

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 22 February 2022 at 7.00pm

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

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 8 February 2022 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 - Nil

12. MOTIONS ON NOTICE - Nil

13. ADJOURNED MATTERS - Nil

14. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES

14.1 Minutes - Jetty Road Mainstreet Committee – 2 February 2022 (Report No: 43/22)

14.2 Alwyndor Management Committee Minutes – 27 January 2022 (Report No: 45/22)

15. REPORTS BY OFFICERS

15.1 Items in Brief (Report No: 39/22)

15.2 Dog Registration Fees for 2022-23 (Report No: 41/22)

15.3 Monthly Financial Report – 31 January 2022 (Report No: 42/22)

15.4 Update to Code of Practice – Access to Meetings and Documents (Report No: 44/22)

15.5 Glenelg as an Accessible Beach (Report No: 46/22)

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

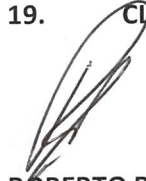
18.1 Hoarding Fee Relief (Report No: 40/22)

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

- 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: 14.1

Subject: **MINUTES – JETTY ROAD MAINSTREET COMMITTEE – 2 FEBRUARY 2022**

Date: 22 February 2022

Written By: General Manager, Community and Business

General Manager: Community and Business, Ms M Lock

SUMMARY

The Minutes of the Jetty Road Mainstreet Committee meeting held on 2 February 2022 are attached and presented for Council's information.

Jetty Road Mainstreet Committee Agenda, Reports and Minutes are available on Council's website and the meetings are open to the public.

RECOMMENDATION

That Council notes the minutes of the Jetty Road Mainstreet Committee of 2 February 2022.

STRATEGIC PLAN

Building an economy and community that is inclusive, diverse, sustainable and resilient.

COUNCIL POLICY

Not Applicable.

STATUTORY PROVISIONS

Not Applicable.

BACKGROUND

The Jetty Road Mainstreet Committee (JRMC) has been established to undertake work to benefit the traders on Jetty Road Glenelg, using the separate rate raised for this purpose. Council has endorsed the Committee's Terms of Reference and given the Committee delegated authority to manage the business of the Committee.

Jetty Road Mainstreet Committee Agendas, Reports, and Minutes are available on Council's website and the meetings are open to the public.

REPORT

Minutes of the meetings of JRMC held on 2 February 2022 are attached for member's information.

BUDGET

Not applicable

LIFE CYCLE COSTS

Not applicable

Attachment 1



CITY OF HOLDFAST BAY

Minutes of the meeting of the Jetty Road Mainstreet Committee of the City of Holdfast Bay held via virtual connection on Wednesday 2 February 2022 at 6:00pm

PRESENT

Elected Members:

Mayor A Wilson
Councillor W Miller

Community Representatives:

Maios Group, Mr C Maios
Attitudes Boutique, Ms G Martin
Daisy and Hen, Ms G Britton
Good Physio, Mr T Chai
Ikos Holdings Trust, Mr A Fotopoulos
Cibo Espresso, Mr T Beatrice

Staff:

Acting Chief Executive Officer, Ms P Jackson
General Manager, Community & Business, Ms M Lock
Manager, City Activation, Ms R Forrest
Jetty Road Development Coordinator, Ms A Klingberg
Jetty Road Development Assistant, Mr W Papatolis

1. OPENING

The Chairman, Mr C Maios, declared the meeting open at 6.06pm.

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. APOLOGIES

3.1 Apologies Received: Councillor Abley, D Elmes, G Watson

3.2 Absent: A Warren

4. DECLARATION OF INTEREST

Members were reminded to declare any interest before each item.

5. CONFIRMATION OF MINUTES**Motion**

That the minutes of the Jetty Road Mainstreet Committee held on 1 December 2021 to be taken as read and confirmed.

Moved G Martin Seconded G Britton

Carried

6. QUESTIONS BY MEMBERS

6.1 Without Notice: Nil

6.2 With Notice: Nil

7. MOTIONS ON NOTICE: Nil**8. PRESENTATION:****8.1 Budget Update**

Mr Cadel Blunt, Management Accountant, City of Holdfast Bay provided an update on the JRMC Budget and the new reports.

9. REPORTS/ITEMS OF BUSINESS

9.1 Monthly Finance Report

(Report No: 21/22)

The Jetty Road Mainstreet Committee December 2021 variance report is presented for information of the members of the Jetty Road Mainstreet Committee.

Motion

That the Jetty Road Mainstreet Committee note this report.

Moved T Beatrice Seconded G Martin

Carried

9.2 Jetty Road Events Update

(Report No: 19/22)

JRMC in partnership with the City of Holdfast Bay are responsible for implementing and managing a variety of major events to support economic stimulus in the precinct in accordance with the annual marketing and business plan. This report provides an overview of upcoming events.

Motion

That the Jetty Road Mainstreet Committee note this report.

Moved G Martin Seconded G Britton

Carried

A Fotopoulos joined the meeting at 6.16pm

9.3 Marketing Update

(Report No: 20/22)

The report provides an update on the marketing initiatives undertaken by the Jetty Road Mainstreet Committee 2021 Marketing Plan and initiatives aligned to the delivery of the Jetty Road Glenelg Retail Strategy 2018-2022.

