement Policy

## **STATUTORY PROVISIONS**

*Local Government Act 1999*

## **BACKGROUND**

On 9 July 2020, the Minister for Local Government declared that the City of Holdfast Bay must undertake a Representation Review by October 2021.

C L Rowe and Associates were engaged to undertake the review on behalf of Council (as a qualified person pursuant to Section 12(5) of the Act).

On 9 February 2021, Council endorsed the release of the Representation Review Options Paper for public consultation (Council Resolution No. C090221/2218).

On 25 May 2021, a Representation Review Submissions Report and an in-principle decision by Council resolved the content for the Representation Review Report presented at that meeting (Council Resolution No. C250521/2297), which was then endorsed for release for consultation.

## REPORT

Council undertook public consultation on the Representation Review Report (the Review Report), seeking written submissions from Thursday 18 June 2021 to 5pm on Friday 9 July 2021 (minimum of three (3) weeks). The public were notified of the Representation Review Report being available for public consultation by:

- notice in the Gazette on 18 June 2021;
- notice in the Advertiser on 18 June 2021;
- Council's webpage (<https://www.yourholdfast.com/representation-review>);
- via email to registered users on Council's database (1800 community members plus 3800 businesses);
- Council's twitter account each week;
- Council's LinkedIn account;
- Council's facebook page;
- Holdfast News – e-newsletter (approximate database of 1800); and
- display at Brighton Civic Centre and Brighton and Glenelg libraries.

The views of the community were collected via:

- Council's website;
- written submissions by email or letter, and
- hard copy survey forms available with copies of the Options Paper via the Civic Centre and Glenelg and Brighton libraries.

The outcomes of the consultation on the Review Report are detailed in the Submissions Report attached. There were a total of one hundred and twenty-three (123) visits on Council's Your Holdfast webpage. Twenty-three (23) submissions were received. In summary, the submissions included the following results:

- Of the 23 submissions received, 10 (43.5%) agreed with retaining the current ward and council structure, 13 (56.5%) did not agree.
- Of those who did not agree, 7 favoured a model of 8 councillors and 2 expressed a preference for whole of area Councillors, rather than wards.
- Five (5) submissions expressed views that the City of Holdfast Bay is over-represented.
- Five(5) submissions referred to the results of the previous round of consultation, expressing disappointment that Council did not follow the preference of 74% of respondents to reduce the number of Councillors .
- Of those who did agree, three specified that the existing structure was fair/working well.

*Refer Attachment 1*

Any person who made a written submission was advised that they could attend the Council meeting on 13 July 2021 to be heard on their written submissions, which occurred (in accordance with section 12(10) of the *Local Government Act*). One person elected to make a representation.

The next steps are for Administration to provide a Final Report to the Electoral Commissioner of SA (ECSA) with the Council's proposal for certification and gazettal (in accordance with section



12(12) of the *Local Government Act*). ECSA will consider whether the requirements of the *Local Government Act* have been satisfied.

ECSA has the discretion to either give certification or, if not satisfied, refer the matter back to Council together with a written explanation of the reasons for not certifying. If ECSA does not certify the proposal, Council will be required to undertake further community consultation (for a minimum of 3 weeks) on a revised proposal. Council must complete the Review process, including certification, by the end of October 2021. Should it not be able to complete the process, ECSA may determine a proposal for Council.

Once the Representation Review process is concluded, changes to the Council's composition would come into effect at the next Local Government election (circa November 2022).

#### **BUDGET**

The budget for the Representation Review was approved by Council on 8 September 2020 (C080920/2025). The project is slightly over budget due to advertising costs, however the shortfall is being covered by existing operational budgets.

#### **LIFE CYCLE COSTS**

Not applicable.

# Attachment 1



**SUBMISSIONS REPORT**

**ELECTOR REPRESENTATION REVIEW**

Second Public Consultation

A Report to the

**CITY OF HOLDFAST BAY**

JULY 2021

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### **ATTACMENT A - SUMMARY OF SUBMISSIONS**

## 1. INTRODUCTION

Section 12(4) of the Local Government Act 1999 (the Act) requires Council to undertake a review of all aspects of its composition and the division (or potential division) of the council area into wards, at least once in every period prescribed by the Minister for Local Government (generally eight years). Essentially, the objective of the review is to ensure fair and adequate representation of the electors within the council area.

The current review must be conducted and completed during the period October 2020 - October 2021.

At its meeting on the 25<sup>th</sup> May 2021 Council agreed ("in principle") as follows.

- The principal member of Council continues to be a Mayor elected by the community.
- Area councillors are not introduced in addition to ward councillors.
- The future elected body of Council comprise the Mayor and twelve (12) ward councillors.
- The Council area continue to be divided into four (4) wards, as per the current ward structure (refer Map 1), with each of the wards being represented by three (3) councillors.
- The wards continue to be named Glenelg, Somerton, Brighton and Seacliff.

Council also resolved to initiate the second of the prescribed public consultation stages.

Council has subsequently completed the second public consultation during which it presented, in accordance with the provisions of Section 12(9) of Act, its proposed future elector representation arrangement for consideration and comment by the local community.

Council must now consider the submissions received from the community and formally determine what elector representation arrangements it proposes to bring into effect at the next periodic Local Government elections in November 2022.

It should be noted that the recent *Statutes Amendment (Local Government Review) Act 2021* contains provisions which cap the number of members in a council at thirteen (13), unless an "exemption certificate" can be obtained; abolish the option of a Chairperson; and introduce an abridged review process. It is understood that these legislative provisions will likely not come into effect until after the next Local Government election in November 2022. This being the case, Council will need to complete its current elector representation review in accordance with the current provisions and requirements of the Act.

## 2. PUBLIC CONSULTATION

The second public consultation commenced on Thursday 17<sup>th</sup> June 2021 with the publishing of public notices in "The Advertiser" newspaper and the Government Gazette.

In addition, the consultation process included:

- the provision of a copy of the Representation Review Report on the Council website;
- the display of copies of the Representation Review Report at the Brighton Civic Centre and the two libraries;
- the provision of a news article on the Council website;
- the display of information pertaining to the review on the front page of Council's website and on the "Your Holdfast" survey/consultation platform;
- two (2) tweets and two (2) postings on Facebook;
- two (2) mentions in the "Holdfast News";
- the display of poster on the public noticeboard at Council's Brighton office; and
- the emailing of information to the Council database (5,093 participants).

At the expiration of the public consultation period on Friday 9<sup>th</sup> July 2021, Council had received twenty-three (23) submissions, twenty-two (22) via the website and one (1) via email. One respondent indicated a desire to address Council in support of his submission, and was afforded this opportunity at the Council meeting held on the 13<sup>th</sup> July 2021.

A summary of the submissions is provided in Attachment A. It is recommended that the elected members take the opportunity to read the comments provided by the respondents.

Whilst twenty-three (23) submissions represent only a very small sample (0.008%) of the eligible electors within the Council area (i.e. 28,433 as at the 23<sup>rd</sup> April 2021), they did provide some insight into the thoughts of the local community in regard to Council's proposal to retain its current composition and structure.

Overall, thirteen (13) or 56.5% of the respondents opposed the proposal to retain the current composition of Council and the existing ward structure; and ten (10) or 43.5% supported the proposal.



### 3. REVIEW PROCESS

Having completed the second of the prescribed consultation, Council is required to consider the submissions received from the community and either amend its proposal or *"finalise its report (including in its report recommendations with respect to such related or ancillary matters as it thinks fit)"*, pursuant to the provisions of Section 12(11) of the Act.

Should Council now prefer an alternative proposal, it will need to prepare another Representation Review Report and initiate another public consultation for a minimum period of three (3) weeks.

This course of action will obviously take additional time (perhaps 4 – 6 weeks) and may impact upon Council's ability to complete its review by the end of October 2021. If Council proceeds down this path, it would be prudent to advise the Electoral Commissioner of the extenuating circumstances and the action being taken.

On the other hand, if Council resolves to proceed with the proposal previously presented to the community in the Representation Review Report, it will simply have to formalise its decisions in respect to its desired future composition and structure; and proceed to prepare a detailed report outlining its proposal, the rationale behind its decisions and the review process undertaken. The report must then be forwarded to the Electoral Commissioner who will determine whether the requirements of the Act have been satisfied and whether certification is warranted (refer Sections 12 (12) and 12(13) of the Act).

Upon receipt of certification from the Electoral Commissioner, Council will be required to publish an appropriate notice in the Government Gazette (on a date specified by the Electoral Commissioner) which will effectively provide for the implementation of the proposed (certified) future composition and structure of Council at the November 2022 Local Government elections.

### 4. FUTURE COMPOSITION AND STRUCTURE

Council is now at the stage in the review process where it must either confirm (by formal resolution) its proposed future composition and/or structure, as presented in the Representation Review Report, or amend its proposal and initiate another public consultation for a minimum period of three (3) weeks.

When making its final decisions Council must be mindful that the primary purpose of the review is to determine whether the electors/community will benefit from an alteration to the current composition and/or structure of Council.

To finalise its review and initiate preparation of a comprehensive report to the Electoral Commissioner, Council must now make final decisions regarding the following.

- Whether the principal member of Council should continue to be a Mayor elected by the community, or a Chairperson (with the title of Mayor) who is chosen by and from amongst the elected members.
- Whether the Council area should continue to be divided into wards or whether wards should be abolished.
- If the Council area is to be divided into wards, which ward structure is favoured; whether there is a need for area councillors (and the required number thereof) in addition to ward councillors; the level of representation in each of the proposed wards; and the name of each of the proposed wards.
- The number of councillors (ward, area and/or both) that are required to provide fair and adequate representation of the electors within the Council area.

Information and advice pertaining to the aforementioned matters has previously been presented to Council in the Information Paper (November 2020); the Representation Options Paper (January 2021); the first consultation "Submissions Report" (April 2021); and the Representation Review Report (June 2021).

The following information is provided to assist the elected members with their final deliberations in respect to the key issues.

#### **4.1 Mayor/Chairperson**

The principal member of Council has always been a Mayor who is elected by the community.

The issue of whether the principal member of Council should be an elected Mayor or a Chairperson (appointed by and from amongst the elected members) was not specifically raised for comment during the second public consultation.

Council has previously agreed ("in principle") to retain an elected Mayor, citing the following to support this decision.

- A Mayor elected by the community is in accord with a fundamental principle of democracy – choice.
- The election of a Mayor affords all eligible members of the community the opportunity to express faith in a candidate, should they choose to do so, and provides Council with an identifiable principal member who is directly accountable to the community.
- The office of Mayor has served the City of Holdfast Bay well since its proclamation in 1997.
- The retention of an elected Mayor brings stability and continuity to the Council, given the four year term of office.
- Little practical benefit will likely be achieved by changing to a Chairperson at this time.

- The retention of an elected Mayor as the principal member is consistent with the structure of most councils in the state.

It should be noted that the provisions of the recent *Statutes Amendment (Local Government Review) Act 2021* abolish the option of a Chairperson. It is understood that this new legislative provision will likely not come into effect until after the Local Government election in November 2022. Given this situation, Council effectively has no option but to retain an elected Mayor as its principal member.

#### **4.2 Wards/No Wards**

The Council area has been divided into four (4) wards since 1999; and Council has previously agreed ("in principle") to retain this ward structure.

Whilst the recent consultation did not specifically seek further comment from the community in respect to the retention or abolition of wards, it is noted that only a couple of the recent submissions inferred support for the abolition of wards.

The main arguments supporting a ward structure include:

- wards guarantee some form and level of direct representation to existing communities of interest within, and/or parts of, a council area;
- wards ensure local interests and/or issues are not overlooked in favour of the bigger "council-wide" picture;
- ward councillors should have some empathy for, and an affiliation with, all the communities within their ward;
- under the "no wards" structure Council must conduct elections and supplementary elections across the whole of the Council area (at a significant expense);
- concern that a single interest group could gain considerable representation on Council under a "no wards" structure;
- the task and expense of contesting council-wide elections could be prohibitive, and therefore may deter appropriate/quality candidates;
- without wards Council must conduct elections and supplementary elections across the whole of the Council area (at a significant expense); and
- under the "no ward" structure the more popular or known councillors may receive more enquiries from the public (i.e. inequitable workloads).

It is suggested that the arguments in favour of wards are slightly weakened by the fact that ward councillors are not required to reside in the ward that they represent.

The benefits to be achieved through the abolition of wards include the following.

- The community will be afforded the opportunity to vote for all members of Council.
- The most favoured candidates from across the Council area will likely be elected, rather than candidates who may be favoured by the peculiarities of a ward-based system (e.g. elected unopposed candidates or having attracted fewer votes than defeated candidates in another ward).
- The elected members should not have parochial ward attitudes.
- The "no wards" structure is not affected by fluctuations in elector numbers, the on-going need to review elector distribution and/or ward boundaries, and/or the constraints of complying with quota tolerance limits.
- Existing "communities of interest" are not affected or divided by arbitrary ward boundaries.
- In the event that an area councillor leaves Council, the casual vacancy can be carried by Council, thereby avoiding the need for, and cost of, a supplementary election.
- The lines of communication between Council and its community should be enhanced, given that members of the community will be able to consult with any and/or all members of Council, rather than be obliged to consult with their specific ward councillors.
- Under the proportional representation voting system the "no wards" structure affords opportunities for smaller communities to be directly represented on Council, provided they can muster sufficient support for a preferred candidate.

The Council area covers only 13.72 km<sup>2</sup>, and therefore perhaps lends itself to being a single entity (as would be the case under the "no wards" scenario). Notwithstanding this, only ten (10) of the eighty-four (84) submissions received during the entire review process favoured the abolition of wards. This response is not compelling.

### **4.3 Ward Structure**

The current ward structure can be retained because the elector ratios in all of the existing wards lay within the specified 10% quota tolerance limits (refer Table 1).

Table 1: Current ward structure - elector numbers and elector ratios

Ward	Crs	H of A Roll	Council Roll	Electors	Ratio	% Variance
Glenelg	3	6,970	55	7,025	1:2,342	- 1.12
Somerton	3	7,154	25	7,179	1:2,393	+ 0.96
Brighton	3	7,115	12	7,127	1:2,376	+ 0.23
Seacliff	3	7,095	7	7,102	1:2,367	- 0.12
<b>Total</b>	12	28,334	99	28,443		
<b>Average</b>					1:2,370	

Source: Electoral Commission SA (23 April 2021)

Council has previously indicated that it favours the retention of the existing ward structure because it:

- comprises four (4) similarly sized wards;
- is a relatively simple configuration;
- exhibits a reasonably equitable distribution of electors between the proposed wards;
- exhibits ward elector ratios which all lay comfortably within the specified quota tolerance limits (and are therefore capable of sustaining any reasonable future fluctuations in elector numbers);
- has a consistent level of representation (i.e. three (3) councillors) in each of the proposed wards;
- will provide sufficient opportunities for aspiring candidates to pursue election to Council;
- will provide the opportunity for the ward councillors to work together in greater numbers to represent the ward and address the local ward issues;
- will provide a level of ward representation which will ensure continued representation within a ward under circumstances whereby a ward councillor is absent or unavailable;
- should maintain reasonable and manageable workloads for the ward councillors; and
- ensure that whole "communities of interest" are incorporated within a ward (i.e. no district/locality is divided between wards).

As previously mentioned, thirteen (13) or 56.5% of the twenty-three (23) submissions received during the second consultation stage of the review process opposed the proposal to retain the current ward structure, whilst ten (10) or 43.5% supported its retention.



This response was not dissimilar to the response received during the initial public consultation, when:

- twenty-four (24) or 39.34% of the sixty-one (61) submissions received favoured a four ward/eight councillor structure;
- fifteen (15) or 24.59% submissions favoured the retention of the existing composition and ward structure; and
- overall forty-six (46) or 75.41% of the submissions preferred a ward structure other than the current structure.

#### 4.4 Number of Councillors

Council has comprised twelve (12) ward councillors since 1997.

Whilst the second public consultation did not specifically seek feedback on the issue of a preferred number of councillors, thirteen (13) of the twenty-three (23) respondents opposed the proposed retention of twelve (12) councillors. In addition, eleven (11) of the respondents provided comments expressing support for fewer councillors. On the other hand, seven (7) respondents provided comments supporting the retention of the current number of councillors.

Council is reminded that, during the initial public consultation, sixteen (16) or 26.23% of the sixty-one (61) public submissions favoured the retention of twelve (12) councillors, whilst a total of forty-five (45) or 73.77% supported a reduction in the number of councillors (albeit to different levels).

Overall, throughout the course of the review a total of twenty-six (26) respondents favoured the retention of the current composition of Council, whilst fifty-eight (58) or 69.04% preferred a reduction in the number of councillors.

Sections 26 and 33 of the Act specify: *“the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term)”*.

Members are reminded that, following the previous elector representation review in 2012/2013, the then Electoral Commissioner advised that *“the City of Holdfast Bay has one of the lowest quotas within the metropolitan region and in future should give more consideration to the principles and matters under section 26 and 33 of the Act, particularly in relation to avoiding over-representation in comparison to councils of a similar size and type.”* Eight years on, it is unknown as to whether this warning by the previous Electoral Commissioner will influence the assessment and/or certification of the current review, should Council again decide to retain twelve (12) councillors.

In respect to the issue of over-representation, the data provided in Table 2 indicates that the City of Holdfast Bay is not dissimilar to the City of Norwood Payneham & St Peters, the City of Unley and/or the City of Burnside in regard to area, number of electors, number of councillors and/or elector ratio.

The obvious difference in elector ratio is evident when the arrangements of the City of Holdfast Bay are compared to the metropolitan councils which have slightly greater elector numbers (e.g. the City of West Torrens, the Campbelltown City Council and the City of Mitcham), all of which exhibit elector ratios over 1:3,000.

Table 2: Elector data and representation (Metropolitan Adelaide councils)

Council	Councillors	Electors	Elector Ratio
Walkerville (1.34 km <sup>2</sup> )	8	5,763	1:720
Gawler (41.10km <sup>2</sup> )	10	18,521	1:1,852
Prospect (7.81 km <sup>2</sup> )	8	14,990	1:1,874
Norwood Payneham & St Peters (15.1 km <sup>2</sup> )	13	25,790	1:1,984
Unley (14.29 km <sup>2</sup> )	12	27,505	1:2,293
<b>Holdfast Bay (13.72 km<sup>2</sup>)</b>	<b>12</b>	<b>28,433</b>	<b>1:2,369</b>
Adelaide Hills (795.1 km <sup>2</sup> )	12	29,468	1:2,456
Burnside (27.53 km <sup>2</sup> )	12	32,019	1:2,668
West Torrens (37.07 km <sup>2</sup> )	14	42,182	1:3,013
Campbelltown (24.35 km <sup>2</sup> )	10	36,176	1:3,618
Mitcham (75.55 km <sup>2</sup> )	13	48,841	1:3,757
Adelaide* (15.57 km <sup>2</sup> )	7	28,279	1:4,040
Playford (344.9 km <sup>2</sup> )	15	64,448	1:4,297
Port Adelaide/Enfield (97.0 km <sup>2</sup> )	17	86,605	1:5,094
Charles Sturt (52.14 km <sup>2</sup> )	16	87,838	1:5,490
Marion (55.5km <sup>2</sup> )	12	66,559	1:5,547
Tea Tree Gully (95.2 km <sup>2</sup> )	12	73,685	1:6,140
Salisbury (158.1 km <sup>2</sup> )	14	96,326	1:6,880
Onkaparinga (518.4 km <sup>2</sup> )	12	127,988	1:10,666

Source: Electoral Commission SA (23 April 2021)

\* City of Adelaide also comprises four (4) "area councillors".

Further, it should also be noted that the *Statutes Amendment (Local Government Review) Act 2021* "caps" the number of elected members in a council (including the principal member) at thirteen (13), although there are provisions which will enable councils to seek an "exemption certificate" under justifiable circumstances.



The retention of an elected Mayor and twelve (12) councillors, as per Council's previous "in principle" decisions, could potentially result in Council ultimately becoming one of the larger councils (in terms of elected member numbers) in the state.

A reduction in the number of elected members will serve to increase the elector ratio for the Council area (e.g. eleven councillors - 1:2,585; ten councillors - 1:2,843; nine councillors - 1:3,159; and eight councillors - 1:3,554). All of these alternatives will afford some cost savings to Council; and will be consistent with the elector ratios exhibited by the mid-sized metropolitan councils cited in Table 2.

Regardless, when reaching a final decision relating to its future composition, Council should be mindful of the need to ensure that:

- sufficient elected members are available to manage the roles and responsibilities of Council;
- the elected member's workloads do not become excessive;
- there is an appropriate level of elector representation;
- the potential for diversity in the skill sets, experience, expertise and backgrounds of the elected members is maintained; and
- adequate lines of communication will exist between the community and Council.

#### **4.5 Area Councillors (in addition to ward councillors)**

Section 52 of the Act indicates that councillors can be elected as a representative of a ward, or alternatively, to represent the Council area as a whole (whether or not the council area is divided into wards). If Council is intending to retain wards, it should determine whether area councillors are required in addition to ward councillors.

Ward councillors generally consider themselves to represent not only their ward, but the council area as a whole. This being the case, the need for area councillors in addition to ward councillors is questionable, an assertion which is seemingly supported by the fact that only the City of Adelaide has a structure which incorporates two levels of representation. Further, it is noted that under such an arrangement area councillors hold no greater status than a ward councillor; have no greater responsibilities than a ward councillor; and need not comply with any extraordinary or additional eligibility requirements.

In addition, any contested election (and/or supplementary election) for area councillors must be conducted across the whole of the Council area, at a significant cost to Council.

To date Council has not indicated the desire to introduce area councillors in addition to ward councillors. For the reasons previously provided during the review, it is considered that if the introduction of area councillors (in addition to ward councillors) would be an unwarranted, unnecessary and potentially costly additional tier of representation.

#### 4.6 Ward Identification

Wards can be identified through the allocation of numbers, alphabetical letters, direction or geographical references (e.g. north, south, east, west, central); place or suburb names; and/or names of European and/or Aboriginal heritage/cultural significance.

The existing ward names are acceptable; and are likely to be known by the community. As such, they can be retained, if they suit the ward structure which Council ultimately proposes to bring into effect.

The identification/allocation of appropriate ward names which have relevance and meaning to the local community is an important element of Council's structure. If Council requires more time to determine appropriate ward names, it could opt to complete the current review by simply identifying the proposed wards (for an interim period) with numbers (as per the Representation Review Report). The provisions of Section 13 of the Act enables Council to re-name wards at any time, subject to the conduct of a six-week public consultation and the publication of an appropriate final notice in the Government Gazette. This process could occur any time before the 2022 Local Government elections.

### 5. RECOMMENDATIONS

It is recommended that the City of Holdfast Bay consider the following.

1. Council resolve to receive and note the twenty-three (23) submissions received from the community during the second of the prescribed public consultation stages of the review.
2. Council resolve that the principal member of Council continue to be a Mayor elected by the community.
3. Council give further consideration to the future composition and structure of the City of Holdfast Bay, and either confirm its support for the future elector representation arrangements proposed in the Representation Review Report; or identify a preferred alternative option (i.e. number of councillors and/or a different ward structure, including ward names) which will need to be the subject of further public consultation.
4. Should it be determined that the current composition and ward structure of Council be retained, Council authorize the Chief Executive Officer to prepare and forward the necessary report and documents to the Electoral Commissioner, pursuant to the provisions of Sections 12(11) and 12(12) of the Act.