Motion

That the Jetty Road Mainstreet Committee note this report.

Moved T Beatrice Seconded G Martin

Carried

10. URGENT BUSINESS – Subject to the Leave of the Meeting

REPORTS/ITEMS OF BUSINESS:

10.1 Jetty Road Mainstreet Committee Terms of Reference

The Jetty Road Mainstreet Committee Terms of Reference were last reviewed by the Committee in early 2020 and were subsequently submitted for Council's endorsement on 14 April 2020.

At that time, minor amendments were adopted, however a pre-existing anomaly in the Terms of Reference was not picked up. The anomaly arose from Council's previous consideration of the document in December 2018. At that time, Council resolved that "The membership of the Committee will consist of two (2) Elected Members being Council members who are from either the Somerton or Glenelg Wards. The Mayor shall attend one meeting of the Committee per quarter with no voting rights." An incorrect clause reference in the resolution caused an administrative error, which then created a discrepancy between clauses 7.3 and 9.2 in the Terms of Reference.

This Report proposes that this administrative error be corrected, along with two other minor clarifications in the Terms of Reference in relation to Elected Members.

Motion

That the Jetty Road Mainstreet Committee endorse the proposed amendments to the Terms of Reference, as shown in Attachment 1.

Moved T Chai Seconded G Britton

Carried

10.2 SAPoL Update

Ms M Lock provided a safety update following a discussion with SAPoL.

10.3 Cleanliness of Jetty Road

Mr C Maios asked questions of clarification on the cleaning schedule provided.

11. DATE AND TIME OF NEXT MEETING

The next meeting of the Jetty Road Mainstreet Committee will be held on Wednesday 2 March 22 at the Glenelg Town Hall.

11. CLOSURE

The meeting closed at 6.50pm

CONFIRMED: Wednesday 2 March 2022

CHAIRMAN

Item No: 14.2

Subject: **ALWYNDOR MANAGEMENT COMMITTEE MINUTES – 27 JANUARY 2022**

Date: 22 February 2022

Written By: General Manager, Alwyndor

General Manager: Alwyndor, Ms B Davidson-Park

SUMMARY

The draft minutes of the Alwyndor Management Committee meeting held on 27 January 2022 are provided for information.

RECOMMENDATION

1. **That the draft minutes of the Alwyndor Management Committee meeting held on 27 January 2022 be noted.**

RETAIN IN CONFIDENCE - Section 91(7) Order

2. **That having considered Attachment 2 to Report No: 45/22 Alwyndor Management Committee Minutes – 27 January 2022 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 Attachment 2 be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.**
-

STRATEGIC PLAN

Enabling the people in our communities to live healthy, engaged and fulfilling lives.

COUNCIL POLICY

Not applicable

STATUTORY PROVISIONS

Not applicable

BACKGROUND

This report is presented following the Alwyndor Management Committee Meetings.

The Alwyndor Management Committee was established to manage the affairs of Alwyndor Aged Care. The Council has endorsed the Committee's Terms of Reference and given the Committee delegated authority to manage the business of Alwyndor Aged Care.

REPORT

The draft minutes of the meeting are attached for Members' information.

Refer Attachment 1 & 2

BUDGET

Nil

LIFE CYCLE COSTS

Not applicable.

Attachment 1



CITY OF HOLDFAST BAY

Minutes of the meeting of the Alwyndor Management Committee of the City of Holdfast Bay held via Audio-visual telecommunications on Thursday 27 January 2022 at 6.30pm.

PRESENT

Elected Members

Councillor Susan Lonie
Councillor Robert Snewin

Independent Members

Mr Kim Cheater- Chair
Ms Julie Bonnici
Prof Judy Searle
Prof Lorraine Sheppard
Ms Trudy Sutton
Mr Kevin Whitford

Staff

General Manager Alwyndor – Ms Beth Davidson-Park
Manager, Community Connections – Ms Molly Salt
Manager, Residential Services – Ms Natasha Stone
Manager, Finance – Mr Damian Capurro
Manager People and Culture, Ms Lisa Hall
Personal Assistant (Acting) - Ms Jillian Conner

Guests

Mr Tim Hicks, General Manager Policy, Advocacy & Advisory, Leading Aged Services Australia (LASA)
Ms Rosetta Rosa, State Manager, SA-NT, (LASA)

1. OPENING

The Chairperson declared the meeting open at 6.30pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting the Chair stated:

We acknowledge the 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 Kurna People today.

Kim Cheater recognised Australia Day and asked all to pay respect to the Indigenous people on this day and the wider community.

3. APOLOGIES

- | | | |
|-----|------------------|-----|
| 3.1 | For Absence | Nil |
| 3.2 | Leave of Absence | Nil |

4. DECLARATION OF INTEREST

Committee members were reminded to declare any interest before each item.

5. CONFIRMATION OF MINUTES

Motion

That the Public and Confidential minutes of the Alwyndor Management Committee held on 25 November 2021 be taken as read and confirmed.

Moved by Cr S Lonie, Seconded by Prof L Sheppard

Carried

6. REVIEW OF ACTION ITEMS

6.1 Action Items

Noted

6.2 Annual Work Plan

Noted

7. GENERAL MANAGER REPORT

7.1 General Manager Report (Report No: 1/2022)

With the leave of the meeting 7.1.2 and 7.1.3 were brought forward for consideration.

7.1.2 Aged Care Quality and Safety Commission (ACQSC) – visit 17 December 2021

Noted.

7.1.3 Release of confidential items

It was agreed that reports of ACQSC compliance visits and outcomes should be added to the guidelines and that these should be held in confidence for five (5) years and at that time will be considered carefully and potentially have personal details redacted.

Staffing and employee matters were adopted as recommended and agreed that all other items would be held in confidence for (three) 3 years.

Ms R Rosa and Mr T Hicks (LASA) joined the meeting at 6.45pm.

The Chair thanked Ms R Rosa and Mr T Hicks for attending and allocated a presentation time of 45 minutes.

Ms Rosa from Leading Aged Services Australia gave an introduction and outlined local based policy issues.

Mr Hicks noted this is a very complex and challenging time. His presentation focused on Aged Care Reform and Advocacy (Residential Care and Home Care).

A copy of the presentation is available for members around Residential, Key Reforms, Homecare and Advocacy.

The Chair thanked Mr Hicks and Ms Rosa for presenting to the meeting, noting how valuable the information and commentary was to AMC.

The meeting continued with:

7.1.1 COVID-19 update

The General Manager updated that Alwyndor currently has 21 COVID positive staff and one resident. Clinpath are PCR testing residents every 72 hours.

All agency staff and casual contacts are being tested (via Rapid Antigen Tests (RAT)) prior to every shift). This will continue for agency staff and all staff will be issued with RAT's from Monday 31 January 2022 with the requirement to test several hours before commencing work and then again every 72 hours.

Alwyndor has been experiencing significant staffing shortages in all areas ie carers, ENs and RNs. Staff have been working extra shifts, extended or double shifts as well as forgoing days off in both residential and community. Agencies have often been unable to assist or have cancelled at short notice. Staff have shown extraordinary commitment and every effort is made to ensure their wellbeing, as well as ensuring WHS requirements are being managed.

There was some discussion regarding 'essential' services and it was noted that some community clients had reverted to their emergency care plans due to shortage of staff and were being closely monitored. Similarly, some lifestyle services in residential were being reconsidered for care needs.

Partners in Care was working well in residential and had eased some of the social isolation being felt by residents. It was noted that the option of requesting families to participate in community care was available but not fully explored at this time.

It was noted that PPE and RAT supplies had been received (some purchased locally, a small amount from ClinPath and some from the Federal Government) and that ongoing orders are in place with the aim of ensuring a steady flow. This is being carefully monitored and advocacy continues with SA Health and the Federal Department of Health to ensure continuity of supply.

AMC acknowledged the challenging circumstances that Alwyndor is currently operating under. AMC encouraged the General Manager to consider if there are activities that could be delayed or stopped in the current environment to ease pressure on staffing. The General Manager noted consideration had been given but would take this on notice ensuring that resources are focussed on only the most essential activities with a continued focus on client health and wellbeing.

Motion

That the Alwyndor Management Committee:

- 1. Note the update regarding COVID-19 impacts and responses.**
- 2. Note that Alwyndor is fully compliant in all standards following an unannounced visit from the Aged Care Quality and Safety Commission (ACQSC) in December 2021.**
- 3. Approve the recommended guidelines for timeframes for items to be retained in confidence, noting amendments as discussed re all 2-year timeframes standardising as 3 years and the addition of ACQSC compliance reports.**

Moved by Mr K Whitford, Seconded by Ms T Sutton

Carried

Ms J Bonnici left the meeting 7.43pm.

Ms J Bonnici returned to the meeting at 7.47pm.

8. GENERAL MANAGER REPORT – CONFIDENTIAL

8.1 General Manager Report – Confidential (Report No: 2/2022)

Exclusion of the Public – Section 90(3)(d) Order

- 1. That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the**

General Manager and Staff in attendance at the meeting in order to consider Reports and Attachments to Report No: 2/2022 in confidence.

2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 2/2022 on the following grounds:

- d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party of Alwyndor, in addition Alwyndor's financial position is reported as part of Council's regular budget updates.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

RETAIN IN CONFIDENCE - Section 91(7) Order

1. That having considered Agenda Item 8.1 General Manager's Report (Report No: 2/22) in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Attachments and Minutes be retained in confidence for a period of 3 years and that this order be reviewed every 12 months.

Moved by Cr S Lonie, Seconded by Ms J Bonnici

Carried

8.2 Financial Report the Quarter Ending 31 December 2021 (Report No: 3/2021)

Exclusion of the Public – Section 90(3)(d) Order

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the

General Manager and Staff in attendance at the meeting in order to consider Reports and Attachments to Report No. 3/2022 in confidence.

2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 3/2022 on the following grounds:

- d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party of Alwyndor, in addition Alwyndor's financial position is reported as part of Council's regular budget updates.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

RETAIN IN CONFIDENCE - Section 91(7) Order

1. That having considered Agenda Item 8.2. Financial Report Period Ending 31 December 2021 (Report No: 3/2022) in confidence under section 90(2) and (3)(d) of the Local Government Act 1999, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Report, Attachments and Minutes be retained in confidence for a period of 3 years and that this order be reviewed every 12 months.