**ATTACHMENT A – SUMMARY OF SUBMISSIONS**

	Agree with Council's proposal?	COMMENTS
Respondent #1 HUNTFIELD HEIGHTS	No, I do not agree	<p>The current ward structure encourages the continuation of the pre amalgamation divide with the northern wards representing the city of gleneig and the southern wards representing the city of brighton. This structure continues the brighton v gleneig perspective of some members and the community who have never come to terms with the amalgamation in 1997.</p> <p>The retention of 12 members means that the city could be considered to be over represented when compared to other councils, and should be seriously considering a decrease in members, in this representation review, to either 3 wards represented by 3 members - 9 in total plus the Mayor or if the current ward structure is retained (which in my opinion it should not be) should be represented by 2 members in each ward, providing a council of 8 members plus the Mayor.</p> <p>This type of reduction in members would give the council a representation ratio in the range of 1:3100 to 1:3400 which would ensure that the council would not have to consider a reduction in members for a long time in the future and meet the intent of the Local Government Act which currently and in the future seeks Councils to consider a reduction in their numbers.</p> <p>Currently one elected member effectively is responsible for 1,143 square kilometres (council area/number of em's) and 2,325 electors, nine members would mean that they would be responsible for 1,52 square kilometres and 3,100 electors and eight members, 1,71 square kilometres 3,487 electors.</p> <p>Assuming that the Cities of Mitcham and Unley proceed with their proposed reduction in numbers (as proposed in their current representation reviews) this will leave the City of Holdfast Bay, if they retain 12 councillors, with a low elector ratio and should be considered as over represented in comparison with other councils of a similar size and type.</p> <p>A reduction in elected members would provide the council with significant savings in the payment of allowances, support, training, equipment and other costs associated with supporting the elected member body. These savings would contribute to reducing the pressure for rates increases. A reduction by 3 members would provide council a saving of \$70,044 in allowances alone, given the other associated costs this could be a cost saving of approximately \$85,000 per annum.</p>
Respondent #2 GLENELG NORTH	No, I do not agree	Only 8 councillors plus Mayor required
Respondent #3 SEACLIFF	Yes, I agree	I do like to keep the current structure as I feel the wards should be represented fairly and 3 councillors are needed to fulfil the duties in each wards. Mayor plays an important role in the running of the council and I prefer to be able to vote for the Mayor rather than leaving it to the councillors.
Respondent #4 GLENELG NORTH	Yes, I agree	Seems to work well with adequate representation for each ward and continuity of a mayor elected by the community
Respondent #5 NORTH BRIGHTON	Yes, I agree	Prefer elected mayor and ward structure to ensure democratic process and representation. Happy with report conclusions.
Respondent #6	Yes, I agree	I agree that 3 councillors per ward could allow for "tie-break" voting on matters
Respondent #7 GLENELG EAST	Yes, I agree	3 councillors per Ward is a fair representation of the populace
Respondent #8 HOVE	No, I do not agree	<p>The current ward ratio leans highly in favour of a change to lesser elected members eg: Eight plus a Mayor. The Chair person is more favourable however the new government regulations are taking this option out?</p> <p>The change recommended in the Summary of the Representation Review Submissions Report in regard to the number of elected members should be adhered to. Eg. states a reduction to eight or nine elected members.</p>

Respondent #9 GLENELG	No, I do not agree	I don't understand this process. Council consulted and: 40% said 8 councillors, 74% said less councillors and you are going with no change to numbers with no really valid reasons?! What is the point of consulting? I actually don't think I'll waste my time in the future if you don't listen to the answer when you ask a question. I DON'T care for the comparison with other councils in SA - they are running "fat" as well. Where is the comparison with areas where councils run efficiently ie economies of scale - e.g. Brisbane, some Vic Councils, areas of England etc. No wonder you only got 61 respondents, they were smart enough to know consultation isn't taken seriously. It's not the numbers of councillors or cut of the wards that people I speak to really want to change. It's LESS councils overall. Less overlap of spend on: procurement, finance, HR, middle management, ICT, etc by having the vast numbers of councils in South Australia. They compete against each other for staff, contractors, State and Federal money etc. Think of the future - attempt to amalgamate with others. Look for economies of scale.
Respondent #10 SEACLIFF	No, I do not agree	Reduce councillors to eight plus mayor
Respondent #11 SOUTH BRIGHTON	No, I do not agree	4 wards is fine but 3 councillors per ward is not beneficial. In the 14 years I have lived in the Seacliff Ward not once has a Councillor knocked on my door to ask about my concerns. Again, I am happy with the 4 ward structure and the names of the wards but we are over represented in comparison to most other councils. The cost of 4 extra councillors is money that could be spent on more useful projects.
Respondent #12 HOVE	Yes, I agree	<p>I think councilors are in some cases elected on a smaller community ward representation.</p> <p>Whilst i firmly believe all ward representatives are dedicated to their community they represent.</p> <p>I think a voting system of wider community involvement would generate a better level of community involvement and support for council decisions.</p> <p>Registered community members could vote via an electronic registration on projects and developments. Email/ facebook/ Whats/ App or Survey Monkey are just a few readily available.</p> <p>Suburban Infill and State planning regulations are becoming much more intrusive,</p> <p>I think a more consistent and united community voice will need to be able to be rallied and heard to address political changes effecting our community.</p> <p>The Hove Rail crossing is a current example.</p> <p>Given the area focus on beach side attractions possibly a more marketable type name might be a better way to promote the area. Brighton /Hove all reflect relatively poor quality UK beaches compared to our beaches and attractions.</p> <p>A single collective name for all areas would say more for people visiting SA</p> <p>We have very good events and local areas that offer world class beaches shopping strips ,food and beverages.</p> <p>Barossa Valley represents a range of towns but is internationally recognised as the wine capital.</p>
Respondent #13	Yes, I agree	No comment
Respondent #14	Yes, I agree	yes i believe that a mayor should be elected and that there should be 3 councillors per ward - works well as it is so why change it



Respondent #15	No, I do not agree	<p>It is costly an inefficient. It requires 5 election and councillor voter ratio is very low. Just over 2000 residents per councillor.</p> <p>There is no point in speaking as councillors have made up their mind. As in 2013 which recommended a reduction in Holdfast Bay councillors, greedy self interest has prevailed. The budget for elected members is \$530,000 for 20/21 and this is a big hit to ratepayers.</p> <p>Holdfast Bay is a small council and does not need approximately 10% of its budget keeping elected members who by comparison with other councils that have 5 times the number of residents to councillors.</p> <p>There is simply not the work there to justify the expenditure on the extra allowances.</p> <p>The repor suggests no wards but two wards of 4 councillors would be the most cost effective and still provide a councillor to residents ratio well below larger councils.</p> <p>But it is clear councillors have pre decided and ignored economics and resident feedback.</p>
Respondent #16	No, I do not agree	I think there would be better representation from councillors if they represented the whole area.
Respondent #17 GLENELG EAST	Yes, I agree	review again annually
Respondent #18	No, I do not agree	<p>I would like to see 2 councillors per ward</p> <p>Am quite happy with the number and names of wards</p>
Respondent #19 GLENELG	Yes, I agree	Fully agree with the reasons for Council's "in principle" decisions.
Respondent #20 SOMERTON PARK	No, I do not agree	<p>74% of responders in phase 1 favoured a reduction in Crs. Please do not ignore the people, even though self-interest is suggesting you will! Council is too small to have 12 Councillors. Like the majority, I favor 8 Crs in total i.e. 2 per existing ward plus a Mayor elected at large. The cost savings are obviously an advantage to rate-payers, but a smaller Council will likely be more collegiate and progressive. Hopefully this will encourage focussing on stragegic issues rather than minutia the staff can handle. I note Council meetings are very short with the last one taking just 42 minutes. Holdfast Bay is currently over-represented.</p> <p>Please look to the future and make reforms which create a leaner Council.</p>
Respondent #21 BRIGHTON	No, I do not agree	<p>It's disappointing to say the least, that Elected Members do not have any regard for the feedback we the people of Holdfast provide in council consultations. Over 60 members of the community took the time to express our opinion (compared to 3 last time) and our feedback was ignored. It's a sad state of affairs that its becoming a well known fact that if if not what they want to hear in the consultation, theres is an excuse as to why the community voice doesn't count. It raises the question, 'who's interest are they truely serving?'</p>
Respondent #22 BRIGHTON	No, I do not agree	<p>I agree with retaining the wards and having a mayor rather than a chairperson, but I disagree with maintaining three councillors per ward.</p> <p>I believe we are over represented, and there would be significant efficiencies by reducing the number of councillors.</p> <p>It is very disappointing to see that, despite the vast majority of respondents from the previous survey favouring a reduction in the number of councillors, the final proposed structure retains the status quo. What is the value in asking the community, and not listening to them?</p>
Respondent #23	No, I do not agree	

**APPENDIX 17**



Representation Quotas 2019 - 2020  
Local Government Association of SA

COUNCIL ELECTED STRUCTURE & REPRESENTATION TABLE As at 28/02/2020	Note 1 Electors	Note 1 Total Members (inc. Mayor)	Note 1 Represen- -tation quota*	Note 1 Mayor or chair- -person M/C	Note 1 Number of Wards	Note 1 Number of Area Council- -ors	Note 2 Aust Class. of LG (ACLG)
Clare & Gilbert Valleys	6769	10	679	M	0	0	RAL
Coorong	3764	9	420	C	3	0	RAL
Grant	5475	10	547	M	0	0	RAL
Adelaide Plains	6137	10	618	M	0	0	RAL
Mid Murray	6521	10	652	M	0	0	RAL
Naracoorte Lucindale	5551	11	531	M	0	0	RAL
Northern Areas	3329	9	377	C	4	0	RAM
Renmark Paringa	6499	9	722	M	0	0	RAL
Tatiara	4173	10	447	M	0	0	RAL
Wakefield Regional	4782	10	478	M	3	0	RAL
Barunga West	1986	9	220	C	0	0	RAM
Ceduna	2096	9	232	M	0	0	RAM
Goyder	3029	7	432	C	4	0	RAM
Kangaroo Island	3510	10	351	M	0	0	RAM
Kingston	1841	8	230	M	0	0	RAM
Lower Eyre Peninsula	3779	7	539	C	0	0	RAL
Mount Remarkable	2145	7	306	C	2	0	RAM
Peterborough	1214	9	134	M	0	0	RAS
Southern Mallee	1321	7	188	C	0	0	RAM
Tumby Bay	1987	7	283	M	0	0	RAM
Yankalilla	4262	9	473	C	2	0	RAM
Cleve	1227	7	175	C	0	0	RAS
Elliston	737	8	92	C	0	0	RAS
Flinders Ranges	1209	9	134	M	0	0	RAS
Franklin Harbour	888	6	148	C	0	0	RAS
Karoonda East Murray	745	7	106	M	0	0	RAS
Kimba	823	7	117	C	0	0	RAS
Orroroo Carrieton	670	6	111	C	0	0	RAS
Robe	1304	7	186	M	0	0	RAS
Streaky Bay	1583	8	197	C	2	0	RAM
Wudinna	823	7	117	C	0	0	RAS
Alexandrina	20830	12	1735	M	5	0	UFS
Barossa Council	17947	12	1495	M	0	0	UFS
Berri Barmera	7330	9	814	M	0	0	RAV
Copper Coast	11405	10	1140	M	0	0	RAV
Light Regional	10536	11	957	M	4	0	RAV
Loxton Waikerie	8171	11	742	M	0	0	RAV
Murray Bridge	14625	10	1462	M	0	0	URS
Port Pirie	12881	10	1288	M	0	0	RAV
Victor Harbor	12463	10	1246	M	0	0	URS
Wattle Range	8471	12	705	M	4	0	RAV
Yorke Peninsula	8878	12	739	M	3	0	RAV
Adelaide	27533	12	2294	M	0	4	UDL
Charles Sturt	26130	17	5067	M	0	0	UDL
Marion	23522	12	5040	M	0	0	UDL
Port Adelaide Enfield	24010	12	4717	M	7	0	UDL
Salisbury	22420	15	6361	M	7	0	UDV
Tea Tree Gully	72372	13	5644	M	0	0	UDL
Burnside	31624	13	2432	M	6	0	UDM
Campbelltown	35575	11	3234	M	5	0	UDM
Holdfast Bay	27899	13	2146	M	4	0	UDM
Mitcham	48514	14	3465	M	6	0	UDM
Norwood P'ham St P.	25344	14	1810	M	6	0	UDM
Unley	27247	13	2095	M	6	0	UDM
West Torrens	41419	15	2761	M	7	0	UDM
Prospect	14825	9	1647	M	4	0	UDS
Walkerville	5720	9	635	M	0	0	UDS
Adelaide Hills	29807	13	2292	M	2	0	UFM
Playford	62301	16	3893	M	5	0	UFL
Gawler	17914	11	1628	M	0	0	UFS
Onkaparinga	125741	18	9672	M	6	0	UFV
Cooper Pedy	870	9	107	M	0	0	URS
Mount Barker	22522	11	2326	M	3	0	URM
Mount Gambier	19951	9	2154	M	0	0	URS
Port Augusta	9421	10	949	M	0	0	URS
Port Lincoln	10472	10	1047	M	0	0	URS
Roxby Downs <sup>e</sup>	-	-	-	-	-	-	URS
Whyalla	15369	10	1536	M	0	0	URS
<b>TOTAL</b>	<b>1232618</b>	<b>689</b>	<b>^1763</b>	<b>M=52 C=15<sup>f</sup></b>	<b>142</b>	<b>4</b>	

<sup>a</sup>Statewide average representation quota

<sup>b</sup>representation quota for the purpose of Schedule 4 (annual reports) of the Local Government Act 1999 was amended in 2002 to include all Members including Mayors

# Roxby Downs does not yet have an elected Council

Note 1: Derived from information provided by the Electoral Commission of SA, current as at last collection of elector figures statistics for House of Assembly and Council Supplementary roll (28/2/2020)

Note 2: Refer appendices <<http://regional.gov.au/local/publications/reports/>> for a full explanation of ACLG

Representation Quotas 2019 - 2020  
Local Government Association of SA

ACLG labels stand for:

DME 56794

Urban Capital City (UCC)  
Urban Development Small (UDS)  
Urban Development Medium (UDM)  
Urban Development Large (UDL)  
Urban Development Very Large (UDV)  
Urban Fringe Small (UFS)  
Urban Fringe Medium (UFM)  
Urban Fringe Large (UFL)  
Urban Fringe Very Large (UFV)  
Urban Regional Small (URS)  
Urban Regional Medium (URM)  
Urban Regional Large (URL)  
Urban Regional Very Large (URV)

Rural Significant Growth (RSG)  
Rural Agricultural Small (RAS)  
Rural Agricultural Medium (RAM)  
Rural Agricultural Large (RAL)  
Rural Agricultural Very Large (RAV)  
Rural Remote Extra Small (RTX)  
Rural Remote Small (RTS)  
Rural Remote Medium (RTM)  
Rural Remote Large (RTL)

**APPENDIX 18**

## Nicole Roberts

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**From:** Nicole Roberts  
**Sent:** Monday, 31 May 2021 11:37 AM  
**To:** clowe@internode.on.net  
**Cc:** Peta Daley  
**Subject:** LGAP20017 - City of Holdfast- Council Reasons for Retain 12 Elected Members plus Mayor

Hi Craig,

Following my email advising of the resolution of Council relating to our Council's Representation Review I can advise that in the meeting a few of the Councillors provided the following reasoning for retaining the current Council structure and composition:

- The Local Government Reform Bill is being reviewed from limiting Councils to 12 elected members to 13 elected members (including the Mayor).
- Only 61 members of the public provided a response on the representation review.
- The current structure makes Councillors readily available to the public with a diverse range of elected members
- Less members makes it harder to become an elected member representing the community
- The current structure works well for the City of Holdfast Bay.
- Less elected members would be too time consuming for elected members to be able to respond to the communities needs impacting on the community. Elected members currently received a high volume of communications from residents and businesses. With less elected members this would be too much for members to manage and also result in longer response times to the community.
- For elected members to provide the same level of service to the community the Council needs the same number of elected members.
- Changing ward boundaries could cause confusion to the community.

From our discussion yesterday you advised you had a copy of the September 2013 review which you completed and we assume some of the reasons for the structure being 13 from this could be applicable too. If you require anything further let me know.

you could provide the Representation Review Report to me **today** for our Council Meeting next week (Agenda is being finalised today and tomorrow for CEO approval). Thank you

Regards

Nicole



**NICOLE ROBERTS**  
Team Leader Governance  
City of Holdfast Bay  
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nroberts@holdfast.sa.gov.au  
holdfast.sa.gov.au



Item No: **15.3**

Subject: **GREEN ADELAIDE NATIONAL PARK CITY CHARTER**

Date: 12 October 2021

Written By: Team Leader Environment and Coast

General Manager: Assets & Delivery, Mr M de Heus

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### **SUMMARY**

Green Adelaide have returned a final version of the Adelaide National Park City Charter and invited the City of Holdfast Bay to sign it to demonstrate our support for the proposal.

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### **RECOMMENDATION**

**That Council approves for the Mayor to sign the National Park City Charter on behalf of the City of Holdfast Bay.**

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### **COMMUNITY PLAN**

Placemaking: Creating lively and safe places  
Placemaking: Developing walkable connected neighbourhoods  
Placemaking: Building character and celebrating history  
Community: Building a healthy, active and resilient community  
Community: Providing welcoming and accessible facilities  
Community: Fostering an engaged and contributing community  
Environment: Protecting Biodiversity  
Environment: Building an environmentally resilient city  
Environment: Fostering an environmentally connected community

### **COUNCIL POLICY**

Environment Strategy 2020-2025

### **STATUTORY PROVISIONS**

Not Applicable.

**BACKGROUND**

In June 2021 Green Adelaide wrote to all Metropolitan Council Mayors and Chief Executive Officers with a proposal for the City of Holdfast Bay to support their nomination for Adelaide to become a National Park City.

*Refer Attachment 1*

On 13 July 2021, Council considered the proposal and approved in-principle support for the proposal and that a further report be brought to Council for consideration once the Adelaide National Park City Charter had been developed (Motion C130721/2343).

Two Council staff attended a workshop held by Green Adelaide to contribute to the development of the final charter.

**REPORT**

Green Adelaide has now returned a final version of the Adelaide National Park City Charter and has written to all Metropolitan Council Mayors and Chief Executive Officers inviting them to sign the charter.

*Refer Attachment 2*

They have also provided a list of answers to Frequently Asked Questions.

*Refer Attachment 3*

Signing the Charter demonstrates our support for the proposal and does not oblige us to any commitment after signing. There is no intention for Adelaide National Park City to duplicate or replicate work already happening, rather it is about showcasing and encouraging action.

Administration recommend signing the Charter.

**BUDGET**

Not Applicable

**LIFE CYCLE COSTS**

Not Applicable

# Attachment 1





17 June 2021

Dear Mayors and CEO's

**Re: Local Government and Green Adelaide 3 June forum**

Thank you for taking the time to again meet with the Green Adelaide board on 3 June at the Thebarton Community Centre. Your commitment to the day highlights our shared aspiration to have strong partnerships based on our common grounds as they relate to each of our greening agendas.

On the day, we acknowledged our December 2020 meetings with you and how your shared green agendas have been incorporated and recognised in both our **Regional Landscape Plan 2021-26** and our **Annual Business Plan 2021-22**. Both these documents are currently with the Minister for Environment and Water, seeking his endorsement. We will provide copies as soon as we are able.

In highlighting our annual business plan we talked about the four iconic programs being pursued. We spoke in particular about the first two, and signalled our interest in progressing conversations in relation to the second two at a future meeting.

*Iconic projects*

Greening our streets and backyards  
Making Adelaide a National Park City  
Rewilding our rivers and coastline  
Restoring culture

We also provided an overview of our financial status and highlighted that we are wanting to better synchronise our budget planning cycle and priorities with the collective of Councils, and that this may take a few funding cycles to resolve. This is also in acknowledgement of our different legislative responsibilities. Until then, we feel that our 2021/22 annual Business Plan is nudging us closer together.

Also on the back of our December meetings, you asked us to take the lead on coordinating the **canopy cover and heat mapping** across the 17 councils, to ensure a consistent and comparable dataset from which good decisions can be made. To that end, we have gone to market and can confirm that estimates for this work are in the order of \$500,000. The majority of the costs can be sourced from Green Adelaide and collaborating state agencies. The outcomes of this work can be made better if Councils could contribute up to \$10,000 each, to enable all partners to consistently make strategic, evidence based decisions to maximise the impact of our collective greening investments. For further details, please see the attached proposal for your consideration.



The final matter discussed was **Adelaide National Park City**. Green Adelaide is vying for metro-Adelaide to become the second city to gain National Park City status. London became the first National Park City in 2019 and there's the goal of 25 cities by 2025 having this title. Being a National Park City brings international recognition to the collective effort of citizens to create an urban landscape that results in stronger social connections and wellbeing because of their care for the environment and being active in transforming how we live while facing the challenges of climate change and urban densification.

Earning the reputation of being a National Park City (NPC) is expected to improve the wellbeing of people, the liveability of the city and the financial strength of the city by creating nature based employment and circular economies to name a few outcomes. We all stand to benefit from this collective movement towards living with Nature in the city.

There is a rigorous assessment path that needs to be taken to achieve NPC status. One of them is to have majority community support, and another is for the city to have a Charter for people to sign. Green Adelaide is currently connecting with over 100 key influencers across Adelaide to start crafting this Charter, one that is built on the Universal NPC Charter. From our investigations, the collective effort of all the Greater Adelaide Councils, in delivering on your own community strategies, means that we're already meeting the expectations of a National Park City. Some of you are already Tree City members or Mayors for Climate Change Action. These are examples of the attributes that make for a multi-jurisdictional push towards being a NPC. Our intention is to keep building on that momentum, for being a city who lives with nature and is transforming to being a liveable city in the face of climate change.

We're starting as a government (Green Adelaide) led movement, but we want to hand this movement over to the community when the time is right. We want to co-design this Charter with key influencers - including Councils. Who from your staff should we connect with, to start shaping the vision and Charter for Adelaide as a National Park City? Will you join with Green Adelaide to sign the Adelaide NPC Charter in late July, when we have it completed? To coordinate your support, we propose to draft a motion for your Council to consider. We will also work with the Greater Adelaide Regional Organisation of Councils to consider and promote this approach to your organisations.

This is an exciting new venture, and The Advertiser's polling of the citizens of South Australia on World Environment Day (5 June) will help us shape the journey. Within days, over 600 people indicated that they want to play a role – this ranges from individuals to businesses. The movement has started.

To summarise the feedback we are seeking from each council: can you please contact Brenton Gear (Director Green Adelaide) directly, with your response to:

- **Would your Council be able to contribute \$10,000 towards the heat mapping and canopy cover work?**
- **Is Council, through the Mayor, willing to join Green Adelaide in signing an Adelaide National Park City Charter in late July?**
- **Who, from Council, can be part of a LG workshop to influence this Charter over the coming weeks?**
- **With support of a suitable motion "template" (initial draft version enclosed) are you able to discuss this in the Council Chamber?**



This letter is both a summary of the forum of 3 June and also an update for the Mayors and Chief Executives who were unable to attend on the day. To keep the momentum going, I look forward to your responses to our questions. I have included a copy of the presentations used on the day as a reminder of the content.

I appreciate hearing back from you on the above matters, and equally I look forward to our next steps. Please contact Brenton Gear at [Brenton.grear@sa.gov.au](mailto:Brenton.grear@sa.gov.au) or 0428 823 622 with your thoughts on these questions.

Yours sincerely

A handwritten signature in blue ink that reads "Chris Daniels".

**Chris Daniels**  
Presiding Member  
Green Adelaide Board

Enc. 1. Urban Heat & Canopy Cover Proposal  
2. NPC motion template  
3. Presentation – 3 June



# Attachment 2



# ADELAIDE NATIONAL PARK CITY\*

## CHARTER



Adelaide National Park City is a movement to improve greater Adelaide's liveability through a better connection between people and nature. It extends across the northern plains, eastern hills, southern vales and out into the marine environment.

Let's all work together to create a cooler, greener and wilder Adelaide and beyond.

Let's create a city that is rich with nature, and a place where people take action to be better connected with the environment and each other.

### We are working together for better:

- ✳ Thriving urban spaces for nature and people
- ✳ Collective decision-making, learning and local action
- ✳ Air, land, freshwater and marine habitats for plants and animals
- ✳ Connections between people and nature, Kurna Yarta (Country) and community
- ✳ Health and wellbeing, diversity and inclusion
- ✳ Climate resilience
- ✳ Shared stories and celebrations

### Sign the Charter

Sign this Charter to show your commitment to working together for Adelaide National Park City.