Moved by Prof L Sheppard, Seconded by Cr Susan Lonie

Carried

9. OTHER BUSINESS – Subject to the leave of the meeting

9.1 AMC Recruitment

Prof L Sheppard requested an update on the recent AMC recruitment. It was noted that interviews with two (2) candidates were taking place on Monday 7 February 2022. It was reinforced that the focus was on attracting and appointing a person with strong commercial financial skills.

9.2 Recent Media

The Chair noted recent media regarding Home Care administration fees, it was noted that Alwyndor was included in the article and is positioned mid-point amongst other providers.

10. DATE AND TIME OF NEXT MEETING

The next meeting of the Alwyndor Management Committee will be held on **Thursday 24 February 2022** in the Boardroom Alwyndor, 52 Dunrobin Road, Hove or via Audio-visual telecommunications (to be advised).

11. CLOSURE

The meeting closed at 9.07 pm.

CONFIRMED 24 February 2022

CHAIRPERSON

Item No: 15.1
Subject: **ITEMS IN BRIEF**
Date: 22 February 2022
Written By: Personal Assistant
General Manager: Strategy and Corporate, Ms P Jackson

SUMMARY

These items are presented for the information of Members.

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

RECOMMENDATION

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

1. **Dog and Cat Management Board**
 2. **Response to Motion – Partridge House Maps Classification (Report No: 34/22)**
 3. **Proclamation Day Event**
 4. **Australia Day Awards**
 5. **Review of Local Government Elected Member Allowances**
 6. **Election Signs: State and Federal Government Elections**
-

REPORT

1. Dog and Cat Management Board

Council received correspondence from the Local Government Association of South Australia on 10 February 2022 advising of a recent appointment to the Dog and Cat Management Board and provided an update on when a further appointment will be made.

Refer Attachment 1

2. Response to Motion - Partridge House Maps Classification (Report No: 34/22)

In response to the Motion on Notice raised at the Council Meeting 8 February 2022, this is currently a work in progress, due to the complex nature of google listings. As Google only permits one business listing to be categorised for both an event venue and public park. Administration also explored to list as two separate listings under the same address, with one for a park and the other for a venue, however this too is not possible, and can result in Google suspending the listing.

Therefore Administration are continuing to explore further options to secure two listings, as Council are also still required to maintain a listing for Partridge House for commercial viability. An official case has been lodged with Google to formally recognise the surrounding grounds of Partridge House, known as Partridge House gardens as park and to reinstate this under a separate listing.

3. Proclamation Day

Tuesday 28 December 2021 was the 185th Proclamation Day, marking the anniversary of the arrival of Governor Hindmarsh and the reading of the Proclamation document under the Old Gum Tree to the first European settlers on 28 December 1836.

Planning of this year's commemorations was conducted in close consultation with representatives of the Kurna Nation, for whom this date represents a complex legacy. As a result of these discussions, for the first time Kurna Nation hosted a small overnight camp on the evening of 27 December, and the ceremony was attended by Kurna Elder Jeffery Newchurch and other Kurna Nation representatives.

Formalities were led by a Welcome to Country and smoking ceremony from Kurna Njarrindjeri Yankunytjara man Allan Sumner, followed by a speech on behalf of Traditional Owners the Kurna Nation. The Proclamation of South Australia was read by Her Excellency the Honourable Francis Adamson AC, Governor of South Australia. Proclamation Day addresses were then delivered by Amanda Wilson, Her Worship the Mayor of the City of Holdfast Bay, and the Governor of South Australia.

Also in attendance were the Honourable Steven Marshall MP, Premier of South Australia, the Honourable Peter Malinauskas MP, leader of the Opposition, other MPs, Mayors and Councillors from across South Australia.

4. Australia Day Awards

Every year on Australia Day, Council recognises and celebrates the outstanding achievements and contributions of members in our community, with our Australia Day and Community Recognition Awards. A Selection Panel comprising of the Mayor, two (2) Elected Members, Chief Executive Officer and General Manager Community and Business assessed the nominations received in the Citizen of the Year Awards. After much deliberation the winners of the awards were chosen.

On Tuesday 26 January 2022, at Council's Australia Day Ceremony held at Glenelg, Mayor Wilson announced the City of Holdfast Bay Australia Day award winners.

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

- Citizen of the Year – Jacinta Day
- Young Citizen of the Year – Jack Shepherd
- Community Event of the Year – Brighton Oval Open Day: Andrea Matthews (Brighton Cricket and Football Club), Kevin Bailie (Rugby Club), Patricia Lawson and Howard Wood (Croquet Club) and Traci Mathwin (Lacrosse Club)
- Award for Active Citizenship The Seacliff Rail Care Group

5. Review of Local Government Elected Member Allowances

The Remuneration Tribunal SA (RTSA) has advised it has commenced the 2022 review of Elected Member allowances and is inviting submissions from affected persons.

RTSA determines the allowances payable to Elected Members in accordance with section 76 of the *Local Government Act 1999*. The 2022 Determination will take effect following the Local Government Elections being held in November 2022.