PRINT NAME: ..... ORGANISATION: .....



SIGN HERE

DATE: .....

### Marni ngadlu tampinhi ngadlu Kurna yartanga inparrinhi

*It is good that we all acknowledge we are living on Kurna Country.*

- ✳ What if we restored nature wherever we can? ✳ What if everybody could lose themselves in nature without leaving the city? ✳ What if we shared more knowledge, ideas, tools and experiences to connect with nature? ✳ What if there was more space for reconciliation with Kurna Miyurna (Kurna People) and recognition that all living things are a part of Kurna Yarta (Country)? ✳ What if more people grew their own food? ✳ What if there were more beautiful sights and sounds in the city? ✳ What if we thought more about those who will be living in the city seven generations from now? ✳ What if there was more celebration and spontaneity? ✳ What if we did more to care for the people, places and nature we are interdependent with? ✳ What if we had more balance and harmony within ourselves, our city and our world? ✳ What if there was better communication and collaboration between all levels of government and community?



# Attachment 3





## Frequently Asked Questions

### **What is a National Park City?**

It's a place, a vision and a community that is working together to make life better for people and nature. A National Park City recognises the value of urban life, habitats, landscapes, people and culture, and seeks to apply appropriate National Park principles to whole cities.

This is part of a timely global initiative designed to inspire action at all levels to improve the nature and well-being of cities, their people and their places. The first National Park City is London, and while Adelaide is likely to become the second, many other cities are also working towards this goal.

### **How does a city become a National Park City?**

To become a National Park City, a submission must be made to the National Park City Foundation which responds to the 23 criteria included in the *National Park City Journeybook*. This submission then goes through an assessment process, before a decision is made.

### **Who is behind making Adelaide a National Park City?**

Green Adelaide is leading the campaign to make Adelaide a National Park City, and will be presenting its submission to the National Park City Foundation in November 2021.

### **Is this just for the Adelaide CBD?**

The proposed Adelaide National Park City covers all of greater Adelaide. This includes the northern plains, eastern hills, southern vales and marine environment, plus the city centre.

### **What is a National Park City Charter?**

The Charter is a short document that sets out Adelaide's vision, aims and values as a National Park City. By signing the Charter, you are demonstrating your support for an Adelaide National Park City. This is a key step required by the National Park City Foundation.

### **What can I do to help?**

One of the first steps to become an Adelaide National Park City is demonstrating support to the international National Park City Foundation. Please sign the Charter and share it with your friends, family, and colleagues.

### **What is my (organisation's) obligation if I sign the Charter?**

Signing the Charter shows that you support Adelaide becoming a National Park City. There is no expectation or obligation that you must do anything after you've signed the Charter. However, if you'd like to take further action to contribute to making Adelaide a National Park City, you can find some ideas on [our website](#).





## Frequently Asked Questions

### **What will happen if Adelaide becomes a National Park City?**

Green Adelaide will continue to provide governance and resourcing for Adelaide National Park City as awareness and support grows. This will be done through the implementation of an action plan currently in development.

When the time is right, there will be a process whereby individuals, as representatives from a diverse range of sectors and organisations, will be invited to be part of the ongoing Adelaide National Park City leadership group or alliance. There is no strict timeframe for this to happen.

Adelaide National Park City is designed to have a long life. This is a global movement to improve the health and wellbeing of cities around the world.

### **Will Adelaide becoming a National Park City duplicate work already happening?**

There is no intention for Adelaide National Park City to duplicate or replace work already happening. Rather, success for Adelaide National Park City is about showcasing and encouraging action to connect people with nature in our city. This will involve identifying both new and current projects and programs that could further increase the liveability of greater Adelaide if multiplied or scaled-up across the landscape, and encourage community and organisations to make this to happen.

Adelaide National Park City will recognise and champion great work already being done by local governments and their communities.

### **Will local government continue to be involved?**

Green Adelaide is committed to continuing to engage with local government once Adelaide has become a National Park City. Some of this will be through existing partnerships and projects, and there will also be a local government network established which will include nominated staff from your organisation. This network will help to determine opportunities for further involvement.

Item No: **15.4**

Subject: **STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) ACT 2021 – IMPLEMENTATION OF COMMENCED PROVISIONS**

Date: 12 October 2021

Written By: Manager Strategy and Governance

General Manager: Strategy and Corporate, Ms P Jackson

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### **SUMMARY**

The *Statutes Amendment (Local Government Review) Act 2021* (the Review Act) was assented to by the Governor on 17 June 2021, and the first round of changes commenced on 20 September 2021.

The Local Government Association (the LGA) advised that the first round changes were not expected to result in significant policy changes, however, two Council policies do require amendment.

There are also a number of matters that do not require policy amendment but that would be of interest to Elected Members. Information Sheets from the LGA are provided.

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### **RECOMMENDATION**

#### **That Council:**

- 1. approves the amended Elected Members Entitlements Policy (Attachment 2);**
  - 2. rescinds the Informal Gatherings of Council Policy (Attachment 3), noting relevant provisions are now contained in the *Local Government Act 1999*; and**
  - 3. notes the four information sheets provided by the LGA as Attachments 4 to 7.**
- 

### **COMMUNITY PLAN**

Culture: Enabling high performance

Culture: Supporting excellent, efficient operations

**COUNCIL POLICY**

Elected Members Entitlements Policy  
Informal Gatherings Policy

**STATUTORY PROVISIONS**

*Local Government Act 1999*  
*Statutes Amendment (Local Government Review) Act 2021*  
*Equal Opportunity Act 1984*

**BACKGROUND**

The Local Government Review Bill 2020 (the Bill) was introduced in the House of Assembly by the Minister for Transport, Infrastructure and Local Government on 17 June 2020. After many amendments through the Parliamentary process, the Bill was passed by the Legislative Council on 8 June 2021 and assented to by the Governor of Australia on 17 June 2021. Some provisions of the *Statutes Amendment (Local Government Review) Act 2021* (the Review Act) commenced on 20 September 2021, with most scheduled to commence later this year and beyond.

On 10 August 2021 (Report 264/21) Council were advised that the Local Government Association (LGA) had been working closely with the Office of Local Government on a commencement timeline. The sections that were proposed for 'Round 1' commencement were expected to be matters where council wouldn't need to take specific action to update documents, policies or provide training.

However, a review of provisions that commenced 20 September 2021 has found that two Council policies do require amendment.

**REPORT**

One of the reform provisions which became effective on commencement (20 September 2021) was the repeal of Section 78A of the *Local Government Act 1999* (the LG Act). Section 78A provided for the establishment of a scheme (via regulation) to enable a council member to obtain legal advice at the expense of council to assist them in performing or discharging official functions and duties. No such scheme was ever established and the section has now been deleted from the Act. Council's Elected Members Entitlements Policy refers to section 78A and must now be updated.

The LGA has also recommended that the Elected Members Entitlements Policy be updated to incorporate reference to Section 55A of the LG Act, to ensure the prohibitions relating to receipt of a council member allowance payment and use of council resources during a period of leave in order to contest an election, under Section 55A of the LG Act is explicitly referenced.

A version showing proposed changes (Attachment 1) and a final amended version (Attachment 2) are provided.

*Refer Attachments 1 and 2*

A new section 90A relating to information or briefing sessions, replaces the informal gathering provisions in the LG Act. While all the ramifications of the legislative changes are not yet clear, it is clear that the Information Gatherings of Council Policy should now be rescinded. This recommendation is made on the basis that a policy is not required by the legislation, and the current policy is, in parts, inconsistent with the new legislative provisions. A copy of that policy is attached for reference.

*Refer Attachment 3*

There are also a number of matters that do not require policy amendment but may be of interest to Elected Members. Information Sheets from the LGA are provided as follows:

- Functions and principles of a Council (Attachment 4)
- Clarifying the roles of the Principal Member (Attachment 5)
- Clarifying the roles of Council Members (Attachment 6)
- Elected Member Allowances (Attachment 7)

*Refer Attachments 4 to 7*

Council members should also be aware that 87(6e) of the *Equal Opportunity Act 1984* (EO Act) has been amended. Council members subjected to sexual harassment by another council member may now make a complaint to the Equal Opportunity Commissioner under the EO Act. The Office of the Commissioner for Equal Opportunity website ([www.eoc.sa.gov.au](http://www.eoc.sa.gov.au)) has information regarding the complaint process.

Various aspects of provisions relating to Chief Executive Officer remuneration, appointment and performance review also commenced on 20 September 2021, however, no actions are required at this time. Relevant actions are currently being evaluated and will be the subject of a separate Report in due course.

**BUDGET**

There is no budget impact for Council.

**LIFE CYCLE COSTS**

There are no life cycle costs arising from the recommendations in this report.

# Attachment 1



Classification:	Statutory Policy
Trim Container	FOL/18/2382
Trim Document Number:	DOC/18/80053
Approved:	Council Meeting 27 November 2018
Last Reviewed:	<del>25 November 2014</del> <u>27 November 2018</u>
	<del>29 September 2021</del> <u>27 November 2018</u>
Next Review:	27 November 2022
Responsible Officer:	Team Leader, Governance
Date Placed on Web:	28 November 2018

**1. PREAMBLE**

**1.1 Background**

Section 76 to 80 of the *Local Government Act 1999* (the Act) provides for allowances and reimbursements that Elected Members will receive and those which City of Holdfast (Council) may approve for certain prescribed expenses incurred by Elected Members.

The *Local Government (Members Allowances and Benefits) Regulations 2010* (the Regulations) in regulation 6 sets out the types of expenses that may be reimbursed under section 77(1)(b).

**1.2 Purpose**

Elected Members should not be ‘out of pocket’ as a result of performing and discharging their Council functions and duties.

The adoption of this policy provides authority for Elected Members to obtain reimbursement of those expenses.

The Council will ensure that the payment of Elected Member allowances and the reimbursement of expenses is accountable, transparent and in accordance with Chapter 5, Part 5 of the Act and the Regulations.

**1.3 Scope**

This policy applies to all Elected Members of the City of Holdfast Bay.

It summarises the provisions of the Act and Regulations in respect to Elected Member allowances, the provision of facilities and support, the different types of expenses, the circumstances in which those expenses will be or can be reimbursed and what benefits Council members receive that must be recorded for the purposes of maintaining the Register of Allowances and Benefits.

# ELECTED MEMBERS ENTITLEMENTS POLICY

It specifies the types of expenses incurred by Elected Members that will be reimbursed without specific approval of Council each time.

## 1.4 **Definitions**

**Act** means the *Local Government Act 1999*.

**Elected Member Code of Conduct** (the Code) means the Code of Conduct for Council Members as prescribed for the purpose of section 63 of the Act, as gazetted by the Minister from time to time.

**Eligible Journey** means as defined in regulation 3 of the Regulations, a journey (in either direction) between the principal place of residence, or a place of work, of a member of the council and the place of a prescribed meeting.

**Function** means:

- An official Council function including mayoral receptions, opening ceremonies, dinners, citizenship ceremonies and official visits or
- Attendance at meetings of community groups and/ or organisations as a Council appointed delegate (but not attending meetings of community groups or organisations when fulfilling the role of local representative).

**Prescribed Meeting** means as defined in regulation 3 of the Regulations, in relation to a member of council, means a meeting of council or council committee or an informal gathering, discussion workshop, briefing, training course or similar activity which is directly or closely related to the discharge of the roles or duties of the member.

**Regulations** means the *Local Government (Members Allowances and Benefits) Regulations 2010*.

## 1.5 **Strategic Reference**

A Place that provides Value for Money.

## 2. **POLICY STATEMENT**

2.1 The Chief Executive Officer of the Council is responsible for:

- a. Implementing expense reimbursement procedures in accordance with this policy
- b. Maintaining a Register of Allowances and Benefits as prescribed in section 79 of the Act and regulation 7 of the Regulations
- d. Ensuring that a copy of this policy is available for inspection and/or purchase by the public and
- e. Ensuring that a Gifts Register is maintained and available on the Council's website.

2.2 Pursuant to section 79 of the Act, the Chief Executive Officer of the Council will maintain a register of allowances and benefits to record:



## ELECTED MEMBERS ENTITLEMENTS POLICY

- a. Annual allowances paid to Elected Members (section 76 of the Act).
- b. Expenses reimbursed to an Elected Member (section 77(1)(b) of the Act).
- c. Details of other benefits paid or payable to an Elected Member.

### *Allowances*

- 2.3** Elected Members are entitled to an allowance as provided by section 76 of the Act and regulation 4 of the Regulations:
- a. Allowances are reviewed by the [Remuneration Tribunal of South Australia](#)
  - b. Allowances will be adjusted annually by the Consumer Price Index (CPI) for the September quarter immediately before the date on which the allowance was determined (regulation 4(2) of the Regulations).
- 2.4** Allowances will be paid monthly in arrears, except for the first three months of the new Council, which will be paid as a lump sum in advance on commencement.

### *Reimbursements (including travel and child, children and/ or dependent care)*

#### *Entitled Reimbursements*

- 2.5** Elected Members are entitled to receive reimbursements for travelling within the area of the Council and for child, children and/ or dependent care expenses associated with attending a prescribed meeting as required by section 77(1)(a) of the Act and regulation 5 of the Regulations:
- a. Reimbursement is restricted to eligible journeys by the shortest or most practicable route and to the part of the journey within Council area.
  - b. Where an Elected Member travels by private motor vehicle, the rate of reimbursement is as prescribed under section 28.25 of the *Income Tax Assessment Act 1997* (Commonwealth). Travel by taxi, bus or other means of public transport is reimbursed on the basis of expenses actually and necessarily incurred but is still limited to eligible journeys by the shortest or most practicable route and to the part of the journey that is within the Council area.
  - c. Where child, children and/ or dependent care expenses are actually or necessarily incurred by the Elected Member as a consequence of attendance at a prescribed meeting. Reimbursement does not apply if the care is provided by a person who usually resides with the Elected Member.

#### *Discretionary Expenses*

- 2.6** Pursuant to section 77(1)(b) of the Act, Council also approves the reimbursement for expenses actually and necessarily incurred in travelling to official functions or activities on the business of Council (other than for which the Elected Member is reimbursed under section 77(1)(a) of the Act), i.e. if the journey is within or outside the Council area subject to:
- a. Reimbursement is restricted to the shortest or most practicable route.

## ELECTED MEMBERS ENTITLEMENTS POLICY

- b. Where an Elected Member travels by private motor vehicle, the rate of reimbursement is as prescribed under section 28.25 of the *Income Tax Assessment Act 1997* (Commonwealth). Travel by taxi, bus or other means of public transport is reimbursed on the basis of expenses actually and necessarily incurred.

2.7 Pursuant to section 77(1)(b) of the Act, Council also approves reimbursement of:

- a. Child, children and/ or dependent care expenses as a consequence of the Elected Member's attendance at a function or activity on the business of Council (other than for which an Elected Member is reimbursed under section 77(1)(a) of the Act). Reimbursement does not apply if the care is provided by a person who usually resides with the Elected Member.
- b. Expenses incurred by the member as a consequence of the Elected Member's attendance at a conference, seminar, training course or other similar activity which is directly or closely related to the performance or discharge of the roles or duties of the Member (other than for which an Elected Member is reimbursed under section 77(a)(a) of the Act). It should be noted that all conference /seminar attendance must be approved by Council.

The following types of expenses will be reimbursed:

- Airfares (with council approval)
  - Registration fees
  - Taxi fares
  - Car parking
  - Incidentals expenses i.e. meals (up to a daily maximum of \$50 per day).
- c. Travel by taxi, bus, plane or other means of public transport is reimbursed on the basis of expenses actually and necessarily incurred, and is still limited to the shortest or most practicable route.

### *How to claim reimbursements*

2.8 Any reimbursement claimed by an Elected Member must be for expenses actually and necessarily incurred in performing and discharging their official Council functions and duties.

2.9 All claims for reimbursement must be submitted to the Chief Executive Officer on the Elected Member's claim form and are requested to submit these forms **at least on a quarterly basis within the quarter** of the year that they are incurred. Elected Members are required to provide evidence of expenses incurred (i.e. tax receipts/ invoices) and/ or details of kilometres travelled to support all reimbursements claimed.

### *Facilities and Support*

2.10 Pursuant to section 78 of the Act, Council resolves to make available to Elected Members the following facilities and support which are necessary and expedient to assist in performing or discharging the Elected Members official functions or duties provided on a uniform basis to all Elected Members.

## ELECTED MEMBERS ENTITLEMENTS POLICY

The following items are considered to have a direct benefit to the effectiveness and efficiency of the Elected Members:

- a. An iPad with a 5GB/month on a mobile plan for the purpose of receiving council information and appropriate IT support.
- b. An IT equipment allowance of \$1600.00 in the first year of office, followed by \$1100 per annum, indexed annually by the Consumer Price Index (CPI) for the September quarter immediately before the date on which the allowance was determined. This allowance is to assist with the cost of providing and maintaining a desktop/laptop of their choice with appropriate software and peripheral devices, printer, paper, internet connection and telecommunications resources.
- c. Council's IT staff will only provide technical support for Council supplied equipment and software which are being used for Council business.

**2.11** The equipment provided by Council to an Elected Member remains the property of Council.

**2.12** Limited private use of electronic equipment is permitted by Council so long as Elected Members:

- a. Comply with the provisions in Council's Electronic Communications Policy and
- b. Additional costs associated with private use are to be borne solely by the Elected Member including if an Elected Member uses more than the plan amount each month.

**2.13** Upon appointment each Elected Member is provided with the following:

- a. Name badge
- b. Name badge for partner (optional)
- c. 1 x box of printed business cards.

**2.14** A meal will be provided, where deemed appropriate, by Council's administration while attending Council meetings, Committee meetings, briefings and workshops.

**2.15** Elected Members will receive one street based car parking permit for use while on council business in the Council's parking areas; and in the Council area of the Beachouse carpark outside of normal working hours.

**2.16** In addition to the above, Council has resolved to make available the following **facilities and support to the Mayor** in performing and discharging official duties:

- a. Office Space
- b. Administrative support for Council business only, in accordance with Council's budget
- c. A fully maintained vehicle in accordance with Council's Use of Motor Vehicle Policy. Alternatively the Mayor may choose to be reimbursed for his/ her vehicle operational costs up to the equivalent cost of a fully maintained vehicle.

## ELECTED MEMBERS ENTITLEMENTS POLICY

2.17 Pursuant to section 55A of the Act a council member may not carry out any function or duty of the office of member of the council, may not be paid an allowance, or use council resources during a period of relevant leave to contest an election.-

### *Legal Advice*

~~2.17 Elected Members may in accordance with the any scheme established under section 78A directly obtain legal advice at the expense of the Council to assists in performing or discharging official functions and duties, subject to:~~

- ~~a. The legal advice is sought from a legal firm that is included in the Council's legal panel or approved supplier up to a limit determined annually by Council; and~~
- ~~b. The legal advice is limited to Elected Member Code of Conduct matters.~~
- ~~c. Council has resolved to limit this amount (currently \$500 in response to a Code of Conduct complaint).~~

### *Insurance of Elected Members*

- 2.18** Section 80 of the Act requires that Council insure its Elected Members. Elected Members are covered under the following insurance policies on a 24 hour basis, while discharging their duties (which also includes attendance at meetings of external bodies as Council's official representative):
- a. Personal Accident Insurance – Elected Members (and accompanying spouses/ partners) are provided with benefits should they sustain bodily injury whilst engaged in any activity directly or indirectly connected with, or on behalf of Council.
  - b. Public/Professional Liability – indemnifies Elected Members but only in connection with their role as Elected Members
  - c. Personal Effects – Council provides coverage for damage to Elected Members personal effects whilst on Council business.

### *Gifts and Benefits*

- 2.19** Where an Elected Member receives a gift or benefit of more than a value published in the Government Gazette by the Minister from time to time, details of each gift must be declared and recorded within the Elected Member gifts and benefits register. An Elected Member must not:
- a. Seek gifts or benefits of any kind.
  - b. Accept any gift or benefit that may create a sense of obligation on their part or may be perceived to be intended or likely to influence them in carrying out their public duty.
  - c. Accept any gift or benefit from any person who is in, or who seeks to be in, any contractual relationship with the council.
  - d. Fail to declare any gift or benefit, or election donation.

- 2.20** Elected Members may accept hospitality provided in context of and invitation to attend local social and sporting events. This is limited to events held within the

## ELECTED MEMBERS ENTITLEMENTS POLICY

City of Holdfast Bay, by non-professional sporting clubs and community organisations. All other invitations that include hospitality accepted by an Elected Member, over the gazetted amount, must be declared on an Elected Members Gifts and Benefits Form.

- 2.21** All gifts and benefits received by an Elected Member above the gazetted value by the Minister from time to time must be declared on an Elected Members Gifts and Benefits Form.
- 2.22** It is the responsibility of the Elected Member to ensure that the form is completed, accurate and lodged within 30 days of receipt of the gift or benefit.

### *Campaign Donations*

- 2.23** Elected Members may accept donations and gifts as provided for and in accordance with the provisions of Part 14, campaign donations in the *Local Government (Elections) Act 1999*. All such donations and gifts must be declared in a campaign donations return within 30 days of the conclusion of an election.
- 2.24** A register of Elected Member campaign donations returns shall be maintained in accordance with Part 14 Division 2 of the *Local Government (Elections) Act 1999* and made available for public scrutiny upon request.
- 2.25** An Elected Members Gift register shall be maintained and updated quarterly on the Council's website.
- 2.26** An Elected Member who:
- a. makes a false claim for reimbursement or makes a claim for expenditure which they are not entitled or
  - b. fails to provide a campaign donations return or declare a gift or benefit may be investigated for a breach of Part 3 of the Elected Member Code of Conduct.
- 2.27** Any expenses, additional reimbursements and facilities and support not detailed in this policy will require the specific approval of Council prior to any expense being incurred, additional reimbursements being paid, benefits being received and facilities and/ or support being provided.

### **3. REFERENCES**

#### *Legislation*

- *Income Tax Assessment Act 1997*
- *Independent Commissioner Against Corruption (ICAC) Act 2013*
- *Local Government Act 1999*
- *Local Government (Elections) Act 1999*
- *Local Government (Members Allowances and Benefits) Regulations 2010*

#### *Other References*

- City of Holdfast Bay's Investigations Policy
- Code of Conduct for Elected Members 2013

## ELECTED MEMBERS ENTITLEMENTS POLICY

- Elected Members Code of Conduct Complaints Investigations Procedure.
- Elected Members Gifts and Benefits Form.

# Attachment 2





Classification:	Statutory Policy
Trim Container	FOL/18/2382
Trim Document Number:	DOC/18/80053
Approved:	Council Meeting 12 October 2021
Last Reviewed:	27 November 2018
	29 September 2021
Next Review:	27 November 2022
Responsible Officer:	Team Leader, Governance
Date Placed on Web:	13 October 2021

## 1. PREAMBLE

### 1.1 *Background*

Section 76 to 80 of the *Local Government Act 1999* (the Act) provides for allowances and reimbursements that Elected Members will receive and those which City of Holdfast (Council) may approve for certain prescribed expenses incurred by Elected Members.

The *Local Government (Members Allowances and Benefits) Regulations 2010* (the Regulations) in regulation 6 sets out the types of expenses that may be reimbursed under section 77(1)(b).

### 1.2 *Purpose*

Elected Members should not be ‘out of pocket’ as a result of performing and discharging their Council functions and duties.

The adoption of this policy provides authority for Elected Members to obtain reimbursement of those expenses.

The Council will ensure that the payment of Elected Member allowances and the reimbursement of expenses is accountable, transparent and in accordance with Chapter 5, Part 5 of the Act and the Regulations.

### 1.3 *Scope*

This policy applies to all Elected Members of the City of Holdfast Bay.

It summarises the provisions of the Act and Regulations in respect to Elected Member allowances, the provision of facilities and support, the different types of expenses, the circumstances in which those expenses will be or can be reimbursed and what benefits Council members receive that must be recorded for the purposes of maintaining the Register of Allowances and Benefits.

# ELECTED MEMBERS ENTITLEMENTS POLICY

It specifies the types of expenses incurred by Elected Members that will be reimbursed without specific approval of Council each time.

## 1.4 **Definitions**

**Act** means the *Local Government Act 1999*.

**Elected Member Code of Conduct** (the Code) means the Code of Conduct for Council Members as prescribed for the purpose of section 63 of the Act, as gazetted by the Minister from time to time.

**Eligible Journey** means as defined in regulation 3 of the Regulations, a journey (in either direction) between the principal place of residence, or a place of work, of a member of the council and the place of a prescribed meeting.

**Function** means:

- An official Council function including mayoral receptions, opening ceremonies, dinners, citizenship ceremonies and official visits or
- Attendance at meetings of community groups and/ or organisations as a Council appointed delegate (but not attending meetings of community groups or organisations when fulfilling the role of local representative).

**Prescribed Meeting** means as defined in regulation 3 of the Regulations, in relation to a member of council, means a meeting of council or council committee or an informal gathering, discussion workshop, briefing, training course or similar activity which is directly or closely related to the discharge of the roles or duties of the member.

**Regulations** means the *Local Government (Members Allowances and Benefits) Regulations 2010*.

## 1.5 **Strategic Reference**

A Place that provides Value for Money.

## 2. **POLICY STATEMENT**

2.1 The Chief Executive Officer of the Council is responsible for:

- a. Implementing expense reimbursement procedures in accordance with this policy
- b. Maintaining a Register of Allowances and Benefits as prescribed in section 79 of the Act and regulation 7 of the Regulations
- d. Ensuring that a copy of this policy is available for inspection and/or purchase by the public and
- e. Ensuring that a Gifts Register is maintained and available on the Council's website.

2.2 Pursuant to section 79 of the Act, the Chief Executive Officer of the Council will maintain a register of allowances and benefits to record:

## ELECTED MEMBERS ENTITLEMENTS POLICY

- a. Annual allowances paid to Elected Members (section 76 of the Act).
- b. Expenses reimbursed to an Elected Member (section 77(1)(b) of the Act).
- c. Details of other benefits paid or payable to an Elected Member.

### *Allowances*

- 2.3** Elected Members are entitled to an allowance as provided by section 76 of the Act and regulation 4 of the Regulations:
- a. Allowances are reviewed by the [Remuneration Tribunal of South Australia](#)
  - b. Allowances will be adjusted annually by the Consumer Price Index (CPI) for the September quarter immediately before the date on which the allowance was determined (regulation 4(2) of the Regulations).
- 2.4** Allowances will be paid monthly in arrears, except for the first three months of the new Council, which will be paid as a lump sum in advance on commencement.

### *Reimbursements (including travel and child, children and/ or dependent care)*

#### *Entitled Reimbursements*

- 2.5** Elected Members are entitled to receive reimbursements for travelling within the area of the Council and for child, children and/ or dependent care expenses associated with attending a prescribed meeting as required by section 77(1)(a) of the Act and regulation 5 of the Regulations:
- a. Reimbursement is restricted to eligible journeys by the shortest or most practicable route and to the part of the journey within Council area.
  - b. Where an Elected Member travels by private motor vehicle, the rate of reimbursement is as prescribed under section 28.25 of the *Income Tax Assessment Act 1997* (Commonwealth). Travel by taxi, bus or other means of public transport is reimbursed on the basis of expenses actually and necessarily incurred but is still limited to eligible journeys by the shortest or most practicable route and to the part of the journey that is within the Council area.
  - c. Where child, children and/ or dependent care expenses are actually or necessarily incurred by the Elected Member as a consequence of attendance at a prescribed meeting. Reimbursement does not apply if the care is provided by a person who usually resides with the Elected Member.

#### *Discretionary Expenses*

- 2.6** Pursuant to section 77(1)(b) of the Act, Council also approves the reimbursement for expenses actually and necessarily incurred in travelling to official functions or activities on the business of Council (other than for which the Elected Member is reimbursed under section 77(1)(a) of the Act), i.e. if the journey is within or outside the Council area subject to:

- a. Reimbursement is restricted to the shortest or most practicable route.

## ELECTED MEMBERS ENTITLEMENTS POLICY

- b. Where an Elected Member travels by private motor vehicle, the rate of reimbursement is as prescribed under section 28.25 of the *Income Tax Assessment Act 1997* (Commonwealth). Travel by taxi, bus or other means of public transport is reimbursed on the basis of expenses actually and necessarily incurred.

**2.7** Pursuant to section 77(1)(b) of the Act, Council also approves reimbursement of:

- a. Child, children and/ or dependent care expenses as a consequence of the Elected Member's attendance at a function or activity on the business of Council (other than for which an Elected Member is reimbursed under section 77(1)(a) of the Act). Reimbursement does not apply if the care is provided by a person who usually resides with the Elected Member.
- b. Expenses incurred by the member as a consequence of the Elected Member's attendance at a conference, seminar, training course or other similar activity which is directly or closely related to the performance or discharge of the roles or duties of the Member (other than for which an Elected Member is reimbursed under section 77(a)(a) of the Act). It should be noted that all conference /seminar attendance must be approved by Council.

The following types of expenses will be reimbursed:

- Airfares (with council approval)
  - Registration fees
  - Taxi fares
  - Car parking
  - Incidentals expenses i.e. meals (up to a daily maximum of \$50 per day).
- c. Travel by taxi, bus, plane or other means of public transport is reimbursed on the basis of expenses actually and necessarily incurred, and is still limited to the shortest or most practicable route.

### *How to claim reimbursements*

**2.8** Any reimbursement claimed by an Elected Member must be for expenses actually and necessarily incurred in performing and discharging their official Council functions and duties.

**2.9** All claims for reimbursement must be submitted to the Chief Executive Officer on the Elected Member's claim form and are requested to submit these forms **at least on a quarterly basis within the quarter** of the year that they are incurred. Elected Members are required to provide evidence of expenses incurred (i.e. tax receipts/ invoices) and/ or details of kilometres travelled to support all reimbursements claimed.

### *Facilities and Support*

**2.10** Pursuant to section 78 of the Act, Council resolves to make available to Elected Members the following facilities and support which are necessary and expedient to assist in performing or discharging the Elected Members official functions or duties provided on a uniform basis to all Elected Members.

## ELECTED MEMBERS ENTITLEMENTS POLICY

The following items are considered to have a direct benefit to the effectiveness and efficiency of the Elected Members:

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- c. Council's IT staff will only provide technical support for Council supplied equipment and software which are being used for Council business.

**2.11** The equipment provided by Council to an Elected Member remains the property of Council.

**2.12** Limited private use of electronic equipment is permitted by Council so long as Elected Members:

- a. Comply with the provisions in Council's Electronic Communications Policy and
- b. Additional costs associated with private use are to be borne solely by the Elected Member including if an Elected Member uses more than the plan amount each month.

**2.13** Upon appointment each Elected Member is provided with the following:

- a. Name badge
- b. Name badge for partner (optional)
- c. 1 x box of printed business cards.

**2.14** A meal will be provided, where deemed appropriate, by Council's administration while attending Council meetings, Committee meetings, briefings and workshops.

**2.15** Elected Members will receive one street based car parking permit for use while on council business in the Council's parking areas; and in the Council area of the Beachouse carpark outside of normal working hours.

**2.16** In addition to the above, Council has resolved to make available the following **facilities and support to the Mayor** in performing and discharging official duties:

- a. Office Space
- b. Administrative support for Council business only, in accordance with Council's budget
- c. A fully maintained vehicle in accordance with Council's Use of Motor Vehicle Policy. Alternatively the Mayor may choose to be reimbursed for his/ her vehicle operational costs up to the equivalent cost of a fully maintained vehicle.

## ELECTED MEMBERS ENTITLEMENTS POLICY

- 2.17** Pursuant to section 55A of the Act a council member may not carry out any function or duty of the office of member of the council, may not be paid an allowance, or use council resources during a period of relevant leave to contest an election.

### *Insurance of Elected Members*

- 2.18** Section 80 of the Act requires that Council insure its Elected Members. Elected Members are covered under the following insurance policies on a 24 hour basis, while discharging their duties (which also includes attendance at meetings of external bodies as Council's official representative):
- a. Personal Accident Insurance – Elected Members (and accompanying spouses/ partners) are provided with benefits should they sustain bodily injury whilst engaged in any activity directly or indirectly connected with, or on behalf of Council.
  - b. Public/Professional Liability – indemnifies Elected Members but only in connection with their role as Elected Members
  - c. Personal Effects – Council provides coverage for damage to Elected Members personal effects whilst on Council business.

### *Gifts and Benefits*

- 2.19** Where an Elected Member receives a gift or benefit of more than a value published in the Government Gazette by the Minister from time to time, details of each gift must be declared and recorded within the Elected Member gifts and benefits register. An Elected Member must not:
- a. Seek gifts or benefits of any kind.
  - b. Accept any gift or benefit that may create a sense of obligation on their part or may be perceived to be intended or likely to influence them in carrying out their public duty.
  - c. Accept any gift or benefit from any person who is in, or who seeks to be in, any contractual relationship with the council.
  - d. Fail to declare any gift or benefit, or election donation.
- 2.20** Elected Members may accept hospitality provided in context of and invitation to attend local social and sporting events. This is limited to events held within the City of Holdfast Bay, by non-professional sporting clubs and community organisations. All other invitations that include hospitality accepted by an Elected Member, over the gazetted amount, must be declared on an Elected Members Gifts and Benefits Form.
- 2.21** All gifts and benefits received by an Elected Member above the gazetted value by the Minister from time to time must be declared on an Elected Members Gifts and Benefits Form.
- 2.22** It is the responsibility of the Elected Member to ensure that the form is completed, accurate and lodged within 30 days of receipt of the gift or benefit.

### *Campaign Donations*

## ELECTED MEMBERS ENTITLEMENTS POLICY

- 2.23** Elected Members may accept donations and gifts as provided for and in accordance with the provisions of Part 14, campaign donations in the *Local Government (Elections) Act 1999*. All such donations and gifts must be declared in a campaign donations return within 30 days of the conclusion of an election.
- 2.24** A register of Elected Member campaign donations returns shall be maintained in accordance with Part 14 Division 2 of the *Local Government (Elections) Act 1999* and made available for public scrutiny upon request.
- 2.25** An Elected Members Gift register shall be maintained and updated quarterly on the Council's website.
- 2.26** An Elected Member who:
- a. makes a false claim for reimbursement or makes a claim for expenditure which they are not entitled to
  - b. fails to provide a campaign donations return or declare a gift or benefit may be investigated for a breach of Part 3 of the Elected Member Code of Conduct.
- 2.27** Any expenses, additional reimbursements and facilities and support not detailed in this policy will require the specific approval of Council prior to any expense being incurred, additional reimbursements being paid, benefits being received and facilities and/ or support being provided.

### 3. REFERENCES

#### *Legislation*

- *Income Tax Assessment Act 1997*
- *Independent Commissioner Against Corruption (ICAC) Act 2013*
- *Local Government Act 1999*
- *Local Government (Elections) Act 1999*
- *Local Government (Members Allowances and Benefits) Regulations 2010*

#### Other References

- City of Holdfast Bay's Investigations Policy
- Code of Conduct for Elected Members 2013
- Elected Members Code of Conduct Complaints Investigations Procedure.
- Elected Members Gifts and Benefits Form.



# Attachment 3



Trim Container	FOL/16/1478
Trim Document Number:	DOC/20/35246
First Issued / Approved:	22/03/2016
Last Reviewed:	26/05/2020
	C260520/1910
Next Review:	25/03/2023
Responsible Officer:	Team Leader Governance
Date Placed on Web:	27/05/2020

## 1. PREAMBLE

Under the *Local Government Act 1999 (the Act)*, council must adopt a policy on the holding of ‘informal gatherings or discussion’ under section 90(8).

Under section 90(8b) of the Act, a council policy must comply with any requirements set out in the *Local Government (General) Regulations 2013*.

### 1.1 Background

- 1.1.1 Open and transparent council meetings underpin representative democracy and ensure public confidence in council’s decision-making processes.
- 1.1.2 Informal gatherings, where appropriate, provide a valuable opportunity to enhance the decision-making processes by providing opportunities for council members to become better informed on issues and seek further clarification.
- 1.1.3 Informal gatherings, should not be used, or seen to be used as a replacement for full debate and decision-making at council or committee meetings.
- 1.1.4 The Act sets out the following examples of informal gatherings:
  - planning sessions associated with the development of policies or strategies;
  - briefing or training sessions; and
  - workshops.

### 1.2 Purpose

- 1.2.1 To ensure council members have sufficient opportunity to conduct planning sessions, to receive informal briefings, educational sessions and convene other informal gatherings without prejudicing the requirements for openness and transparency as required by the Act.
- 1.2.2 This policy is aimed at avoiding any perception that informal gatherings will be used to build consensus for council agenda items.

## INFORMAL GATHERINGS OF COUNCIL

1.3.2 This policy applies to Council and Council Committees.

1.3.3 This Policy has been supplemented to include provisions made on 30 March 2020 by the Minister for Transport, Infrastructure and Local Government who issued a notice pursuant to section 302B of the *Act-Electronic Participation in Council Meetings Notice (No 1) 2020* (Notice No 1). This Notice varies or suspends the operation of the specified provisions of the *Act* as set out in Schedule 1 to Notice No 1. Notice No 1 commenced on 31 March 2020.

For the period Notice No 1 has effect (as provided for in Notice No 1), this Informal Gatherings Of Council Policy is altered as set out below in [blue](#) and those alterations have effect notwithstanding any other provision in this Policy to the contrary.

The alterations to this Informal Gatherings of Council Policy are made consistent with Notice No 1 and the Council's Code of Practice - Access to Meetings and Documents and Code of Practice - Meeting Procedures.

The provisions in blue will remain in operation during the declaration of the public health emergency (COVID-19) and whilst the Minister's Notice No 1 remains in operation.

### 1.3 Scope

Section 90(8) of the Act provides a non-exclusive list of examples of informal gatherings.

### 1.4 Definitions

1.4.1 *Informal gathering* are gatherings to provide information, facilitate informal discussions, training as defined by Section 90(8) of Act.

1.4.2 *Designated informal gathering or discussion* means an event organised and conducted by or on behalf of the council or chief executive officer to which members of the council or council committee (as the case may be) have been invited and that involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the council or council committee.

1.4.3 *Electronic means* includes a telephone, computer or other electronic device used for communication e.g. video conferencing, teleconferencing etc.

### 1.5 Strategic Reference

A place that provides value for money.

## INFORMAL GATHERINGS OF COUNCIL

### 2. PRINCIPLES

- 2.1 The City of Holdfast Bay will use informal gatherings (including designated informal gatherings or discussions) solely for the purpose of information sharing and not for the purpose of debating issues, building consensus positions or otherwise discharging council's deliberative and decision-making functions.
- 2.2 Council recognises that attendance at informal gatherings or discussions are not-compulsory and Elected Members are encouraged to attend as these sessions, particularly those designed to provide history, context or additional information to assist council members.
- 2.3 Informal gatherings (including designated informal gatherings or discussions) will be conducted in accordance with the Act and the *Local Government (General) Regulations 2013*.
- 2.4 Informal gatherings (including designated informal gatherings or discussions) will not be used for the purpose of conducting the general business of the council or to stifle debate on issues that may subsequently be dealt with by the council at a formal meeting.
- 2.5 Informal gatherings (including designated informal gatherings or discussions) must be held at a place open to the public, unless the designated informal gathering or discussion is one that the council or chief executive officer has determined will be in confidence.
- 2.5a Informal gatherings (including designated informal gatherings or discussions) may be held by electronic means. It will be at the discretion of the CEO or Mayor to determine whether the informal gathering is face to face, electronic or a combination.
- 2.5b A member of the Council participating by electronic means is taken to be present provided the member can hear all other members present and can be heard by all other members present at the informal gathering.
- 2.5c Meetings held by electronic means will be live streamed where it is a meeting open to the public (which will mean the meeting is conducted in a place open to the public), unless the designated informal gathering is required to be held in confidence.
- 2.6 A designated informal gathering or discussion may be in confidence when considered on a case by case basis and if the designated informal gathering or discussion is a planning session of a general or strategic nature or is a briefing relating to information or a matter of a confidential nature within section 90(3) of the Act.
- 2.7 Council will advise the schedule and the details of the designated informal gatherings or discussions including in all cases the place, date and time, the matter which will be discussed and whether or not the designated informal gathering will be open to the public and the reason for closing the informal

## INFORMAL GATHERINGS OF COUNCIL

gathering and discussion to the public. Details are available on [www.holdfast.sa.gov.au](http://www.holdfast.sa.gov.au).

- 2.8 The council is aware of the need to balance openness and transparency with opportunities for private discussions between council members and council members and staff.
- 2.9 The Chief Executive Officer and the Council are responsible for ensuring that the informal gatherings or discussions are conducted in accordance with the *Act* and are not subject to the procedural requirements of the *Act* and *Local Government (Proceedings at Meetings) Regulations 2013*.
- 2.10 Designated informal gatherings or discussions will be facilitated by either the Chief Executive Officer or another senior staff member.
- 2.11 An informal gathering which is not a designated informal gathering or discussion will not be open to the public, unless otherwise determined by the Council or Chief Executive Officer.
- 2.12 Informal gatherings will not involve a formal agenda or minute taking process.
- 2.13 Social Gatherings of Elected Members are not informal gatherings.

### 3. REFERENCES

#### 3.1 Legislation

- *Local Government Act 1999*
- *Local Government (General) Regulations 2013*
- [Electronic Participation in Council Meetings Notice \(No 1\) 2020](#)

#### 3.2 Other References

Nil

# Attachment 4



# Functions and Principles of Councils

*This information sheet relates to the commencement of section 6 and 7 of the Statutes Amendment (Local Government Review) Act 2021, amending section 7 and 8 of the Local Government Act 1999. Based on information currently available, and consistent with previous advice from the Minister for Local Government, the changes will commence on proclamation which is anticipated to be in September 2021*

## 1. Background

Councils are created pursuant to the *Local Government Act 1999* (the Local Government Act) and may only operate in a manner authorised by the Local Government Act.

Section 7 of the Local Government Act sets out the functions of a council. These functions are expressed in broad principles rather than in prescriptive detail. The implication is that a council may not perform functions that are not contemplated by the functions set out in section 7.

Councils must also “act to uphold and promote observance of” principles defined in section 8 of the Local Government Act. These principles are also general in nature.

If a council operates in a manner inconsistent with section 7 or 8, the council is exposed to the risk of a legal challenge for operating beyond its legal powers (the legal term for beyond power is *ultra vires*). It may also create grounds for a member of the public to seek a review of a council decision, pursuant to section 270 of the Local Government Act.

## 2. Functions (s 7) - What changed?

Section 7(b) was amended and a new section 7(ba) added, as follows:

The functions of a council include—

...

(b) to provide services and facilities that benefit its area, its ratepayers and residents, and visitors to its area ~~(including general public services or facilities (including electricity, gas and water services, and waste collection, control or disposal services or facilities), health, welfare or community services or facilities, and cultural or recreational services or facilities);~~

(ba) to determine the appropriate financial contribution to be made by ratepayers to the resources of the council;

...

### *Amendments to section 7(b)*

The amendment to section 7(b) was made on legal advice. Previously, section 7(b) had set out a list of specific services and facilities that a council might provide. By specifying these, the wording in section 7(b) created a legal presumption that council could only provide services and functions that were similar to those listed.

By removing the prescriptive list, that legal presumption no longer applies. In theory, councils have a greater discretion to provide a wider range of services and facilities. In practice, councils already provide a wide range of services and facilities, and the previous section 7(b) did not appear to constrain council decision-making in this area.

### *New section 7(ba)*

New section 7(ba) clarifies that a function of councils is to determine how ratepayers will make financial contributions to support the operations of the council. This is not limited to council rates, but encompasses the other sources of council income, such as charging a fee for the provision of a service or for the use of facilities.

New section 7(ba) will not make any practical difference to the ability of a council to raise revenue from any source.

The change is largely symbolic: section 7(a) sets out that councils may provide services and facilities. When Parliament added section 7(ba), it was reminding councils and communities that these services and facilities must be paid for.

## 3. Principles (s 8) - What changed?

The following extract sets out those subsections of section 8 that were amended:

- 8 A council must act to uphold and promote observance of the following principles in the performance of its roles and functions—
- ...
- (ea) seek to collaborate ~~and form partnerships~~, **form partnerships and share resources** with other councils and regional bodies for the purposes of delivering cost-effective services (while avoiding cost-shifting among councils), integrated planning, maintaining local representation of communities and facilitating community benefit;
- ...
- (h) seek to ensure that council resources are used fairly, effectively and efficiently **and council services, facilities and programs are provided effectively and efficiently**;
- ...
- (ia) **seek to balance the provision of services, facilities and programs with the financial impact of the provision of those services, facilities and programs on ratepayers**;

A council is not required to do all of the things specified in section 8. However, its actions should be consistent with those principles.

In practice many of these principles may compete or prove inconsistent with each other. When making decisions, councils should have regard to the principles in section 8 *as a whole*.

Later sections of the Local Government Act impose specific obligations on council which will ensure councils make decisions consistently with the general principles in section 8. For example, the many specific requirements throughout the Local Government Act to make information available to the public ensure that council operates consistently with the principle of providing open government contained in section 8(a).



### *Amendments to section 8(ea)*

This amendment encourages councils to share resources with other councils.

Councils already share resources (and therefore operate in accordance with this principle) in a number of respects, eg:

- LGA Procurement;
- Regional subsidiaries where councils will jointly contribute to fund resources for work that benefits each member council (eg Brown Hill Keswick Creek Stormwater Board); and
- The wide range of other services provided by the LGA on behalf of all member councils.

This amendment does not require a council to consider sharing resources with other councils in respect of every council service or activity.

### *Amendments to section 8(h)*

This amendment enshrines a principle that councils already operate in accordance with. Councils have a limited ability to raise revenue, limited resources and must make choices about how available funds can be allocated for the maximum benefit of communities.

A range of other sections of the Local Government Act, as well as councils own internal controls, further assist in ensuring council services, facilities and programmes are provided effectively and efficiently.

### *New section 8(ia)*

The intent behind this amendment is similar to the intent behind the amendment to section 7(ba), explained above. That is, in making decisions about the provisions of services, facilities and programs, councils should balance the financial impact of these decisions on ratepayers.

This is another 'new' principle that councils already operate in accordance with. Each year, as part of preparing annual budgets, annual business plans, long-term financial plans and other documents, councils make decisions about revenue and expenditure, taking into account and therefore balancing a wide range of important factors.

## **4. Action required**

Individual councils will need to determine whether they have existing documents that include reference to the Functions and Principles in section 7 and 8 of the Local Government Act that are currently publicly available and whether these need to be updated to include the changes. The LGA is updating model policies and information papers to reflect the changes to the Local Government Act and these documents will be published to the LGA website as they become available.

*This resource has been prepared by the Local Government Association of SA (LGA) to assist councils with implementation of legislative changes arising from Local Government Reforms, incorporating advice from Norman Waterhouse, for the guidance of and use by member councils.*

# Attachment 5



## Section 58 – Specific roles of principal member

*This information sheet relates to the commencement of section 21 of the Statutes Amendment (Local Government Review) Act 2021, amending section 58 of the Local Government Act 1999. Based on information currently available, and consistent with previous advice from the Minister for Local Government, the changes will commence on proclamation which is anticipated to be in September 2021.*

### 1. Background

Section 58 of the *Local Government Act 1999* (the Local Government Act) sets out the specific roles of the principal member of council. These roles are in addition to the roles of members of councils set out in section 59 of the Local Government Act.

### 2. Summary of changes

Historically, the role of the principal member has been limited to presiding at meetings of the council, providing advice to the CEO on the implementation of a decision of the council (if requested), acting as the principal spokesperson and carrying out civic and ceremonial duties.