A change to section 76 of the *Local Government Act 1999*, arising from the *Statutes Amendment (Local Government Review) Act 2021*, has seen the inclusion of the ratio of members to ratepayers as a factor to which the RTSA must have regard, along with matters such as the role of council members as members of a governing body, size, population and revenue of councils, relevant economic, social, demographic and regional factors, and the fact that an allowance is not intended to amount to a salary and should reflect the nature of a member's office.

The due date for written submissions is Friday 8 April 2022. The RTSA is also providing an opportunity for parties to make oral submissions at a later date.

The RTSA issued a guideline for making submissions, which is provided as Attachment 2.

Refer Attachment 2

6. Election Signs: State and Federal Government Elections

An updated Election Signs Guideline and General Approval for State and Federal Elections is available.

The LGA has updated the Election Signs: State and Federal Elections – Guidelines and General Approval. Changes to the document have been to update references to relevant agencies, formatting, and minor editorial amendments. SA Power Networks also requested the inclusion of requirements for use of non-conductive straps/ties and ladders when installing election signs on Stobie poles.

All reference to Local Government election signs has been removed and a separate Guideline will be issued following the 10 November 2021 commencement of section 226(2a) of the *Local Government Act 1999*, which prohibits the display of electoral advertising posters relating to Local Government elections. This new Guideline will be available in the coming weeks.

Refer Attachment 3

Attachment 1



In reply please quote our reference: ECM 772460 TN/AL

10 February 2022

Mr Roberto Bria
Chief Executive Officer
City of Holdfast Bay

Emailed: rbria@holdfast.sa.gov.au mail@holdfast.sa.gov.au

Dear Roberto

Dog and Cat Management Board

Further to our letter of 25 January 2022, I write to advise that the Minister for Environment and Water has appointed Cr Helga Lemon (City of Burnside) to the Dog and Cat Management Board for a three-year term commencing 31 January 2022. This appointment is to replace the position previously held by Cr Shiralee Reardon.

We have been advised that the second appointment to commence following the conclusion of the term of Mayor Moira Jenkins in June 2022 will be considered by the Minister in May 2022. Remaining members of the LGA panel of nominees submitted to the Minister are still able to be considered for that appointment. Therefore, we will be back in touch in due course following the Minister's decision on the second appointment.

Please advise Cr Fleming of the outcome.

If you have any queries in relation to this matter, please contact me on 8224 2037 or email nominationscoordinator@lga.sa.gov.au.

Yours sincerely



Tami Norman
Program Leader Governance

Telephone: (08) 8224 2037
Email: tami.norman@lga.sa.gov.au

Attachment 2





Remuneration Tribunal 2022 Review of Local Government Elected Member Allowances – Guidelines for Submissions

Scope of the review and Determination

- Section 76 of the *Local Government Act 1999* and Section 24 of the *City of Adelaide Act 1998* require the Remuneration Tribunal (“the Tribunal”) to determine, on a four yearly basis, allowances for elected members of Local Government.
- In accordance with the above Legislation, the Tribunal, in making its Determination, must have regard to:
 - the role of members of council as members of the council's governing body and as 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 ratio of members to ratepayers;
 - the fact that an allowance under this section is not intended to amount to a salary for a member;
 - the fact that an allowance under this section should reflect the nature of a member's office;
 - the provisions of this Act providing for the reimbursement of expenses of members.

Guidelines for written submissions

Written submissions from councils should be submitted to the Tribunal in accordance with the following format:

- Name and contact details of the council, individual or association making the submission
- The geographical size (area) of the Council
- Population (number of electors)
- The revenue (\$) of the Council
- The ratio of members to ratepayers
- Meetings (number of council and committee meetings held in last 12 months, number of councillors attending council and committee meetings)

- Amount of allowance deemed appropriate (submission may present an evidence based justification for an adjustment)
- Any other relevant factors, without limiting the issues that might be addressed (this may include comment on any issues with the current Determination, or council groupings for the purpose of determining the level of allowance, or the council's capacity to pay).

Making a submission

Further information on making a submission to the Tribunal is available on the Tribunal's website at <https://www.remtribunal.sa.gov.au/making-a-submission>

Submissions and requests to make oral submissions must be received by **5pm Friday, 8 April 2022** and can be sent to to RemunerationTribunal@sa.gov.au

The *Local Government Act 1999* and the *City of Adelaide Act 1999* is available at: www.legislation.sa.gov.au

Attachment 3



Election Signs: State and Federal Government Elections

**Guidelines and General
Approval for placement or
affixation of election signs**

February 2022

The Guidelines were first issued in 2009 and have been revised or updated:

- *July 2010 – following Ministerial advice concerning infrastructure on a road*
- *July 2013 – minor machinery changes and renewal of agreements with Department of Planning Transport and Infrastructure and S A Power Networks.*
- *July 2014 - the Guidelines were substantially revised to include the General Approval*
- *July 2017 – amendment to section 226(3)(c).*
- *August 2017 – changes arising from section 23 of the Local Nuisance and Litter Control Act 2016 and section 226(3) of the Local Government Act 1999.*
- *February 2022 – general update and creation of a separate Guideline for Local Government election signs.*

The Election Signs: State and Federal Government Elections – Guidelines and General Approval has been prepared by the Local Government Association of SA (LGA) in consultation with ECSA, DIT and SA Power Networks for the guidance of and use by member Councils. The LGA is the statutory peak body for Local Government in South Australia, representing all 68 Councils in the State.