The *Statutes Amendment (Local Government Review) Act 2021* (the Review Act) has introduced leadership responsibilities for the principal member, including a requirement to promote positive and constructive working relationships among members of the council. The changes to section 58 no longer require a request before a principal member may provide advice regarding the implementation of council decisions, and now provide the capacity for the principal member to liaise with the chief executive officer (CEO) between council meetings in relation to council decisions.

These amendments enhance the role and responsibilities of the principal member. However, the changes to section 59 do not confer new powers and do not permit a principal member to direct (for example) a council CEO (other than in accordance with a council resolution).

The presiding member at a meeting of council will gain new powers to keep order during council meetings, when amendments to section 86 of the Local Government Act (Procedure at Meetings) commence as part of the new behaviour management framework. This will include a new power for the presiding member to exclude (for up to 15 minutes) a member of council behaving in an improper or disorderly manner. Further guidance on this new power will be provided by the LGA before the relevant section commences, including the measures available to prevent these new powers from being misused.

### 3. Extract of section 58

#### 58—Specific roles of principal member

- ~~(1) The role of the principal member of a council is—~~
- ~~—(a) to preside at meetings of the council;~~
  - ~~—(b) if requested, to provide advice to the chief executive officer between council meetings on the implementation of a decision of the council;~~
  - ~~—(c) to act as the principal spokesperson of the council;~~

- ~~—(d) to exercise other functions of the council as the council determines;~~
- ~~—(e) to carry out the civic and ceremonial duties of the office of principal member.~~

- (1) Subject to this Act, the role of the principal member of a council as leader of the council is—
- (a) to provide leadership and guidance to the council; and
  - (b) to lead the promotion of positive and constructive working relationships among members of the council; and
  - (c) to provide guidance to council members on the performance of their role, including on the exercise and performance of their official functions and duties; and
  - (d) to support council members' understanding of the separation of responsibilities between elected representatives and employees of the council; and
  - (e) to preside at meetings of the council; and
  - (f) to liaise with the chief executive officer between council meetings on the implementation of a decision of the council; and
  - (g) to act as the principal spokesperson of the council; and
  - (h) to exercise other functions of the council as the council determines; and
  - (i) to carry out the civic and ceremonial duties of the office of principal member.
- (2) ~~Subsection (1)(e)~~ Subsection (1)(g) does not apply in circumstances where a council has appointed another member to act as its principal spokesperson.

*This resource has been prepared by the Local Government Association of SA (LGA) to assist councils with implementation of legislative changes arising from Local Government Reforms, incorporating advice from Norman Waterhouse, for the guidance of and use by member councils.* **Last Updated:** 01/09/2021

# Attachment 6



## Section 59 – Roles of members of councils

*This information sheet relates to the commencement of section 22 of the Statutes Amendment (Local Government Review) Act 2021, amending section 59 of the Local Government Act 1999. Based on information currently available, and consistent with previous advice from the Minister for Local Government, the changes will commence on proclamation which is anticipated to be in September 2021.*

### 1. Background

Section 59 of the *Local Government Act 1999* (the Local Government Act) sets out the roles of members of councils. These roles are applicable to all council members, including principal members.

### 2. Summary of changes

Previously the role of members of councils was focused on participation in decision making, review of the council's objectives and policies to ensure their effectiveness, review of resource allocation, expenditure, activities and the efficiency and effectiveness of service delivery and observance of the principles set out in section 8 of the Local Government Act.

The *Statutes Amendment (Local Government Review) Act 2021* (the Review Act) has introduced a role for council members to act with integrity. It also imposes a requirement for council members to ensure positive and constructive working relationships within the council and to recognise and support the role of the principal member. These changes aim to support the effectiveness of the new council member behavioural management framework, which will commence at a later date.

Further changes see the introduction of an obligation for council members to develop skills relevant to the role of a council member and the functions of a council as a body. There is also a role, as a member of the governing body, to participate in the oversight of the chief executive officer's performance.

These new roles are in addition to the roles of council members previously set out in the Local Government Act.

### 3. Extract of section 59

#### 59—Roles of members of councils

(1) The role of a member of a council is—

~~(a) as a member of the governing body of the council—~~

~~—(i) to participate in the deliberations and civic activities of the council;~~

~~—(ii) to keep the council's objectives and policies under review to ensure that they are appropriate and effective;~~

~~—(iii) to keep the council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review;~~

~~—(iv) to ensure, as far as is practicable, that the principles set out in section 8 are observed;~~

- (a) as a member of the governing body of the council—
    - (i) to act with integrity; and
    - (ii) to ensure positive and constructive working relationships within the council; and
    - (iii) to recognise and support the role of the principal member under the Act; and
    - (iv) to develop skills relevant to the role of a member of the council and the functions of the council as a body; and
    - (v) to participate in the deliberations and activities of the council; and
    - (vi) to keep the council's objectives and policies under review to ensure that they are appropriate and effective; and
    - (vii) to keep the council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review; and
    - (viii) to ensure, as far as is practicable, that the principles set out in section 8 are observed; and
    - (ix) to participate in the oversight of the chief executive officer's performance under the council's contract with the chief executive officer; and
    - (x) to serve the overall public interest; and
  - (b) as a person elected to the council—to represent the interests of residents and ratepayers **of the council**, to provide community leadership and guidance, and to facilitate communication between the community and the council.
- (2) A member of a council may, with the principal member's authorisation, act in place of, or represent, the principal member.
- (3) A member of a council has no direct authority over an employee of the council with respect to the way in which the employee performs his or her duties.

*This resource has been prepared by the Local Government Association of SA (LGA) to assist councils with implementation of legislative changes arising from Local Government Reforms, incorporating advice from Norman Waterhouse, for the guidance of and use by member councils.*

**Last Updated: 31/08/2021**

# Attachment 7





## Section 76 – Allowances

*This information sheet relates to the commencement of section 39 of the Statutes Amendment (Local Government Review) Act 2021, amending section 76 of the Local Government Act 1999.*

*Based on information currently available, and consistent with previous advice from the Minister for Local Government, the changes will commence on proclamation which is anticipated to be in September 2021.*

### 1. Background

Section 39 of the *Statutes Amendment (Local Government Review) Act 2021* makes a number of changes to section 76 of the *Local Government Act 1999* (the Local Government Act) which relates to the determination and adjustment of council member allowances, the matters to be considered by the Remuneration Tribunal SA (RTSA) in determining those allowances and the recovery of costs associated with the RTSA determination process.

### 2. Ratio of members to ratepayers

A new subsection (3)(ba) has been inserted which requires the RTSA to have regard to the ratio of members to ratepayers when determining council member allowances. This factor will now be considered, along with:

- The role of members as members of the governing body and representatives of their area;
- The size, population and revenue of the council, and any relevant economic, social, demographic and regional factors in the council area;
- The fact that an allowance is not intended to amount to a salary;
- The fact that an allowance should reflect the nature of a member's office; and
- The provisions of the Local Government Act providing for reimbursement of expenses

### 3. Annual adjustment of allowances

The amendment also removes reference to the scheme prescribed by regulations that has, to date, dealt with the annual adjustment of council member allowances. Council member allowances will now be adjusted on the first, second and third anniversaries of the periodic election to reflect changes in the Consumer Price Index (All groups index for Adelaide) as published by the Australia Bureau of Statistics.

A consequential amendment has also been made to the *Local Government (Members Allowances and Benefits) Regulations 2010* to delete regulation 4(2), which had previously set out the scheme to be used to calculate the annual allowance adjustment.

#### ***November 2021 Adjustment***

Council member allowances are due for adjustment on 9 November 2021, being the third anniversary of the November 2018 periodic election.

Given the removal of the scheme prescribed by regulations, allowances must be adjusted to reflect changes in the Consumer Price Index on 9 November 2021 rather than by reference to the previous scheme set out in the regulations.

The change in the Consumer Price Index to be applied will be the most recently available annual percentage change in the Consumer Price Index (All groups index for Adelaide), as at 9 November 2021. It is envisaged that this will be the annual figure published by the Australian Bureau of Statistics for the September 2021 quarter.

By way of example, if the Consumer Price Index (All groups index for Adelaide) for the September 2021 quarter is 2.5%, then the allowance payable to members from 9 November 2021 will be:

- The allowance amount payable immediately prior to 9 November, multiplied by 2.5%; plus
- the allowance amount paid immediately prior to 9 November.

**Example calculation: Group 2 Council**

Adjusted Allowance from 9 November 2020	\$18,100
CPI (All groups index for Adelaide) Sept 2021 quarter	2.5%
Allowance increase amount	\$452.50
Adjusted Allowance payable	\$18,552.50

The LGA will provide adjusted allowance amounts for use by councils prior to 9 November 2021.

### **Future Adjustments**

On the first, second and third anniversaries of the November 2022 election, council member allowances must be adjusted to reflect the annual change in the Consumer Price Index (All groups index for Adelaide).

The change in the Consumer Price Index to be applied will be the most recently available annual percentage change in the Consumer Price Index as at the date of adjustment (which will likely be the most recent relevant September quarter figure).

By way of example, for the adjustment to be made on the first anniversary of the November 2022 election, if the Consumer Price Index (All groups index for Adelaide) September 2022 quarter is 2.5%, then the allowance payable to members from the date of adjustment will be:

- the initial allowance amount determined by the RTSA, multiplied by 2.5%; plus
- the initial allowance amount.

Adjustments for the second and third anniversaries will be:

- the allowance amount payable immediately prior to the adjustment anniversary, multiplied by the relevant Consumer Price Index (All groups index for Adelaide) September quarter percentage value; plus
- the allowance amount paid immediately prior to the adjustment anniversary.

The LGA will continue to provide adjusted allowance amounts for use by councils prior to the relevant adjustment dates.

## **4. Costs of the Remuneration Tribunal SA**

The final amendment to section 76 relates to recovery of costs of the RTSA in making council member allowance determinations. The role of the Minister in determining any arrangement for cost recovery has been removed, with that role now sitting with the President of the RTSA after consultation with the LGA.

In addition, subsection (13a) has been inserted which specifically provides for the recovery of costs for RTSA determinations from councils by the LGA.

**For further information contact the Governance Team**

## 5. Extract of section 76

### 76—Allowances

- (1) Subject to this ~~section~~ **Act**, a member of a council is entitled to the allowance determined by the Remuneration Tribunal in relation to the member's office and indexed in accordance with this section.
- (2) The Remuneration Tribunal must make determinations under this section on a 4 yearly basis before the designated day in relation to each set of periodic elections held under the *Local Government (Elections) Act 1999*.
- (3) The Remuneration Tribunal must, in making a determination under this section, have regard to the following:
  - (a) the role of members of council as members of the council's governing body and as representatives of their area;
  - (b) the size, population and revenue of the council, and any relevant economic, social, demographic and regional factors in the council area;
  - (ba) the ratio of members to ratepayers;**
  - (c) the fact that an allowance under this section is not intended to amount to a salary for a member;
  - (d) the fact that an allowance under this section should reflect the nature of a member's office;
  - (e) the provisions of this Act providing for the reimbursement of expenses of members.
- (4) For the purposes of the proceedings before the Remuneration Tribunal but without derogating from the operation of subsection (3), the allowances to be determined under this section will be taken to be in the nature of a fee under the definition of **remuneration** in the *Remuneration Act 1990*.
- (5) Without limiting section 10 of the *Remuneration Act 1990*, the Remuneration Tribunal must—
  - (a) allow persons who are entitled to be enrolled on the voters roll for an area a reasonable opportunity to make submissions orally or in writing to the Tribunal in relation to a determination under this section that relates to the members of the council for that area; and
  - (b) allow the LGA a reasonable opportunity to make submissions orally or in writing to the Tribunal in relation to any determination under this section.
- (6) Nothing in subsection (5) requires the Remuneration Tribunal, for the purposes of making all determinations required under this section in any 4 year period, to hold more than 1 hearing to receive any oral submissions that persons may care to make (and the Tribunal is not required to hold any hearing if it appears to the Tribunal that no one is seeking to make oral submissions).
- (7) The rates of allowances may vary from office to office, and from council to council.
- (8) An allowance determined under this section will, in relation to the members of a particular council, be payable for the period—
  - (a) commencing on the conclusion of the relevant periodic election; and

- (b) concluding at the time at which the last result of the next periodic election is certified by the returning officer under the *Local Government (Elections) Act 1999* (including in respect of a member of the council for whom the conclusion of the next periodic election is, for other purposes, the last business day before the second Saturday of November of the year of the periodic election as a result of the operation of section 4(2)(a)).
- (9) An allowance determined under this section is to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the Consumer Price Index ~~under a scheme prescribed by the regulations.~~
- (10) Sections 17 and 19 of the *Remuneration Act 1990* do not apply in relation to a determination under this section.
- (11) Subject to subsection (8), a member of a council who holds an office for part only of the period in respect of which an allowance is payable is entitled to the proportion of the allowance that the period for which the member held the office bears to the total period.
- (12) An allowance under this section is to be paid in accordance with any requirement set out in the regulations (unless the member declines to accept payment of an allowance).
- (13) Despite any other Act or law, the reasonable costs of the Remuneration Tribunal in making a determination under this section are to be paid by the LGA under an arrangement established by ~~the Minister from time to time after consultation with the President of the LGA and the President of the Tribunal~~ President of the Tribunal after consultation with the LGA.
- (13a) ~~The LGA may recover the reasonable costs incurred by the Remuneration Tribunal in making a determination under this section as a debt from the councils to which the determination relates.~~
- (14) Regulations made for the purposes of this section may make different provision according to the offices or classes of council to which they are expressed to apply.
- (15) In this section—

**Consumer Price Index** means the Consumer Price Index (All groups index for Adelaide) published by the Australian Bureau of Statistics;

**designated day**, in relation to particular periodic elections, means the day that is 14 days before the day on which nominations close for those elections.

*This resource has been prepared by the Local Government Association of SA (LGA) to assist councils with implementation of legislative changes arising from Local Government Reforms, incorporating advice from Norman Waterhouse, for the guidance of and use by member councils.* **Last Updated: 08/09/2021**

Item No: **15.5**

Subject: **REQUEST BY BRIGHTON SPORTS AND SOCIAL CLUB TO AFFIX PLAQUES TO BRIGHTON FOOTBALL FIELD PICKET FENCE**

Date: 12 October 2021

Written By: Property Officer

General Manager: Strategy & Corporate, Ms P Jackson

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### **SUMMARY**

The Brighton Sports and Social Club Incorporated (**Club**) is proposing to affix an acrylic plaque to each of the pickets comprising the picket fence surrounding the football field of the Brighton Oval Complex (approximately 1800 pickets).

The use of the pickets will be equitably distributed between the Club, Brighton Districts and Old Scholars Football Club (**BDO**) and Brighton District Cricket Club (**BDCC**). Each club will use a portion of its allocated plaques to acknowledge Life Members, Hall of Fame players and administrators of the respective clubs, whilst the remaining plaques will be sold to players, supporters, sponsors, residents and Members of Parliament at a cost of \$100 plus GST per picket with the proceeds to be retained by the relevant club.

The Club is seeking Council's approval, in its capacity as landowner, to affix acrylic plaques to the picket fence.

---

### **RECOMMENDATION**

1. **That Council in its capacity as landowner, permit the Brighton Sports and Social Club Incorporated and exclusive right to affix plaques to the picket fence surrounding the football field of the Brighton Oval Complex provided always that:**
  - a. **only one (1) plaque per picket is permitted;**
  - b. **plaques must not be affixed to the gated part of the picket fence;**
  - c. **all plaques must be acrylic, 90mm (H) x 65mm (W) x 4mm (D) in size and produced in a professional and tradesman like manner;**
  - d. **all plaques must be positioned facing outwards above the top rail of the picket fence and affixed to the picket fence using gallium-based glue or such other reversible compound adhesive (or such other material as may be directed by Council to the Club in writing from time to time acting reasonably) by a person approved by the Club in a professional and tradesman like manner;**

- e. **the format display of plaques must be uniform according to the type of plaque and the relevant club;**
  - f. **Council have the right to require that the Club remove any plaque which is considered by Council to be inappropriate or contrary to Council's values (acting reasonably) within fourteen (14) days of receiving written notice; and**
  - g. **the Club be responsible for the insurance, maintenance, repair and replacement obligations and costs of and incidental to each picket to which a plaque is affixed and its section of rail, howsoever damaged or requiring repair, replacement or maintenance.**
2. **That the Lease Agreement dated 12 July 2020 between Council and the Club be varied to include a special condition granting the Club the right to use the picket fence for the purpose of affixing plaques on the terms and conditions contained herein and imposing any other requirements on the Club as Council may, in its absolute discretion, deem reasonable and necessary.**
  3. **That the Chief Executive Office and Mayor are authorised to affix the Council Seal and execute a Deed of Variation of Lease to give effect to this resolution.**
- 

## **COMMUNITY PLAN**

Placemaking: Creating lively and safe places

Community: Providing welcoming and accessible facilities

Community: Fostering an engaged and contributing community

## **COUNCIL POLICY**

Sporting and Community Leasing Policy

## **STATUTORY PROVISIONS**

Local Government Act 1999

Retail and Commercial Leases Act 1995

## **BACKGROUND**

### ***Relevant Reports, Decisions and Documentation***

- Council Report No. 156/20, Item No. 15.3, *"Brighton Lacrosse Club and Brighton Sports and Social Club Lease Agreements"* dated 9 June 2020 (Resolution No. C090620/1926).
- Lease Agreement dated 12 July 2020 between the City of Holdfast Bay (as lessor) and Brighton Sports and Social Club Incorporated (as lessee) in respect that portion of the Brighton Oval Complex delineated in red on the plan annexed hereto the said Lease

Agreement for a term of five (5) years commencing on 11 July 2020 and expiring on 10 July 2025 (**Lease**).

The Brighton Sports and Social Club Incorporated is seeking Council's approval to affix one (1) acrylic plaque to each of the pickets comprising the picket fence surrounding the football field of the Brighton Oval Complex (approximately 1800 pickets) as outlined in Attachment 1 and discussed herein.

## **REPORT**

### **Details of Plaques**

As outlined in Attachment 1, the Club has advised that the plaques will be made of acrylic by Paul at Vital Signs and Graphics (Club Sponsor) and will be 90mm (H) x 65mm (W) x 4mm (D) in size. Each plaque will be positioned facing outwards above the top rail of the picket fence and it is recommended that only one (1) plaque be affixed to each picket and that the display format of all plaques is kept to a uniform standard according to the relevant club and the type of plaque.

The use of the pickets will be equitably distributed between the Club, BDO and BDCC and a portion of the plaques will acknowledge Life Members, Hall of Fame players and administrators of the respective clubs whilst the remainder will be sold to players, supporters, sponsors, residents and Members of Parliament at a cost of \$100 plus GST per picket with the proceeds to be retained by the relevant club.

*Refer Attachment 1*

Whilst this seems to be a common practice by sporting clubs within South Australia (Adelaide Oval, Woodville Oval, Unley Oval and Glenelg Oval to name a few), there are risks to this practice including but not limited to:

- (a) that Council could be seen as endorsing the named parties and third party advertisements. As such, it is recommended that Council's consent be made conditional upon Council having the right to require that the Club remove any plaque which is considered by Council to be inappropriate or contrary to Council's values (acting reasonably) within fourteen (14) days of receiving written notice; and
- (b) that members of the general public may take issue with the named parties and third party advertisements thus increasing the risk of graffiti and damage by the general public.

### **Reduced Asset Life**

The Club is proposing to affix the plaques using either pop rivets or glue. Of those methods, it is strongly recommended by Administration that the plaques are affixed to the fence using glue as this will minimise the structural damage to the fence. It is recommended that a gallium-based glue, or other such reversible compound adhesive be used to reduce damage to the pickets in the event that plaques require removal. Whilst either method will reduce the life of the asset, pop rivets will immediately weaken the structural integrity of the fence and will result in rust and water damage over time thus reducing the life of the asset more quickly than glue.

Additionally, the life of the asset will also be reduced by:

- (a) the combined weight of the plaques adding to the wind loading of the picket fence;
- (b) the removal of plaques; and
- (c) potential damage and graffiti by the general public.

### **Sale of Plaques**

It is proposed that both Brighton Districts and Old Scholars Football Club and Brighton District Cricket Club will initially each have the right to offer 600 plus plaques to players, supporters, sponsors, residents and Members of Parliament at a cost of \$100 plus GST per picket. In comparison, the total cost of each plaque is estimated as being less than \$10 resulting in a minimum profit of \$54,000 per club.

In light of the profit to be made by the clubs and the fact that affixing the plaques will reduce asset life of the picket fence, it is recommended that the insurance, repair, maintenance and replacements obligations in respect of those pickets bearing plaques should be borne by the Club.

### **Ownership / Status of Picket Fence**

The picket fence was installed by Council in 2020 as part of the Brighton Oval Complex redevelopment at a cost of \$112,000.

Pursuant to the Lease (as defined hereinabove), Council granted to the Club:

- (a) exclusive use in respect of the Clubrooms;
- (b) non-exclusive use of the football field on a seasonal basis only; and
- (c) non-exclusive right to use the common areas of the Brighton Oval Complex in common with the other tenants and users of the land.

From a legal perspective, this means that the picket fence falls within the common areas of the Brighton Oval Complex. As such:

- (a) Council is responsible for all repairs, maintenance and replacement of and in connection with the fence as well as all insurance costs; and
- (b) the Club's permitted use of the fence is limited to the purpose for which it was installed, being the demarcation of the football field.

Accordingly, Council must grant to the Club a right to use the picket fence for the purpose of affixing the plaques in writing by way of a variation to the Lease.

In consideration of Council granting such right to the Club together with the reduced asset life of the picket fence, the level of profit to be made to by the clubs and the risk to Council, it is recommended that the costs and obligations of and incidental to the insurance, repair, maintenance and replacement of the picket fence be borne by the Club in respect of each picket to which a plaque is affixed and the corresponding section of rail, howsoever damaged or requiring repair, replacement or maintenance.



**BUDGET**

It is proposed that Council arrange for its legal representative to prepare the Deed of Variation (at an estimated cost of \$2000) with each party to bear their own costs of and incidental to the negotiation, finalisation and execution of the Deed.

**LIFE CYCLE COSTS**

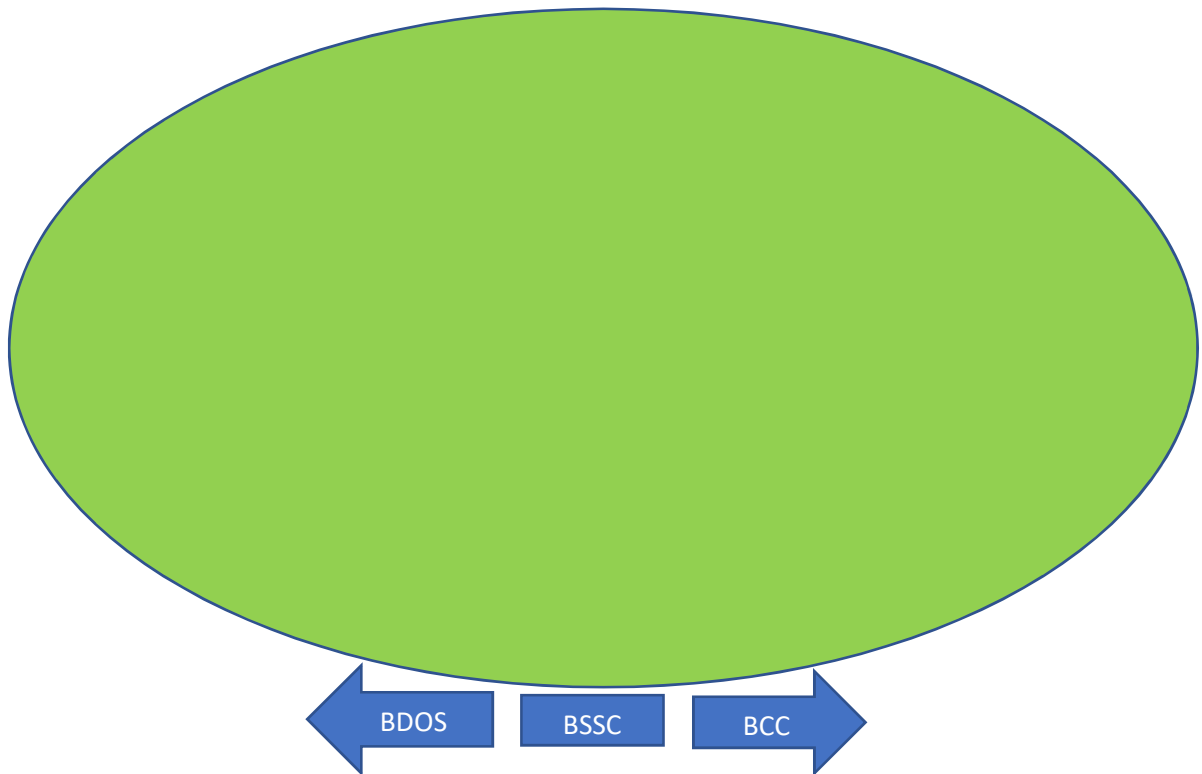
N/A

# Attachment 1



# BRIGHTON FOOTBALL & CRICKET CLUB PICKET PROPOSAL

## BRIGHTON OVAL NO 1



- BSSC have the central area in front of the club between gates
  - BSSC Header
  - 30 pickets for Life Members (20?? – TBC) – not numbered
  - 20 pickets for BSSC administrators – not numbered
  - Not displayed on gates
- BCC have 3 sections heading south
  - BCC Logo
  - 30 pickets for Hall of Fame – BCC to pay for these
  - 100 pickets for Life Members (numbered). We currently have 54. The BCC to pay for these.
  - 600 + pickets (numbered) 101 - ?? for players, supporters, sponsors, residents, MP's
  - Not displayed on gates
  - The potential income (nett) if 600 are sold is \$54,000

- BDOS have sections heading north
  - BDOS Logo
  - 100 pickets for Life Members (not numbered)
  - 600 + pickets (numbered) for players, supporters, sponsors, residents, MP's
  - Not displayed on gates
  - The potential income (nett) if 600 are sold is \$54,000
  
- The plaques will be made of acrylic by Paul at Vital Signs and Graphics (club sponsor) and will be
  - 90mm H x 65mm W and 4mm thick – the size is restricted by the rail underneath
- The cost will be \$5.90 + gst each for batches of 50. They are \$5.20 for batches of 100
- The plaques will be glued or pop rivetted to the pickets (Glenelg FC have both types)
- Total cost including Installation per plaque will be no more than \$10.
- The proposed selling price is \$100 per picket. This will encourage “families” to purchase multiple pickets.
- There are approximately 1800 pickets in total
- It is recommended that only 1 plaque per picket be allowed so as to keep aesthetic continuity
- It is proposed to use a booking system (eg Tri Booking) to purchase and pay for each picket. The 3 clubs would have their own banking details so they can receive the payment directly.
- The BCC is keen to have their Hall Of Fame and Life Members erected by October
- There are examples from the BCC below.





**BRIGHTON CRICKET CLUB**

**PLAYER**

**TOM HOGAN**

**PICKET 99**



**BRIGHTON CRICKET CLUB**

**LIFE MEMBER 23**

**IAN BARNES**

**PICKET 23**



## Examples from the Glenelg FC



Item No: **15.6**

Subject: **REGIONAL PUBLIC HEALTH PLAN 2021-2026**

Date: 12 October 2021

Written By: Community Safety Manager

General Manager: Community & Business, Ms M Lock

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## **SUMMARY**

Section 51 of the *SA Public Health Act 2011* requires Council to prepare a Regional Health Plan (the 'Plan') for a five year period. The draft plan was first submitted to the Health Minister, Women's and Children's Health Network, Southern Adelaide Health Network and the Chief Public Health Officer.

The Health Minister congratulated Council for the development of the plan. No feedback was received from South Adelaide Health Network and the Women's and Children's Health Network suggested that the plan could be strengthened by the inclusion of the role of the City of Holdfast Bay in supporting the national effort to create awareness about domestic family violence and recognize the additional safety risks to safety, health and wellbeing of women and children.

The Plan was also presented for public consultation and eight submissions were received. The public consultation phase was completed in July 2021. All feedback received has been taken into consideration and changes made accordingly.

Administration is seeking endorsement from Council for the City of Holdfast Bay's Regional Health Plan.

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## **RECOMMENDATION**

**That Council endorse the City of Holdfast Bay Regional Public Health Plan 2021 –**

---

**2026.**

## **COMMUNITY PLAN**

Placemaking: Creating lively and safe places

Community: Building a healthy, active and resilient community

Community: Providing welcoming and accessible facilities

Environment: Using resource efficiently



**COUNCIL POLICY**

Not Applicable.

**STATUTORY PROVISIONS**

*South Australian Public Health Act 2011*

**BACKGROUND**

The City of Holdfast Bay Council prepared its first Regional Health Plan in 2014 - as required by Section 51 of the SA Public Health Act (the 'Act') to prepare a regional health plan (the 'Plan'). These plans can:

- be jointly prepared between councils and represent more than one council region; or
- share relevant elements between councils; or
- be a separate plan for the council region.

The plan must:

- assess the state of public health in the region; and
- identify existing and potential public health risks and provide for strategies for addressing and eliminating or reducing those risks; and
- identify opportunities and outline strategies for promoting public health in the region; and
- address any public health issues specified by the Minister following consultation with South Australian Public Health Council (SAPHC); and
- be consistent and have regard to the State's Health Plan.

The City of Holdfast Bay's Strategic Plan addresses the requirements of the regional health plan and therefore a separate plan was developed extracting the relevant health related activities.

This was then submitted to the SA Public Health Council and supported with no requirements for change. The plan was also presented for public consultation and then endorsed by Council.

The legislation allows for the second plan to be an update of the first plan, taking into consideration the State's new Health Plan, current data and feedback from the community, and various government departments.

The second plan must also be submitted to the South Adelaide Health Network and the Women's, Children's Health Network and receive support from the Health Minister before proceeding to public consultation. The final stage is to then receive support from the Chief Public Health Officer for the plan can be endorsed by Council. These are new requirements, resulting in some delays. The legislation is silent on the due date for this plan.

## REPORT

### ***Updated 'plan'***

The City of Holdfast Bay's Regional Health Plan's date has expired however much of the content remains current and relevant. The plan has therefore been updated with the most current available health data and data sources from:

- Population Health Profile for the City of Holdfast Bay July 2019
- Remplan Community Profile 2020
- Quality of Life Survey Report 2019
- Periodic and specific council surveys
- DIT population projections
- Climate Change Commission
- CSIRO and Bureau of Metrology
- SA Monitoring and Surveillance System (SAMSS)
- CO2 greenhouse gas emission
- Councils corporate information management systems

The plan also includes updates on various programs, projects, initiatives and routine activities from all of the managers. These all link into the current strategic plan.

*Refer Attachment 1*

### ***Community Consultation***

The Health Minister congratulated Council for the development of the plan. No feedback was received from South Adelaide Health Network and the Women's and Children's Health Network suggested that the plan could be strengthened by the inclusion of the role of the City of Holdfast Bay in supporting the national effort to create awareness about domestic family violence and recognize the additional safety risks to safety, health and wellbeing of women and children.

The Plan was also presented for public consultation and eight submissions were received. The public consultation phase was completed in July 2021.

The feedback received has been taken into consideration and can be implemented into the existing budget.

### ***Alignment with the State's Health Plan***

Given the plan must also have regard to the latest State Health Plan and be consistent, the updated plan has used the same four core themes used in the State's plan:

- Promote – building stronger communities and health environments
- Protect – protect against public and environmental risks and respond to climate change
- Prevent – prevent chronic disease, communicable disease and injury
- Progress – strengthen the systems that support public health and well being

These themes align well with Councils Strategic Plan and the current programs, projects, initiatives and routine activities that are occurring and or are planned.

### ***Aims of the plan***

The aim of the plan is to help Council and the State Government to identify key public health issues and activities that are occurring in the City of Holdfast Bay. This information is reported to SA Health every two years and helps them with state-wide public health planning. It also ensures public health remains a priority for the region and enables Councils to track their performance and plan for new initiatives.

An additional benefit of the plan is that it helps Councils identify partnership opportunities to seek funding to support initiatives that are similar across a region. For example, if a number of Southern Councils are all running similar exercise programs, because they identify an issue with obesity, they may decide to jointly apply for State Government funding for a 'Southern Exercise Program' addressing a regional problem. This may enhance their chances of receiving funding as the benefits have a larger impact.

### ***Future plans***

As this document is a reflection of our current Strategic Plan, Council may give thought to including future regional health plans into new Strategic Plans.

A number of Councils have either included or are considering including their regional health plans into their Strategic Plans. This is supported by SA Health. All that is required is a mechanism for reporting on the plan every two years. There is no specific requirement for a separate plan.

Finally, please note that the draft plan was completed prior to COVID-19 however, there was a need to consider COVID and new emerging issues from COVID. The plan then had to be revised. There were also a range of unforeseen new requirements for the plan whereby the plan needed approval from the Minister before going to public consultation. The plan then needed final endorsement from the Chief Public Health Officer. Therefore, the plan has taken longer to finalise than predicted. However Administration has been in constant contact with SA Health and they have allowed for the extension, sighting in the legislation that the mandated due date for the next plan is silent. This extra time has given Administration more time to refine the plan and include recent data which has received support from SA Health. Notwithstanding, the current expired document is still a reflection of the current strategic plan and therefore remains current and relevant in its direction for public health.

The draft Plan was first submitted to the Health Minister, Women's and Children's Health Network, Southern Adelaide Health Network. The Plan was also presented for public consultation. Finally the plan was submitted to the Chief Public Health Officer. All feedback received has been taken into consideration for the final Plan.

Administration is seeking support to now adopt the final version of the City of Holdfast Bay Regional Public Health Plan 2021-2026.

**BUDGET**

Printing and public consultation absorbed by existing budget.

**LIFE CYCLE COSTS**

Not applicable

# Attachment 1





# **CITY OF HOLDFAST BAY REGIONAL PUBLIC HEALTH PLAN**

2021-2026







1939

1945

1914

1919

ARCH OF REMEMBRANCE

KEEP LEFT  
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# INTRODUCTION

Under the South Australian Public Health Act 2011, councils are required to prepare and maintain regional public health plans for their areas. This is the second Regional Public Health Plan for the City of Holdfast Bay – updating the inaugural plan released in 2014. It brings our public health planning into alignment with the South Australian Government’s latest State Public Health Plan 2019-2024 and our own strategic plan – Our Place 2030.

The State Public Health Plan 2019-2024 provides the framework for coordinated action by councils and a range of other public health partners to sustain and improve the health and wellbeing of all South Australians.

It recognises the key challenges and issues identified by councils in their inaugural plans, the progress achieved to date, and emerging issues such as mental health and wellbeing and the public health impacts of climate change.

In developing the City of Holdfast Bay Regional Public Health Plan 2021-2026 we:

1. Considered the updated South Australian public health planning framework.
2. Analysed public health data for the City of Holdfast Bay to identify at-risk groups and specific areas of public health need.
3. Reviewed Council’s strategic and business plans.
4. Evaluated existing initiatives and identified gaps and opportunities.
5. Consulted with the community, stakeholders and potential partners.

Our plan is based on the four priority areas identified in the State Public Health Plan:

1. **Promote:** Build stronger communities and healthier environments.
2. **Protect:** Protect against public and environmental health risks and responds to climate change.
3. **Prevent:** Prevent chronic disease, communicable disease and injury.
4. **Progress:** Strengthen the systems that support public health and wellbeing.

By taking action across all four priority areas, we will help to improve the health and wellbeing of our community and reduce the incidence of preventable illness and injury.

To make a difference, we will play a variety of roles including partnering, advocating, leading and facilitating, while working within the scope of our strategic and business plans and in alignment with our vision:


Balancing our progress with our heritage, we lead in coastal management to deliver high-quality public spaces and services to build a welcoming, safe and active community where resident, visitor and business prosperity meet.

# PUBLIC HEALTH PLANNING

## WHAT IS PUBLIC HEALTH?

The Act defines public health as “the health of individuals in the context of the wider health of the community”. It is what we do collectively to create the conditions and environments that support health and wellbeing.

**PUBLIC HEALTH INCLUDES:**

 services and programs at libraries or community centres	 recreation facilities and sports grounds	 safe drinking water
 community gardens or local fruit and veg swaps	 parks and shaded playgrounds	 immunisation services
 footpaths and walking trails	 skate parks and dog parks	 volunteering and community involvement
 the way our communities are planned	 climate risk management planning	 wastewater management
 events that bring the community together	 services that celebrate and promote cultural diversity	 health information and education programs
 disability inclusion services	 safe and nutritious food	 smoke and alcohol free environments

State Public Health Plan 2019-2024

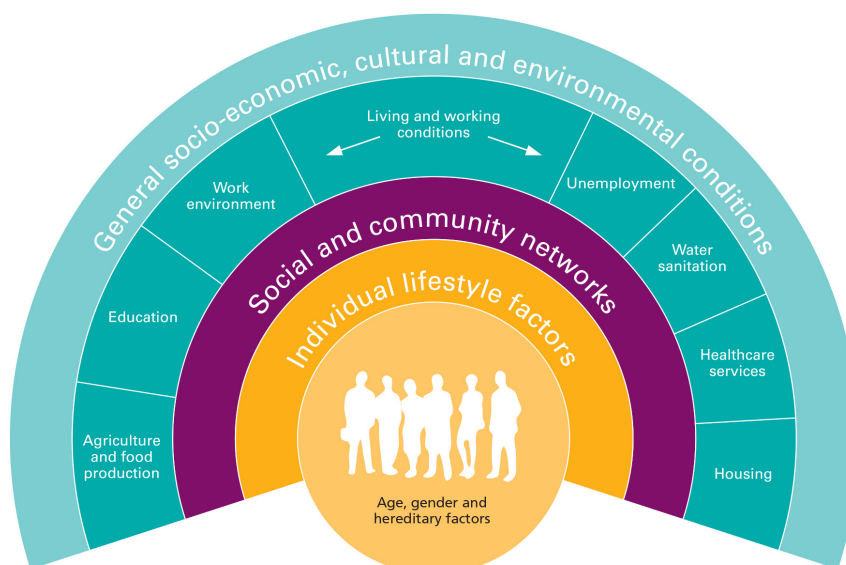
## DETERMINANTS OF HEALTH

There are many natural, built, social, and environmental factors that influence health and wellbeing.

Enjoying good health and wellbeing is dependent on conditions such as freedom from violence and crime, access to quality education and learning, stable local employment, secure and affordable housing, safe and sustainable

natural and built environments, affordable food and clean water, supportive social networks and services. It is also dependent on factors such as social cohesion and inclusion and opportunities to participate in community life. These are referred to as the social determinants of health – many of which overlap with council responsibilities and services.

Figure 2



State Public Health Plan 2019-2024

## WHY PLAN FOR PUBLIC HEALTH? LEGISLATIVE CONTEXT

### THE STATE PLAN AND THE ROLE OF LOCAL GOVERNMENT

The State Public Health Plan 2019-2024, required under the South Australian Public Health Act 2011, notes that public health is a shared concern and shared responsibility across all spheres of government (federal, state and local).<sup>1</sup> While the Act identifies councils as local public health authorities, we are not solely responsible for addressing public health priorities in our regions. However, we must play a lead role in the planning and coordination of initiatives to support the health and wellbeing of our communities.

Public health planning provides a mechanism for councils to adopt a variety of direct and indirect roles and work in partnership with a range of stakeholders to shape public health.

Councils influence the local social, economic, natural and built environments that are critical to promoting healthier lifestyles and play an important role in protecting and promoting health. Examples include:

- Community services and events assist to promote socially interactive and vibrant communities.
- Libraries which offer opportunities for community education and information sharing.
- Urban and infrastructure planning functions that can create built environments that promote physical activity and access for people of all ages and abilities.
- Environmental health functions and services such as immunisation that are important for providing safe environments and controlling infectious diseases in our community.

Councils work collaboratively with a range of stakeholders, playing a variety of roles according to: the significance of the issue; available resources; funding; and legislative responsibilities. We may:

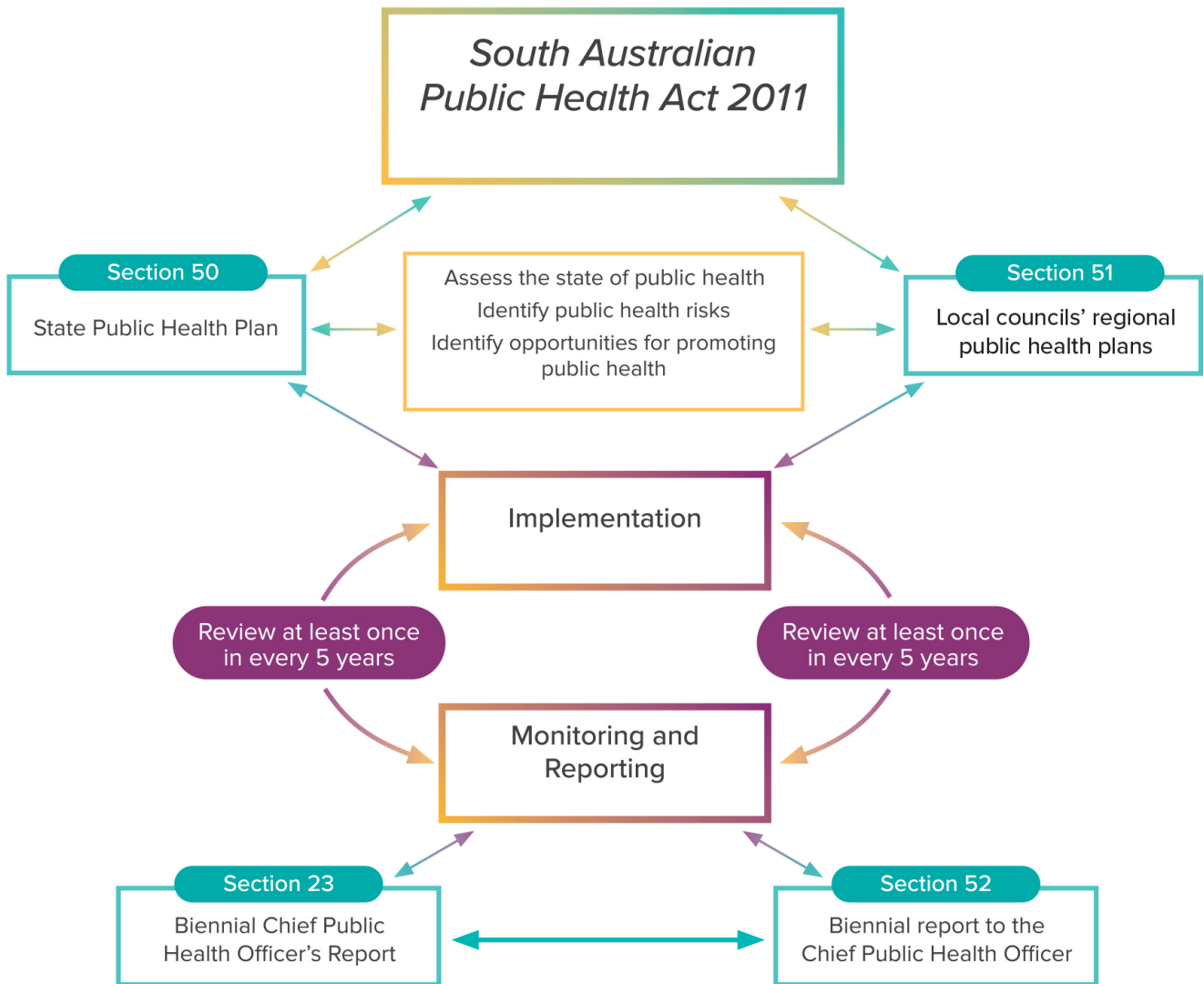
- Lead the community by taking responsibility at a local level for the well-being and improvement of our community.
- Coordinate and manage projects, programs and services that deliver benefits for our ratepayers, residents and visitors.
- Facilitate public health outcomes through partnerships, consultation, information provision or community support.
- Advocate by making representations on behalf of our community to other tiers of government.
- Regulate local activities such as development, building, parking and maintaining public and environmental health to maintain the health, well-being and safety of our community.

### PUBLIC HEALTH PLANNING AND REPORTING

The system of public health planning by state and local government in South Australia is one that allows for continuous improvement with each five-year planning cycle. While councils cannot directly address all public health issues, regional public health plans articulate the issues and approaches that councils can use to positively influence public health at a local level.

<sup>1</sup> State Public Health Plan 2019-2024

Figure 3 - Public Health Planning & Reporting



State Public Health Plan 2019-2024

## INAUGURAL REGIONAL PUBLIC HEALTH PLANS

The State Public Health Plan 2019-2024 reported that the 31 public health plans developed and reviewed by South Australian councils in the first round of planning in 2014 consistently focused on the key determinants of health. They adopted a population focus for planning and delivering services and facilities at a regional level. They also identified specific target groups such as older people, youth, children and other vulnerable groups, with the aim of building resilience and providing support networks and partnerships.

All 31 plans promoted opportunities for physical activity and linked physical activity with personal and community wellbeing – highlighting the link between council stewardship of healthy local environments through open space management, and the benefits of social connectedness and recreation<sup>2</sup>.

Alcohol consumption, smoking, suicide prevention and mental wellbeing were identified as key issues, noting the importance of social networks and access to facilities and services. Volunteering was widely recognised as a mechanism for community participation and capacity building.

## POPULATION HEALTH PROFILES

In July 2019, the Local Government Association of South Australia commissioned the Public Health Information Development Unit (PHIDU) of Torrens University to produce a population health profile for each local government area. Data from 2011-2018 was analysed against a range of indicators derived from the social determinants of health (see Figure 2).

The results for the City of Holdfast Bay, summarised in Appendix A, along with feedback from the community, helped to inform the development of this plan.

## HOLDFAST BAY CORPORATE CONTEXT

### OUR VISION

Balancing our progress with our heritage, we lead in coastal management to deliver high-quality public spaces and services to build a welcoming, safe and active community where resident, visitor and business prosperity meet.

### OUR PRIORITIES

Our plan is based on the four priority areas identified in the State Public Health Plan 2019-2024 which help to support our vision:

1. **Promote:** Build stronger communities and healthier environments.
2. **Protect:** Protect against public and environmental health risks and respond to climate change.
3. **Prevent:** Prevent chronic disease, communicable disease and injury.
4. **Progress:** Strengthen the systems that support public health and wellbeing.

<sup>2</sup> State Public Health Plan 2019-24 p5

# OUR COMMUNITY

## ABOUT OUR CITY

The City of Holdfast bay is a thriving metropolitan area that stretches along 8.6 kilometres of coastline located approximately 11 kilometres from the Adelaide central business district. The vibrant seaside community is home to approximately 37,000 people who live within 2.5 kilometres of the foreshore. The area of almost 14 square kilometres covered by the City of Holdfast Bay is part of the lands of the Kurna people, who are the traditional owners of much of metropolitan Adelaide.

The City of Holdfast Bay acknowledges the ongoing relationship the Kurna people have with this area and respects the importance of this area in their history, culture and future.

## POPULATION PROFILE

The City of Holdfast Bay has slightly more female residents (52 percent) than male residents (48 per cent).

The median age of our population is 46 years, which is older than the median for Greater Adelaide (38.8 years) and South Australia (40.0 years)<sup>3</sup>.

We have a higher proportion of residents in every age cohort 45 years and over<sup>4</sup> and it is projected that proportion of people aged 65 and over will steadily increase from 24.8 per cent to 30.1 per cent by 2036<sup>5</sup>. The proportion of working aged people 20-64 years will fall over the same period from 55.9 per cent to 51.9 per cent.