© The LGA claims copyright ownership of the content of this document for member councils in South Australia only. Member councils of the LGA may download, display, print, reproduce and alter the material for use by member councils only. The LGA reserves the right to revoke such permission at any time should a council no longer be a member council. Apart from this permission and uses permitted under the Copyright Act 1968, all other rights are reserved. For further information regarding the use of LGA information/resources please contact the Governance Team on (08) 8224 2000 or governance@lga.sa.gov.au.

Contents

General approval to place election signs on roads and road infrastructure	1
Objectives & Scope	1
The lawful display of signs & the operation of the guidelines	2
The General Approval for display of signs on road infrastructure.....	2
SA Power Networks poles and columns.....	5
Council owned land / private land.....	5
Illegal signs.....	5
<i>Local Nuisance and Litter Control Act 2016 - penalties</i>	<i>5</i>
<i>Removal and disposal of election signs</i>	<i>6</i>
Annexure A.....	7
Dictionary.....	7

General approval to place election signs on roads and road infrastructure

These Guidelines operate to provide a **General Approval** to authorise the placement or affixation of moveable signs, advertising candidates for election to **State or Federal Government**, on a road or onto infrastructure on a road owned by the Relevant Authorities. Provided that the requirements of these Guidelines are fully complied with, it is not necessary to make application to the Council or the Relevant Authorities for permission to display moveable election signs in this manner.¹

For guidelines relating to placement of electoral advertising posters in **Local Government elections**, please refer to the separate guideline: *Election Signs: Local Government Elections*.

Objectives & Scope

SA Power Networks (SAPN) and the Department for Infrastructure (DIT) (the Relevant Authorities) own the relevant infrastructure installed on roads (i.e., light poles, stobie poles). This means that the permission of the Relevant Authorities is required to display any moveable sign on their infrastructure.

The Relevant Authorities have, by way of adopting Instruments of General Approval, determined to grant their permission for moveable signs to be affixed to their infrastructure subject to various conditions. The Relevant Authorities have authorised SA Councils to regulate the display of moveable signs on their infrastructure (including by way of enforcing compliance with these conditions).

The objectives of these Guidelines are to:

- provide clarity regarding the legal position with respect to the placement of election signs on roads and road-related infrastructure in the Council's area and to provide a General Approval for the placement of election signs on roads and road infrastructure during a **State or Federal Government** election period, provided the signs comply fully with all conditions set out in the Guideline and General Approval; and
- establish, with the relevant consents of SAPN and Department for Planning and Infrastructure (DIT) conditions of General Approval for the display of such election signs on infrastructure on a road (provided that the conditions are fully met); and
- ensure a consistent and equitable approach to the management of election signs for all parties and candidates in a State or Federal Government election irrespective of political persuasion or other platform; and
- minimise any threat to public safety from the placement of the election signs.

¹ All fixtures and equipment installed in, on, across, under or over a public road by the provider of public infrastructure are owned by the provider of that infrastructure, not by the Council (section 209(1) of the *Local Government Act 1999*).

The lawful display of signs & the operation of the guidelines

A **moveable sign** may be placed on a road at any time without the permission of the council provided that it complies with the council's by-laws².

Signs, such as corflutes, that are advertising candidates for election and which do not comply with council's by-laws, may be placed on a road **without** seeking the Council's permission provided that:

- *the sign is related to a State or Commonwealth election and is displayed during the period commencing at 5pm on the day before the day of the issue of the writ or writs for the election and ending at the close of polls on polling day³; and*

the moveable sign does not unreasonably:

- restrict the use of the road; or
- endanger the safety of members of the public.⁴

If a moveable sign displayed on a road does not satisfy the above requirements, then:

- permission is not granted by the Council to display the moveable sign; and
- an authorised person of the Council may order the owner to remove the sign, or if the owner is unknown or fails to comply immediately with the order, may remove and dispose of the sign.

An election sign **cannot** lawfully be placed on, or affixed to, infrastructure on a road without the permission of the owner of that infrastructure.

In general terms, a person does not have the right to interfere with another person's property. This extends to a person interfering with infrastructure (i.e., such as by affixing an election sign to it) that is owned by another person.

The general approval for display of signs on road infrastructure

This **General Approval** is given for election signs to be posted, affixed to, or erected on infrastructure that is owned by SAPN or DIT and installed on a road owned by the Relevant Authorities, subject to compliance with the following conditions:

Election signs must:

1. be no more than 1 square metre in area. A back-to-back sign facing two directions is considered to be one sign for this purpose.
Note: Places designated as polling booths/places for Federal and State Elections and Referenda will not be subject to this requirement on polling day only.
2. only be displayed, in the case of State and Commonwealth elections, during the period commencing at 5pm on the day before the day of the issue of the writ or writs for the election and ending at the close of polls on polling day (the election period). Should the election

² Section 226(1), *Local Government Act 1999*

³ Section 226(3)(c), *Local Government Act 1999*

⁴ Section 227(1)(d), *Local Government Act 1999*

signs not be removed within two days (48 hours) of the close of voting they will be considered illegal signs/posters and penalties may apply.

3. comply with all legislative requirements relating to the publication of 'electoral material' as defined in relevant legislation.
4. be securely fixed or posted and maintained in good repair and condition at all times.
5. be designed, made, and presented in a quality manner (the intent is that signs must not tear apart and become a danger to road users and end up as litter).
6. contain clear and legible writing or symbols. An authorised officer will determine whether a sign is clear and legible for these purposes.
7. contain on the face of the sign the name and address of both the person authorising the promotional material (the publisher) and the printer of it.
8. be fastened securely so that they cannot become detached in high winds and endanger Council, SAPN or DIT property or equipment or pose a danger to the public.
9. be installed, maintained, and removed in a safe manner without endangering personal and community safety.

Election Signs must not:

1. be illuminated (internally or indirectly), move, flash, rotate, or reflect so as to be an undue distraction to drivers.
2. be self-adhesive. All individual promotional material affixed under the terms of this General Approval may only be affixed by non-invasive means that do not cause damage of any type to the structure to which the material is affixed. If a paste is to be used, it must be of a water based/wallpaper type (or similar).
3. be affixed under any circumstances to trees, shrubs, or other plants or at any location that may cause physical damage to Council, SAPN or DIT property.
4. be placed on a carriageway, dividing strip (median), traffic island, roundabout, or within 50 metres of a signalised intersection, level crossing, roundabout or pedestrian activated crossing, or on the South-Eastern Freeway, the Southern Expressway, the Port River Expressway, the North-South Motorway (Superway) or the Northern Expressway.
5. be placed within 6 metres of an intersection or junction, or in any other location that may pose a hazard to pedestrians or road users.
6. be attached to any traffic control device, street name, traffic direction or parking sign or to the associated pole.
7. be erected on poles or towers carrying electricity transmission lines (these are generally lines utilising greater span lengths with significantly taller poles or towers supporting electrical wires).
8. be attached to SAPN pad-mounted transformers or switching cubicles.
9. be attached to the fences of any fenced SAPN equipment including substations, transformer stations and regulator stations.

10. be placed so as to cover any Council, SAPN or DIT numbering, signs, or other markings.
11. be placed on DIT structures with the exception of “gooseneck” light poles belonging to DIT. Structures which belong to DIT, include road bridges on arterial roads, traffic control boxes, traffic signal poles, signal boxes, traffic signs, directional and information signs, and other traffic control devices, guideposts, traffic barriers and pedestrian fences located within the road reserve.
12. be placed in a location on a pole or fence so as to aid the climbing of the pole or fence.
13. be placed so as to restrict the sight distance for road users and pedestrians crossing the road.
14. compete with or reduce the effectiveness of other signs and traffic control devices.
15. resemble a traffic control device, or reasonably be capable of being mistaken as a traffic control device (e.g., must not be affixed on the diagonal).
16. advertise any organisation other than a registered political party or candidate.

Where signs are fixed or posted on poles adjacent to footpaths or roadways such signs:

- must not be lower than 2 metres; and
- must be a maximum height of 3 metres from the ground

with nothing above the sign to affix it or anything else to the pole. Signs must have a minimum clearance of 3 metres from any overhead mains.

There is a total prohibition on any part of the sign being higher than 3 metres from the ground.

The person (including as necessary, the relevant political party) responsible for the sign must maintain the sign. The person or political party is also responsible for ensuring that safety is maintained (and the Australian Road Rules complied with) whilst the sign is being installed, maintained, or removed and no traffic disruption is to occur during the installation, maintenance, or removal process.

This General Approval **does not** extend to railway or tramline structures such as level or pedestrian crossings, bridges, stations, signalling equipment or fences adjacent to railway and tram lines. In this regard, information on the various rules and if appropriate, permission to enter or erect signs in these areas must be obtained from the relevant rail authority. In metropolitan Adelaide, this is (*in most instances*) either Adelaide Metro or the Australian Rail Track Corporation.

The person(s) responsible for the sign and/or any persons acting on their behalf, including by way of causing the sign to be displayed:

- accepts(s) that the display of the election sign must be in accordance with this General Approval and by displaying the sign, agrees to comply with the terms of this General Approval; and
- accept(s) full responsibility for any personal injury, property damage or other loss in any way arising out of or consequent upon the erection, removal, or display of signs; and

- acknowledge(s) that the Council, SA Power Networks or DIT have no liability or responsibility in relation to such matters whatsoever; and
- such person(s) agree(s) to indemnify the Council, SAPN and DIT against any such personal injury or property damage or other loss incurred by the Council, SAPN or DIT and against any third-party claims arising out of or consequent upon the erection, removal, or display of signs.

SAPN may direct the immediate removal of any signs or remove or cause to be removed any signs without notice from any poles or structures owned or managed by SAPN.

DIT may direct the immediate removal of any signs or remove or cause to be removed any signs without notice from any poles or structures owned or managed by DIT.

If SAPN or DIT removes any signs under the General Approval, SAPN and DIT may dispose of the sign as it sees fit.

The person or party responsible for the sign must remove all parts of the sign and fixtures from the site within 48 hours from the close of voting in the relevant election.

Installing, maintaining, and removing signs **must not** be carried out between 7.00am and 10.00am or between 3.00pm and 7.00pm Monday to Friday on a peak flow traffic lane.

A breach of, or non-compliance with, any of the conditions of the General Approval will invalidate the General Approval and may result in the removal of the sign.