Between 2011 and 2016 we saw increases in the number of 0-14 year-olds although the proportions of teenagers and children under the age of 12 continues to be lower than that of Greater Adelaide.

Almost half of our households are comprised of couples with or without children and about one third are lone person households<sup>6</sup>.

The index of socio-economic disadvantage (IRSD) indicates that Holdfast Bay residents are relatively advantaged compared with metropolitan, state and national averages, with an IRSD score of 1043 compared with metropolitan Adelaide, with an IRSD of 989. In line with this, we have higher levels of education and significantly lower levels of youth and adult unemployment.

## KEY HEALTH RISKS

The behavioral risks affecting the health of South Australians include alcohol consumption, tobacco smoking, physical inactivity, high BMI and inadequate fruit and vegetable consumption.

As a relatively affluent community, statistics show that Holdfast Bay residents have lower levels of alcohol consumption and smoking and higher levels of physical activity and fruit and vegetable consumption than for Greater Adelaide.

One quarter of females in the City of Holdfast Bay are classified as obese which is higher than for males, but 16 per cent below the metropolitan average.

Holdfast Bay residents have a more positive view of their own health than other Adelaideans and are less likely to report their health as 'fair' or 'poor' (versus 'good', 'very good' or 'excellent').

The conditions that most commonly affect the health of Holdfast Bay residents include cardiovascular illness, high cholesterol, diabetes, osteoporosis, and certain forms of cancer and arthritis. There are relatively more hospital admissions for Holdfast Bay residents compared to other parts of the South Australian community but less for conditions that were avoidable. This is consistent with the age profile of our community.

The incidence of premature mortality from suicide is close to the South Australian average which may be associated with the City's relatively high proportion of lone person households.

Given the City's appeal as a visitor destination, consideration must also be given to communicable disease risks, including pandemics such as COVID-19.

3 ((ABS 3235.0 June 2018).

4 Social Health Atlas [http://www.phidu.torrens.edu.au/current/tools/population-pyramid/current/datagraph\\_agepyramid.html](http://www.phidu.torrens.edu.au/current/tools/population-pyramid/current/datagraph_agepyramid.html) 23 April 2020 population age pyramid comparator for Population Health Networks, Local Government Areas and Population Health Areas, Estimated Resident Population 2018.

5 Population Projections for South Australian Local Government Areas, 2016-36, December 2019 release, © Department of Planning, Transport and Infrastructure, Government of South Australia, 2019.

6 ABS Quickstats Census Data 2016, Holdfast Bay, [www.quickstats.censusdata.abs.gov.au](http://www.quickstats.censusdata.abs.gov.au), updated 19 July 2019, accessed 16 August 2020.







# OUR PLAN

## PROMOTE

Build stronger communities and healthier environments

## PROTECT

Protect against public and environmental health risks and respond to climate change

## PREVENT

Prevent chronic disease, communicable disease and injury

## PROGRESS

Strengthen the systems that support public health and wellbeing

# PROMOTE

## Build stronger communities and healthier environments

### THE CHALLENGE

To provide safe environments where people come together and feel part of the community, where they are socially and physically active and where services meet the needs of all generations.

### THE CONTEXT

Community, placemaking and environment are three of the five pillars which comprise the City of Holdfast Bay's Strategic Plan. By providing infrastructure, delivering services and protecting the City's natural assets, we create an accessible, lively and safe place that supports a healthy, creative, connected community that is engaged with the natural environment.

We understand that social and physical stimulation have profound effects on health, wellbeing and quality of life. People that are disconnected from society are likely to feel isolated and be less socially and physically active. To encourage healthy lifestyles, we aim to provide urban and natural environments that are safe, accessible and welcoming and create opportunities for people to connect.

A social needs assessment<sup>7</sup> conducted in 2020 highlighted the need to provide services that meet the needs of all generations – particularly our ageing population and the growing cohort of families with young children.

### KEY HEALTH DATA

- City of Holdfast Bay residents feel safe, with 66.8 per cent feeling safe to walk alone in their local area after dark, compared to 49.7 per cent for metropolitan Adelaide.
- Social isolation is a major factor. Almost one third of households are lone person households and 44.5 per cent of Home and Community Care (HACC) clients in the City of Holdfast Bay live alone.
- Our community is ageing. The median age in Holdfast Bay is 46 and we can expect to see a 14 per cent increase in persons aged 65-84 by 2026, suggesting an increased demand for aged care services.

- As at June 2016, the City of Holdfast Bay had five per cent more residential aged care places available per 1,000 population than across metropolitan Adelaide.
- We project a six per cent increase in the number of children aged 10-19 years. This indicates an increased demand for youth and family services.
- Our population is not sufficiently physically active. While better than the average for metropolitan Adelaide of 67 per cent, 59.3 per cent of residents aged 15 years and over are estimated to be physically inactive (excluding workplace physical activity).
- The majority of adults in the City of Holdfast Bay are able to get support in times of crisis from people outside of their household. Only one per cent of the adult population in the City of Holdfast Bay is estimated to have difficulty accessing health care.
- A high proportion of residents say they would recommend the City of Holdfast Bay as a place to live.
- Residents report a high level of satisfaction with:
  - The provision of services and programs, especially for older people and those living with a disability.
  - The provision and maintenance of sporting facilities, playgrounds and programs and services for families with young children and people aged from 14-24 years.
  - Library services and community centres that offer services and programs for a wide range of people including those from ethnic and multicultural backgrounds.
- There is a strong consensus that Council provides adequate opportunities for people to gather and interact – an important measure of how connected people feel to their community.

### DATA SOURCES

- Population Health Profile, City of Holdfast Bay, July 2019, produced by the Public Health Information Development Unit (PHIDU), Torrens University, for the Local Government Association of South Australia and SA Health.
- Remplan Community Profile 2020.
- Quality of Life Community Survey Report 2019, City of Holdfast Bay March 2019.
- Periodic and specific purpose Council surveys of open space use.
- DIT population projections.

<sup>7</sup> Moretti, C & Crossman, S. 2020. City of Holdfast Bay Social Needs Assessment. Adelaide: Australian Industrial Transformation Institute, Flinders University of South Australia.

## PROMOTE: BUILD STRONGER COMMUNITIES AND HEALTHIER ENVIRONMENTS

Key Strategies	Responsibility	Partnerships
Partner with SAPOL and Neighbourhood Watch groups to address matters relating to anti-social behaviour in the public realm.	Community Safety Building Facilities	South Australia Police (SAPOL)
Maintain infrastructure including lighting, disability access, safe roads and footpaths, CCTV in public spaces and beach sand cleaning.	Assets & Delivery	DIT DEW
Develop and promote emergency response and recovery plans which strengthen the community's resilience.	Community Wellbeing	Neighbouring councils, Commonwealth and state governments
Foster and support community programs, which minimise isolation and disadvantage within the community.	Community Wellbeing	Neighbouring councils, Commonwealth and state governments, community gardens
Develop and implement the community sports at Brighton Oval, Glenelg Oval, Bowker Oval and other key facilities including tennis, netball and surf life saving.	Assets & Delivery Public Realm & Urban Design	Sporting clubs, state government, federal government, state sporting organisations
Support programs and services which improve social connectedness and social cohesion.	Community Wellbeing	Inner southern councils
Deliver community festivals and events which celebrate cultural diversity and encourage active participation between different generations.	City Activation	
Develop innovative programs to ensure volunteer resources are sustained and volunteers are appropriately skilled to meet the changing needs of the community.	Community Wellbeing	Volunteering SA/NT
Develop and implement a social planning framework to foster engagement and facilitate services for ageing, youth, families and disadvantaged people.	Community Wellbeing	
Continue to provide planned upgrades and renew in open space assets which encourage health and wellbeing.	Public Realm & Urban Design	
Encourage community members of all ages to access to the natural environment and spend more time in nature whilst improving their wellbeing. Includes use of paths (eg Coast Park), cycleways, reserves and beach.	Public Realm & Field Services	Nature Play SA
Maintain sport and recreational infrastructure such as playgrounds, exercise equipment, sporting facilities (eg playing fields, courts, bowling greens, etc) to encourage active recreation and organised sport.	Public Realm & Field Services	Nature Play SA, ORSR, Tennis SA, Bowls SA, SANFL, Lacrosse SA and schools
Activate school ovals for sport and recreation	Community Wellbeing	Schools
Maintain accessible public health information that is current and relevant through Council's website, libraries and community centres.	Customer Experience & Library Services	Commonwealth and state governments
Develop and implement a Disability Access & Inclusion Plan (DAIP) for the City of Holdfast Bay.	Community Wellbeing	
Establish a suicide prevention network within the City of Holdfast Bay.	Community Wellbeing	Government and non-government groups, sporting clubs, veterans shed, health professionals, interested individuals
Establish a homelessness round table network within the City of Holdfast Bay.	Community Wellbeing	SAPOL, Homelessness Gateway, Inner Southern Homelessness Service (UCW Bowden), charity and church groups
Implement the key components of the Open Space and Public Realm Strategy 2018-2030.	Public Realm & Urban Design	
Design, plan, develop and maintain the public realm to ensure that local environments are supportive of active lifestyles and healthy living by: <ul style="list-style-type: none"> <li>maintaining local infrastructure including footpaths, parks and gardens, play spaces, walking trails and bike paths;</li> <li>implementing Council strategies for walking and cycling.</li> </ul>	Public Realm, Urban Design & Field Services Strategy & Corporate	Federal and state government grant funding/partnership opportunities  Australian Institute of Architects, Urban Development Institute of Australia
Crime Prevention Through Environmental Design (CPTED)	Strategy & Corporate	Plan SA, SAPOL
Review Council's Community Land Management Plans to ensure that decision making around public spaces include strategies that promote public health. These decisions should relate to the general inclusiveness and accessibility of the buildings on the land, microclimate, safety, sense of personal fulfilment that such spaces provide.	Strategy & Corporate	Local sporting clubs, organisations, community groups

# PROTECT

## Against public and environmental health risks and respond to climate change

### THE CHALLENGE

To preserve the natural environment and reduce our impact on climate change for the benefit of current and future generations while adapting and preparing for possible health impacts on the community.

### THE CONTEXT

Climate change is likely to have a number of potential effects on the health of our community including:

- More extreme temperatures more often – which will disproportionately affect vulnerable groups such as the elderly.
- Increased risk of vector-borne diseases – because warmer temperatures attract disease carrying vectors such as mosquitoes.
- Rising sea levels – affecting residents along the coastline and the Patawalonga and the associated ecosystems.
- Increasing frequency and severity of natural disasters such as floods – intensifying the demand on essential services.
- Potential food supply problems – which will increase the cost of living and place greater stress on vulnerable groups.

The City of Holdfast Bay is responding to climate change and its impact on human health by:

- Taking action to reducing our climate change impacts – including reducing greenhouse gas emissions.
- Taking responsibility for the multiple impacts we have on our physical environment.
- Improving and increasing the natural elements of our environment because green infrastructure is health infrastructure.

Over the last few decades, the City of Holdfast Bay has been pro-actively responding to a variety of environmental challenges at a local level, such as coastal management, reducing the amount of waste that goes to landfill and reducing our greenhouse gas emissions and more. The City of Holdfast Bay has developed The Environmental Strategy 2020-2025 which provides a roadmap to continue our journey towards and beyond environmental sustainability and to drive the City of Holdfast Bay's goal to becoming a 'carbon neutral, sustainable city, with environmental responsibility enshrined across its operations'.

The environmental pillar of our strategic plan – Our Place 2030 sets out a range of mitigation and adaption strategies designed to enhance our urban and natural environments for current and future generations.

### KEY HEALTH DATA

- The City of Holdfast Bay has 8.6 kilometres of low-lying coast so natural disasters related to sea level rise and flooding have had and will continue to have a serious impact.
- Since the late 1800's the sea level has risen by 20 centimetres globally. It is expected that by 2050 there will be another increase of 30 centimetres which will significantly increase both the local and global risk of inundation.
- It is predicted that the annual number of extremely hot days (above 35° Celsius) could potentially rise to about 32 by 2030, and to 41 by 2090.

### DATA SOURCES UPDATE

- Climate Commission Secretariat (2011). "The Critical Decade: Climate science, risks and responses" - Department of Climate Change and Energy Efficiency.
- Projections for selected Australian cities (2015) CSIRO and Bureau of Meteorology. [https://www.climatechangeinaustralia.gov.au/media/ccia/2.1.6/cms\\_page\\_media/176/CCIA\\_Australian\\_cities\\_1.pdf](https://www.climatechangeinaustralia.gov.au/media/ccia/2.1.6/cms_page_media/176/CCIA_Australian_cities_1.pdf)
- South Australia Monitoring and Surveillance System (SAMSS) Demographics and indicator of City of Holdfast Bay by age group and gender – Population Research and Outcome Studies - September 2013.
- CO2 greenhouse gas emissions calculated from energy use.

# PROTECT: PROTECT AGAINST PUBLIC AND ENVIRONMENTAL HEALTH RISKS AND RESPOND TO CLIMATE CHANGE

Key Strategies	Responsibility	Partnerships
Assess and manage emerging environmental impacts where appropriate and prioritise weed control, re-vegetation requirements, pest control and water needs.	Assets & Delivery	Local schools, Resilient South Coast Protection Board, Green Adelaide, Stormwater Management Authority, EPA, LGA.
Support the City of Holdfast Bay nature volunteers, 'friends' groups and facilitate additional community environment initiatives to help protect, improve and expand our natural resources.		Community groups City of Holdfast Bay nature volunteers
Develop, implement and monitor an emissions reduction strategy.	Assets & Delivery	Local schools
Reduce our carbon footprint by introducing energy saving and waste management strategies aimed at reducing greenhouse gas emissions.		Department of Environment and Water, Green Industries SA
Implement the recommendations of the 2019 energy efficiency audit to reduce greenhouse gas emissions from Council buildings energy use, and continue to transition the Council fleet to hybrid and non-fossil fuel vehicles to reduce CO2 emissions and improve air quality.		Green Adelaide, Resilient South
Encourage the community to reduce their carbon footprint through workshops, newsletters and social media, and through providing and facilitating access to supporting programs and agencies.		
Support health impact education programs through Council's communication channels to inform, encourage and prepare the community.	Assets & Delivery	Green Adelaide
Provide air-conditioned venues for refuge during extreme temperatures.		Resilient South
Provide flexible work arrangements to manage extreme weather patterns, e.g. earlier starts during summer for field workers.		Red Cross
Support the Zone Emergency Management Committee to ensure that public health risks associated with major emergency incidents are identified, understood and incorporated into the Zone Emergency Management Plans.		Holdfast Bay community centres
Maintain sand dune restoration programs to help reduce the impact of rising sea levels.		Local community groups and volunteers
Develop the first stage of a coastal adaptation plan to identify risks, stakeholders, impacts and adaptation options.		Coast Protection Board
Promote climate-ready housing design.		Green Building Council of Australia
Undertake a climate adaptation risk assessment of Council infrastructure.		Adelaide Sustainable Building Network
Enhance our knowledge on the impacts climate change may have on the health and wellbeing of our community, in particular our vulnerable communities.	Assets & Delivery	Resilient South
Continue to increase tree canopy cover on public land to cool streets, reduce heat stress on the community and improve air quality.		Southern Alliance Group, Environmental Health Australia, LGA
Plan for potential direct and indirect impacts on the community, in conjunction with our stakeholders.		
Assess over time whether our planned initiatives are appropriate and remain relevant.		
Food Strategy Working Group - Engage local governments, communities and stakeholders to build the resilience of local food systems in the face of climate change risks. Develop and embed relevant food systems policy and planning as part of government responses to climate change risks.	Community Wellbeing	Sustain Australian Food Network, SA Urban Food Network, Green Adelaide, Wellbeing SA, Heart Foundation, Adelaide Sustainability Centre and Conservation SA, Onkaparinga Food Security Collaborative, SA Nutrition Network, Local councils

# PREVENT

## Prevent Chronic disease, communicable disease and injury

### THE CHALLENGE

Protect the health of individuals in the context of the wider health of the community by using best practice industry standards.

### THE CONTEXT

Under the South Australian Public Health Act 2011, councils have regulatory responsibility for a wide range of areas including:

- Public swimming pools, spas, waterslides and fountains to ensure water quality.
- Cooling towers and warm water systems (known as high risk manufactured water systems) to reduce the risk of Legionnaires' disease.
- Personal service businesses that offer skin penetration services such as tattooing and piercing to reduce the risk of hepatitis and other blood-borne infections.
- Domestic premises that have been identified as exhibiting squalor.
- Clandestine drug laboratories which cause contamination from hazardous chemical residues.

Other legislation administered by councils to promote proper standards of public and environmental health and safety include the Food Act 2001, the Local Government Act 1999 and by-laws, the Supported Residential Facilities Act 1992, Local Nuisance and Litter Control Act 2016 and the Dog and Cat Management Act 1995.

Councils also have responsibility under the Act to investigate incidents of infectious or notifiable disease reported by the Department of Health. Examples include any food related poisoning, legionellosis and influenza, such as coronavirus (Covid-19) and SARS.

As a densely populated community and a popular tourist destination, the City of Holdfast Bay could be considered as having a higher level of risk for the spread of communicable diseases. However, our disease incidence is low. We proactively promote public health and work closely with local businesses to maintain high standards of public health. We offer an accessible and cost-effective immunisation service and undertake various health promotion activities to deal with current, new and emerging public health risks.

As demonstrated throughout the COVID-19 pandemic, the City of Holdfast Bay has been both responsive to directions from SA Health and SA Police under Emergency Declarations, as well as proactively managing events and community expectations.

### KEY HEALTH DATA

- While immunisation rates for very young children (ages 1-5) in the City of Holdfast Bay lag behind the national and metropolitan Adelaide averages, this resolves by five years of age, when a coverage rate of 93.9 per cent is achieved, compared with the metropolitan rate of 93.6 per cent.
- There are at least 536 known businesses in the Holdfast Bay area that are inspected and monitored because of their potential to affect public health. These include, but are not limited to, food businesses, public swimming pools and spas, high risk manufactured water systems and tattooists.
- The most common preventable diseases contracted by Holdfast Bay residents between 2014-2019 included: influenza (1166 cases), chicken pox (367 cases), campylobacter (338 cases) and salmonella (200 cases). Note – not all cases of preventable diseases are reported to health care providers.

### DATA SOURCES

- Population Health Profile, City of Holdfast Bay, July 2019, produced by the Public Health Information Development Unit (PHIDU), Torrens University, for the Local Government Association of South Australia and SA Health.
- Council's corporate information management system.

## PREVENT: PREVENT CHRONIC DISEASE, COMMUNICABLE DISEASE AND INJURY

Key Strategies	Responsibility	Partnerships
In line with the National Immunisation Program, continue to coordinate and deliver comprehensive school and community based immunisation programs to assist in the control of preventable diseases within the City.	Community & Business	Environmental Health Australia (EHA), SA Health, LGA, Child and Youth Health, Immunisation Providers Group
In consultation with SA Health, provide timely action in the investigation of notifications of communicable diseases e.g. Covid-19.		
Continue to undertake a regulatory role in the education and enforcement of personal care services such as skin penetration services with the aim of reducing the incidence of communicable diseases.		
Ensure supported residential facilities maintain a high standard of care and accommodation to ensure the City's most vulnerable population is protected.		SA Health, EHA, Dept of Human Services, LGA, Service Providers
Monitor high risk manufactured water systems and educate system owners (i.e. cooling tower, warm water systems) to prevent the transmission of disease organisms, such as Legionella.		
Improve food safety standards across the community through an ongoing program of regular food safety assessments, education, and enforcement of food businesses within the City.		
Continue to inspect public swimming pools, public spas, waterslides and fountains to ensure that water quality is of a standard that protects public health.		
Continue to provide public education in relation to asbestos and investigate complaints.		
Provide advice and educate the community about the health impacts and control of pests including mosquitoes, wasps, bees and rats.		
Develop and implement Council's Animal Management Plan that promotes responsible pet ownership, protects the community and the environment from nuisance animals.		
Deliver an effective after-hours security service to ensure that our community feels safe.		
Continue to collaborate with government and non-government agencies for the resolution of severe domestic squalor and other related public health matters.		Southern Hoarders Group, EHA, SA Health, Neighboring Council's, LGA
Undertake community safety checks amongst businesses to ensure compliance with Emergency Declarations.		
Undertake community safety checks in reserves and public spaces to ensure compliance with Emergency Declarations.		



# PROGRESS

## Strengthen the systems that support public health and well being

### THE CHALLENGE

Reinforce healthy lifestyle choices to support physical and mental wellbeing including healthy eating and physical activity.

### THE CONTEXT

There are a range of risk factors and interactions influencing chronic disease, including factors such as lifestyle, natural environment, built environment, and others. Healthy living, healthy eating and an active lifestyle have a profound effect on human health. By removing barriers to healthier behaviours, providing recreation facilities and a City that is easily accessible, and undertaking various health promotion campaigns, we aim to encourage people to make better lifestyle choices.

We will also regulate to discourage unhealthy behaviours including reducing the number of public areas where tobacco smoking is permitted and minimising opportunities for excessive alcohol consumption.

### KEY HEALTH DATA

- The majority of Holdfast Bay residents report experiencing good health, with just 11.9 per cent of people reporting their health as 'fair' or 'poor' (versus 'good', 'very good' or 'excellent') compared to 15.6 per cent for metropolitan Adelaide.
- Obesity is a concern with over four per cent of 2-17 year olds being obese (although this rate is approximately one third lower than for metropolitan Adelaide) <sup>8</sup>.
- Male obesity is 22.3 per cent compared with a rate of 26.6 per cent for metropolitan Adelaide.
- The female obesity rate is 25.2 per cent which is 16 per cent below the metropolitan average.
- The prevalence of diabetes is estimated to be lower in the City of Holdfast Bay than in metropolitan Adelaide (at 3.4 and 4.3 persons per 100 population respectively).
- The extent to which adults in Holdfast Bay meet the daily requirement for fruit intake is 52.1 per cent which is two per cent higher than the metropolitan average. Seven in every ten children and young residents (ages 4 -17 years) meet the guidelines for daily fruit consumption, a rate that is ten per cent above the metropolitan average.

- The rate of smoking during pregnancy in the City of Holdfast Bay is below the metropolitan average, with rates of 8.1 per cent in Holdfast Bay compared to 12.3 per cent for metropolitan Adelaide.
- Fewer people in the City of Holdfast Bay were also estimated to suffer from high or very high levels of psychological distress, with one in ten reporting issues compared to one in seven for metropolitan Adelaide.
- In contrast to the relatively low use of Child and Adolescent Mental Health Services, community mental health services for those aged 15 years and over in the City of Holdfast Bay were used at close to the average rate for metropolitan Adelaide.
- Mental health problems were estimated to have affected 15.7 per cent of males in the City of Holdfast Bay, six per cent below the metropolitan average.
- The estimated rate of mental health problems among females in the City of Holdfast Bay, at 18.8 per cent, was higher than for males, and consistent with the metropolitan average (19.0 per cent).
- The premature mortality rate in the City of Holdfast Bay at ages 15-24 years is below the rate in metropolitan Adelaide, with rates of 26.9 per cent and 29.4 per cent respectively.
- Despite overall lower premature mortality rates, the rate of suicide for people under 75 years of age is notably higher in the City of Holdfast Bay (14.5 deaths per 100,000 people compared to 12.5 for metropolitan Adelaide).

### DATA SOURCES

- Population Health Profile, City of Holdfast Bay, July 2019, produced by the Public Health Information Development Unit (PHIDU), Torrens University, for the Local Government Association of South Australia and SA Health.

# PROGRESS: STRENGTHEN THE SYSTEMS THAT SUPPORT PUBLIC HEALTH AND WELL BEING

Key Strategies	Responsibility	Partnerships
Continue to support and regulate smoking exclusion zones in the public realm (under the Tobacco Products Regulation Act 1997) in particular Moseley Square, outdoor dining and areas where people may be subjected to second hand smoke. Investigate smoke free policy for all Council community facilities.	Community & Business	SAPOL, SA Health
Identify local drug and alcohol trends and implement regional strategies that address social impacts by working with the drug action team.	Local Government	SAPOL, Red Cross, Drug ARM, Emergency and care services
Integrate health promotion initiatives within Council programs, policies and practices by identifying opportunities that can improve the health and wellbeing of our employees e.g. smoke free workplace, lunch time yoga, stand up desks, counselling.	Strategy & Corporate	
Implement locally based social marketing campaigns to encourage and motivate the community to eat healthy and be regularly active.	Community & Business	Flinders University, Australian Government Department of Health
Facilitate education and training programs for the community to encourage positive mental health, healthy eating and physical activity programs that promote mobility, resilience and wellbeing.	Community & Business	Australian Government Department of Health, Heart Foundation, SA Government
Actively promote healthy eating by developing and implementing targeted programs and initiatives in line with local, state and national guidelines and partnering with community initiatives and organisations such as Community Foodies and Flinders University's nutrition and dietetics department.	Community & Business	Australian Government Department of Health, Uniting Communities, Flinders University
Ensure Council staff use the City of Holdfast Bay Healthy Eating Policy to ensure healthy food choices are available at Council functions, events and facilities.	Community & Business	Council caterers, Businesses
Work with local businesses and organisations such as schools, pubs and sporting clubs to support them in developing healthy menu and catering options or their own healthy eating policies.	Community & Business	Local sporting clubs, organisations and businesses
Encourage healthy eating and social connectivity by providing community spaces to support community gardens.	Strategy & Corporate Community Wellbeing	Australian City Farms and Community Gardens Network (ACFCGN)
Actively promote the Australian Guide to Healthy Eating within supported residential facilities to encourage the provision of adequate nutrition to disadvantaged groups.	Community & Business	Environmental Health Australia (EHA) Dept of Human Services
Develop, implement and continue a range of targeted physical activity programs in line with the Australia's Physical Activity and Sedentary Behaviour Guidelines and Australian 24-Hour Movement Guidelines to support and encourage regular physically activity.	Community & Business	Australian Government Department of Health
Food Strategy Working Group - Develop coordinated action to optimise local food systems for the future. Understand, advocate and foster local food systems by mapping local community-based initiatives and collating data on food security.	Community & Business	Sustain - The Australian Food Network, SA Urban Food Network, Green Adelaide, Wellbeing SA, Heart Foundation, Adelaide Sustainability Centre and Conservation SA, Onkaparinga Food Security Collaborative
Food Strategy Working Group - understand the economic, social and environmental impacts of the current global food system on CHB local ecosystems and community and take coordinated action to optimise local food systems for the future.	Community & Business	Sustain Australian Food Network, SA Urban Food Network, Green Adelaide, Wellbeing SA, Heart Foundation, Adelaide Sustainability Centre & Conservation SA, Onkaparinga Food Security Collaborative, SA Nutrition Network, Local Council's (x 10)
Identify and prioritise the best ways to invest and promote local food system initiatives.	Community & Business	

# OUR IMPLEMENTATION PLAN

## IMPLEMENTATION

The City of Holdfast Bay Regional Public Health Plan 2021-2026 aligns with our strategic plan – Our Place 2030, and draws upon a range of other Council documents including asset management plans, the Open Space and Public Realm Strategy, the Youth Action Plan, Play Space Action Plan, Arts and Culture Strategy and the Disability Access and Inclusion Plan.

These plans and strategies articulate a wide range of measures which contribute to the health and wellbeing of the community. This Regional Public Health Plan draws these existing strategies together as well as detailing additional strategies to support public health.

Departmental responsibility has been assigned to each strategy and each business unit will be responsible for reporting on each key strategy.

To implement this plan, we will continue to work in partnership, identified for each key strategy with government bodies, community organisations and members of the community to improve public and environmental health in the region.

## EVALUATION

As per the Act, the plan will be evaluated, and a report provided to the Chief Public Health Officer every two years, on or before the 30th September of a reporting year (reporting to the period ending 30 June).

Using the various data sources such as census information, health profiles, internal and external surveys and program evaluations, the report will track progress in each of the priority areas.

The biennial report will include updates for each health strategy (where possible) and note whether the strategy remains pertinent. It will also identify gaps, review partnerships and highlight new and emerging trends.

The evaluation will reflect our position as an important contributor to community health and wellbeing, while acknowledging the wide-ranging influences and broad-based responsibility for health outcomes.

# APPENDIX A

A selection of indicators of population health and its determinants was produced in a profile for the City of Holdfast Bay compared with metropolitan Adelaide [Population Health Profile City of Holdfast Bay, produced by the Public Health Information Development Unit (PHIDU), Torrens University, for the Local Government Association of South Australia, and SA Health, July 2019]

## 1. Age Structure

- The City of Holdfast Bay has notably fewer people at ages below 45 for males and 49 for females, and notably more at the remaining, older ages than in the metropolitan area overall; it also has a higher proportion of the population aged 65 years and over than metropolitan Adelaide.

## 2. Population Profile

- The three largest non-English speaking countries for Holdfast Bay population were India, China and Germany (cf SA China Italy India). Those reporting India and China as their birthplace are likely to include students who have come to South Australia for their continuing education. (2016 Census)
- Relatively few people born in overseas countries in the City of Holdfast Bay reported speaking English 'not well' or 'not at all', 0.8 per cent in Holdfast Bay and 2.8 per cent in metropolitan Adelaide.
- The ABS estimated that there were 70 people in the City of Holdfast Bay in 2016 (0.2 per cent of the population) who had entered Australia under the Humanitarian Program, just 14 per cent of the metropolitan average, and more entered on a skill stream visa than for family or humanitarian visas.
- There were an estimated 314 people of Aboriginal and/or Torres Strait Islander descent resident in the City of Holdfast Bay at 30 June 2016, at 0.9 per cent of the area's population just half the proportion in metropolitan Adelaide.
- The estimated number of people in the City of Holdfast Bay aged 15 years and over who, in the two weeks prior to census night, spent time providing unpaid care, help or assistance to family members or others because of a disability, a long-term illness or problems related to old age was consistent with the metropolitan average, at 12.0 per cent and 12.2 per cent, respectively.
- A lower level of people living in the community with a profound or severe disability.
- Although 4.2 per cent of the population in the City of Holdfast Bay who had a profound or severe disability were living in the community, the proportion was much higher for the population aged 65 years and over (11.2 per cent) compared with that for those aged under 65 years (2.1 per cent).

- The index of socio-economic disadvantage score indicates that Holdfast Bay residents are relatively advantaged compared with Adelaide, SA and Australia, 1043, indicating a higher level of socioeconomic advantage when compared with metropolitan Adelaide, with an IRSD of 989.

## 3. Employment

- The rate of people receiving an unemployment benefit in the City of Holdfast Bay was just under two thirds of the metropolitan average, with 3.9 per cent and 6.3 per cent, respectively.
- When compared with the metropolitan average, relatively fewer people in the City of Holdfast Bay were receiving an unemployment benefit for more than six months, 3.2 per cent in the LGA and 5.4 per cent in metropolitan Adelaide.
- Just 2.0 per cent of young people in the City of Holdfast Bay were receiving an unemployment benefit, just over half the metropolitan average of 3.8 per cent.

## 4. Education

- More 16 year olds stay at school.
- An above-average proportion of school leavers in 2017 were enrolled at a South Australian university at 31 March 2017, with 34.4 per cent for those living in the City of Holdfast Bay compared with 32.2 per cent for metropolitan Adelaide.
- Very few children in the City of Holdfast Bay aged less than 15 years were living in families where the female parent's highest level of schooling was year 10 or below, or where the female parent did not attend school. The proportions were 5.6 per cent in Holdfast Bay and 13.6 per cent in metropolitan Adelaide.
- In line with the information above as to educational participation, relatively more young people aged 15 to 24 years were engaged in school, work or further education/training, with 90.5 per cent in the City of Holdfast Bay compared with 86.6 per cent in metropolitan Adelaide.

## 5. Income and wealth

- There were markedly fewer children aged less than 16 years living in low-income families in the City of Holdfast Bay (12.8 per cent of the population) compared with metropolitan Adelaide (23.0 per cent).
- There were relatively (19 per cent) fewer people aged 65 years and over in the City of Holdfast Bay receiving the age pension when compared with the metropolitan average (54.9 per cent and 67.9 per cent, respectively). This same pattern was evident for the other pension and benefit types and associated indicators described in this report e.g. disability support pensions, health card and pensioner concession card holders.

- Relatively few households in the City of Holdfast Bay were assessed as requiring additional bedrooms, at around half the level across metropolitan Adelaide – proportions were 1.3 per cent in Holdfast Bay and 2.8 per cent in metropolitan Adelaide.
- Five per cent of low-income households in the City of Holdfast Bay were subject to mortgage stress, just over half the proportion in metropolitan Adelaide (8.5 per cent).
- There were 16 per cent fewer low-income households who experienced rental stress in the City of Holdfast Bay when compared to the metropolitan area overall.
- Social housing plays a very small part in the rental market in the City of Holdfast Bay, with 2.7 per cent of private dwellings rented in this way, compared with 6.4 per cent for metropolitan Adelaide overall.
- In contrast to the low provision of social housing in the City of Holdfast Bay, 15.5 per cent of households were receiving Commonwealth rent assistance in June 2017. This proportion was consistent with that in metropolitan Adelaide.
- One in eleven households in the City of Holdfast Bay reported not having access to a motor vehicle on census night 2016. This may not be a problem for some, given the various public transport alternatives, but for some it will prove to be a limitation to accessing services.

## 6. Early Life and Childhood

- Consistent with its (older) age profile, the total fertility rate of 1.43 in the City of Holdfast Bay was 20 per cent below the metropolitan Adelaide rate of 1.79.
  - In common with other more socioeconomically advantaged LGAs, the rate of smoking during pregnancy in the City of Holdfast Bay was below the metropolitan average, with rates of 8.1 per cent in Holdfast Bay and 12.3 per cent in metropolitan Adelaide.
  - The rate of immunisation at one year of age was slightly lower in the City of Holdfast Bay (91.9 per cent) than in metropolitan Adelaide (94.0 per cent).
  - By five years of age, children in the City of Holdfast Bay had achieved a coverage rate of 93.9 per cent, compared with the metropolitan rate of 93.6 per cent.
  - It was estimated that 4.3 per cent of males aged from 2 to 17 years in the City of Holdfast Bay were obese, two thirds of the metropolitan Adelaide rate of 6.6 per cent.
  - It was estimated that 4.5 per cent of males aged from 2 to 17 years in the City of Holdfast Bay were obese, just over two thirds of the metropolitan Adelaide rate of 6.7 per cent.
  - It was estimated that around seven in every ten children and young people (at ages 4 to 17 years) in the City of Holdfast Bay met the guidelines for daily fruit consumption, a rate that is ten per cent above the metropolitan average.
- There were between one and four infant deaths in the City of Holdfast Bay, with the number suppressed to avoid the possibility of breaching privacy.
  - There were two thirds the number of clients of the Child and Adolescent Mental Health Service in the City of Holdfast Bay over this three-year period when compared with metropolitan Adelaide.
  - There were relatively fewer children in the City of Holdfast Bay considered to be 'developmentally vulnerable' on one or more domains of the AEDC when compared with metropolitan Adelaide, with 16.2 per cent and 23.0 per cent of children assessed, respectively.

## 7. Personal Health and Wellbeing

- People in the City of Holdfast Bay were less likely to report their health as 'fair' or 'poor' (and not 'good', 'very good' or 'excellent') than in metropolitan Adelaide, with rates of 11.9 and 15.6 per 100 population, respectively.
- Fewer people in the City of Holdfast Bay were also estimated to suffer from high or very high levels of psychological distress, with one in ten in the LGA compared with one in seven in metropolitan Adelaide.
- Diabetes prevalence was estimated to be lower in the City of Holdfast Bay (3.4 persons per 100 population) than in metropolitan Adelaide (4.3 persons per 100 population).
- Mental health problems were estimated to have affected 15.7 per cent of males in the City of Holdfast Bay, 6 per cent below the metropolitan average (16.8 per cent).
- The estimated rate of mental health problems among females in the City of Holdfast Bay, at 18.8 per cent, was higher than for males, and was consistent with the metropolitan average for females (19.0 per cent).
- Consistent with its higher socioeconomic status as indicated by the IRSD score, the City of Holdfast Bay had a lower smoking rate than in metropolitan Adelaide, with rates of 11.5 and 14.2 smokers per 100 population, respectively.
- Another relatively good outcome in the City of Holdfast Bay is the estimate of male obesity, with 22.3 males per 100 population obese compared with a rate of 26.6 in metropolitan Adelaide.
- The obesity rate estimated for females in the City of Holdfast Bay, at 25.2 obese females per 100 females in the population, was higher than for males, but similarly 16 per cent below the metropolitan average.
- Although over half (59.3 per cent) of the City of Holdfast Bay population aged 15 years and over was estimated to be physically inactive (excluding workplace physical activity). A better outcome than across metropolitan Adelaide overall, which had a rate of 67.0 physically inactive people per 100 population aged 15 years and over.

- Just over half (51.5 per cent) of adults in the City of Holdfast Bay were estimated to have met the daily requirements for consumption of fruit, just above the rate of 49.0 in metropolitan Adelaide.
- Males in the City of Holdfast Bay had a median age at death of 83 years, three years above the metropolitan Adelaide median age of 80 years.
- For females in the City of Holdfast Bay the median age was 87 years, four years above that for males in the area and two years above the metropolitan median age for females of 85 years.
- As shown for adults, the premature mortality rate in the City of Holdfast Bay at ages 15 to 24 years was below the rate in metropolitan Adelaide, with rates of 26.9 and 29.4, respectively.
- Despite the overall lower premature mortality rates in the City of Holdfast Bay, as noted above, the rate of suicide before 75 years of age was notably higher in the City of Holdfast Bay (14.5 deaths per 100,000 population aged under 75 years) than in metropolitan Adelaide (a rate of 12.5).
- There were 21 per cent more admissions to hospital of people living in the City of Holdfast Bay when compared with the metropolitan area overall.
- In contrast to the high overall admission rate of residents in the City of Holdfast Bay (21 per cent above the metropolitan average), the rate of admission for potentially preventable hospitalisations was 7 per cent below the metropolitan average.
- Only one per cent of the adult population in the City of Holdfast Bay were estimated to having difficulty accessing health care.
- Almost half (44.5 per cent) of HACC clients in the City of Holdfast Bay were living alone in 2014/15, 19 per cent more than the metropolitan average proportion of 37.4 per cent of clients.
- However, very few HACC clients did not speak English at home, with 6.3 per cent in the City of Holdfast Bay compared with 19.4 per cent in metropolitan Adelaide.
- In contrast to the relatively low use of Child and Adolescent Mental Health Services, community mental health services for those aged 15 years and over in the City of Holdfast Bay were used at close to the average rate in metropolitan Adelaide as a whole.
- The City of Holdfast Bay had five per cent more residential aged care places per 1,000 population in June 2016 than available across metropolitan Adelaide, with rates of 100.5 and 95.4, respectively.

## 8. Community Connectedness

- Consistent with responses for metropolitan Adelaide overall, a majority of adults in the City of Holdfast Bay were able to get support in times of crisis from people outside of their household.
- Very few adults in the City of Holdfast Bay were estimated to disagree or strongly disagree with the acceptance of other cultures, with people more accepting than shown by the metropolitan average rate.
- In keeping with the overall higher level of socioeconomic advantage in the City of Holdfast Bay, relatively fewer people were estimated to have had government support as their main source of income in the last two years, namely 22.4 per cent of adults, a rate 28 per cent below the metropolitan average.
- Just over four in five households (82.8 per cent) in the City of Holdfast Bay reported in the 2016 Census that someone had accessed the Internet from the dwelling, a rate consistent with that across metropolitan Adelaide.

## 9. Personal and Community Safety

- Markedly more people in the City of Holdfast Bay felt very safe/safe walking alone in their local area after dark, with 66.8 adults per 100 population (66.8 per cent) estimated for EHA, compared with 49.7 per cent for metropolitan Adelaide.<sup>9</sup>

<sup>9</sup> Australian Bureau of Statistics (ABS). General Social Survey: Summary results, Australia, 2014. [ABS Cat. no. 4159.0]. Canberra: ABS, 2015.



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Item No: **15.7**

Subject: **ALPINE WINTER FESTIVAL 2021**

Date: 12 October 2021

Written By: Team Leader, Events

General Manager: Community & Business, Ms M Lock

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## **SUMMARY**

The report provides an overview on the results of Alpine Winter Festival 2021 staged in Moseley Square and Glenelg Foreshore scheduled 25 June to 20 July 2021 during the school holidays.

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## **RECOMMENDATION**

**That Council note the report.**

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## **COMMUNITY PLAN**

Economy: Supporting and growing local business  
Economy: Boosting our visitor economy

## **COUNCIL POLICY**

Not Applicable.

## **STATUTORY PROVISIONS**

Not Applicable.

## **BACKGROUND**

The Winter Wonderland Festival was developed by the Jetty Road Mainstreet Committee (JRMC) in 2014 to help stimulate economic development during off peak visitation and to keep Glenelg front of mind as a destination during winter. 2019 was the fifth year of this activation. It did not occur in 2020. Alpine Winter Festival was initiated in 2021.

## **REPORT**

The Alpine Winter Festival 2021 staged in Moseley Square and Glenelg Foreshore scheduled 25 June to 18 July 2021 during the school holidays, encompassed the three weeks of school holidays in this period. On offer was ice skating (with skating aids available to children), live music, market stalls, food and beverage offerings and the Jetty Light Walk known as 'Storm'. The term was

extended due to reduced density limits and subsequent lockdown under the Emergency Management Act and declarations thereof.

- Total attendance 46,000
- Ticket sales 19,641
- Staff employed 151
- Artists supported 75
- SA Vendors 36

#### Audience

Whilst broad and diverse, the majority of the audience who attended Alpine 2021 were transient. A crowd who attended for an activity, a booking or a wander but didn't necessarily stay for the entire day or evening. A very family focused audience with a skew towards young families.

#### Offering

The mixed offering of activities, food, beverage and entertainment was a great success, but could certainly be increased for years to come. A greater focus on a more in-depth children's program, coupled with more adult focused areas may allow for greater integration as well as greater distinction of areas for different audiences.

#### Timelines

Planning, programming, delivery and marketing would be greatly enhanced with greater lead times.

#### Site Design

The initial site design was challenging due to the exposure to the elements, lack of power facilities and no sewer connections. The structures of the markets and food vendors were great initiatives, along with timber walkways, however the ice rink would have benefited greatly from being in the centre of the site with greater access to watch, with more of a central fire feature and thoroughfare for the night times.

#### Operations

Learning from the flow of patronage at different stages, opening hours could be limited during dates that are outside of statewide school holidays, without losing the ability to activate the space at nighttime with lighting installations and fire features.

#### Ice skating tickets sold comparison

2015	29,000
2016	22,000
2017	28,000
2018	23,310
2019	18,182
2021	19,641

Economic Impact

2015	\$1,400,000
2016	\$1,012,000
2017	\$1,046,422
2018	\$3,126,533
2019	\$1,787,088
2021	\$4,508,000

Spend

Using Spendmapp, spending patterns during the Alpine Winter Festival were analysed in relation to average spend on comparable days outside the Festival period. Due to the extended period of the Festival, it is difficult to attribute changes in spending patterns to any single cause, given the extent of natural variability in the data due to weather, school holidays, and other factors such as reduced density and COVID lockdown.

Analysis by Spendmapp concluded:

- There was no significant uplift in spending over the festival period when comparing respective days of the week with average spend on that day (e.g. average spend on a Thursday compared to Thursday spending for all Spendmapp data).
- It was found that spending on the final two weekday periods (Monday-Friday) of the 2021 festival was higher than usual. It is suspected that this might have been due to the school holidays allowing more people to attend.
- Despite no change in comparison to the overall daily averages, the analysis revealed during the Alpine Festival 2021 event, there was a total of \$30,972,494 in spending in the Glenelg precinct. This compares to a total \$27,179,999 for the same period in 2019, a \$3,803,201 difference.
- Comparing spending in the dining and entertainment categories in Glenelg/Glenelg North for the date range of the Alpine Winter Festival and the same date ranges in 2020 and 2019 revealed the following, although it should be noted that these figures have not been adjusted to account for different dates that weekends and school holidays fall year on year.

<b>Dining and Entertainment: Glenelg/Glenelg North</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
All hours	\$8.24M	\$11.1M	\$11.9M
Outside work hours only	\$5.02M	\$6.77M	\$7.82M

The City of Holdfast Bay contributed \$125,000 towards Alpine Winter Festival, which was jointly funded with Jetty Road Mainstreet Committee.

Marketing Impact

Paid Reach	438,789
Facebook Reach	673,340
Instagram Reach	210,924
Facebook Likes	20,300
Instagram Followers	7,600

## Summary

The first of its kind activation in Glenelg demonstrated what is possible on the foreshore in the winter months.

The return on investment was \$36.06 for each dollar of support.

Administration will now assess Expressions of Interests received and make recommendations to the JRMC and Council.

## Tourism Vision

The City of Holdfast Bay is committed to a lively, diverse, safe and accessible tourism destination for visitors and residents alike whilst ensuring sustainability and economic benefits for our immediate community and region.

Four focus areas underpinning the vision to ensure sustainable tourism growth within the City of Holdfast Bay are:

- Driving demand
- Visitor experience
- Tourism innovation and sustainability
- Consultation and partnerships.

It is intended that the proposed service aligns with all four focus areas to facilitate sustainable tourism growth and actively promotes visitor dispersal across the city.

## Target Market

High yielding City of Holdfast Bay residents and visitors with an interest in food and drink, specifically women of high disposable income.

- Aged 25 to 45 years;
- Local residents, overnight visitors from regional South Australia and interstate in particular -Victoria and New South Wales;
- Looking for authentic and unique experiences to share with friends;
- Familiar with Australia's music, food and drink scene; and
- Use social media such as Facebook and Instagram.

Visitors are defined as residents of Adelaide suburbs and regions outside of the City of Holdfast Bay.

## Jetty Road Mainstreet Committee

The event also aligns with Jetty Road Mainstreet Committee Terms of Reference key objectives: To enhance and promote the Precinct as a vibrant shopping, leisure and recreational area with year round appeal to residents and visitors and furthering the economic development of the Precinct.

## **STRATEGIC ALIGNMENT**

Support of the Alpine Winter Festival aligns with both the City of Holdfast Bay's Events Strategy and the Creative Holdfast Arts and Cultural Strategy.

### **Event Strategy and Events Strategy Action Plan 2021-2025**

Alpine Winter Festival fulfils the key priority areas and action plan identified in the City of Holdfast Bay Events Strategy 2021-2025.

- Priority Area 1 Economic value: Attracting out of city visitation and increased length of stay.
- Priority Area 2 Destination Awareness: Promoting our image and reputation as Adelaide's premier seaside destination. Builds Holdfast Bay's profile as a leading events destination. Provides opportunities to showcase Holdfast Bay to new markets and encourage travel to the region. Achieves a high level of positive awareness and engagement. Attracting positive media attention and word of mouth recommendations.
- Priority Area 3 Lifestyle and Legacy: Bringing people and communities together to create a sense of identity and activates public spaces. Encourages community support and participation and/or involvement. Creates an event legacy with return visitation.
- Priority Area 4 Sustainability: The event is financially and environmentally sustainable and maximises the use of Council resources by redeploying event infrastructure build for beach concerts.

### **Creative Holdfast Arts and Culture Strategy 2019-2024**

- Strategic Theme 2: Provide meaningful arts and cultural encounters, activities and events.
- Strategic Theme 6: Build links between local arts and cultural practitioners and organisations as well as other Councils, across the state and nationally. Identify and develop partnership opportunities with leading arts and cultural organisations in South Australia and beyond.

## **BUDGET**

\$125,000 to support the event.

## **LIFE CYCLE COSTS**

Not Applicable