SA Power Networks poles and columns

When installing election signs upon Stobie poles, both the method used to secure the election sign to the Stobie pole (e.g. straps or ties) and the ladder used must be non-conductive.

No ladders or operating plant are to be leant against light columns or Stobie poles during installation or removal of election signs. Ladders used must be self-supporting only.

Council owned land / private land

No election signs may be placed on Council-owned land or infrastructure or on private land or infrastructure without the permission of the Council or the private landowner, as the case may be.

Illegal signs

Local Nuisance and Litter Control Act 2016 - penalties

Section 23 of the *Local Nuisance and Litter Control Act 2016* provides that it is an offence to 'post a bill' (erect an election sign) on property without the consent of the owner or occupier of the property. This offence applies to all election signs that are erected on roads or road infrastructure outside of the election period.

The 'consent of the owner' (i.e., SAPN, DIT or Councils), under this General Approval, is limited to the period prescribed in section 226(3) of the *Local Government Act 1999*.

Maximum penalty: \$10,000

Expiation fee: \$315⁵

If an election sign is erected outside the election period provided for in section 226(3) of the Local Government Act, a person who distributed or authorised the distribution of the bill for posting is guilty of an offence.

Maximum penalty: \$20,000 for a body corporate, \$10,000 for an individual.⁶

Removal and disposal of election signs

If the Council determines or suspects that an election sign:

- has been affixed or displayed in a manner that restricts the use of a road or endangers the safety of the public; or
- has been affixed or displayed contrary to the General Approval or otherwise without the SAPN's, DIT's or Council's consent.

Council authorised employees have authorisation to:

- Notify the organisation/persons responsible for the election sign by phone/email and request the removal of the sign within 24 hours.
- If the election sign is not removed within 24 hours, cause the offending sign to be removed. If urgent action is required to avoid a risk to public safety the Council may remove the offending election sign without first requesting its removal.
- Under section 23 of the *Local Nuisance and Litter Control Act 2016*, issue an expiation notice to any person who has erected an election sign without the permission of the owner.
- Prosecute any person who has distributed or authorised the distribution of the bill (election sign) for posting.

The Relevant Road Authority (DIT, Commissioner for Highways or Council) may remove and dispose of any sign that constitutes a hazard or does not comply with legislative requirements⁷.

⁵ Section 23(1), *Local Nuisance and Litter Control Act 2016*

⁶ Section 23(2), *Local Nuisance and Litter Control Act 2016*

⁷ Refer section 31(2), *Road Traffic Act 1961* and section 227, *Local Government Act 1999*

Annexure A

Dictionary

For the purposes of these Guidelines, the following definitions apply:

1. **Election** means any elections, referenda and/or polls as they relate to Federal, State or Local Governments.
2. **Election sign** includes a **moveable sign** as defined below and any other election sign (whether moveable or not) that is intended to affect the result of an election, referendum, or poll.
3. **General Approval** means the approval or permission of the Relevant Authority that operates these Guidelines to allow moveable signs to be affixed to infrastructure installed on a road subject to the conditions stated therein.
4. **Infrastructure** means fixtures and equipment installed on roads and includes, without limitation, poles, light poles, traffic signs, traffic lights, traffic control boxes, and other traffic control devices, transformer boxes, trees, fences, bridges, whether owned or under the care, control, or management of SAPN, DIT or the Council.
5. For the purposes of this Guideline and General Approval **moveable sign** means a moveable election advertisement, notice or election sign which is intended to affect the result of an election or poll, and which can be moved or removed without causing any damage to the infrastructure or land upon which it is placed or to which it is attached, whether free-standing or not.
6. **Pole** means a stobie pole or a light pole for the purposes of these Guidelines, whether owned or under the care, control, or management of SAPN or DIT.
7. **Relevant Authority** means SA Power Networks (SAPN) or Department for Infrastructure and Transport (DIT) or Commissioner for Highways.
8. **Road** has the same meaning as set out in the Local Government Act – being:
a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes -
 - *a bridge, viaduct or subway; or*
 - *an alley, laneway or walkway;*

and for the purposes of clarification extends from property boundary to property boundary.

Note: this definition encompasses footpath areas.



148 Frome St
Adelaide SA 5000

GPO Box 2693
Adelaide SA 5001

T (08) 8224 2000

E lgasa@lga.sa.gov.au

lga.sa.gov.au

Item No: 15.2
Subject: **DOG REGISTRATION FEES FOR 2022-23**
Date: 22 February 2022
Written By: Manager, Community Safety
General Manager: Business and Community, Ms M Lock

SUMMARY

Dog registration fees for the City of Holdfast Bay provide the funding for administration of the *Dog and Cat Management Act 1995* (“Act”). The cost associated with administering this Act typically increase annually; therefore, in order for Council to work towards cost neutral, this report seeks endorsement for a price increase to meet the increasing costs and demands for extra animal management activities.

RECOMMENDATION

That Council endorse the proposed annual dog registration fees as detailed in Table 1 of this report.

STRATEGIC PLAN

Statutory compliance required by the *Dog and Cat Management Act 1995*.

Ensuring community safety and amenity in residential areas and in public places, and animal safety

COUNCIL POLICY

Dog and Cat Management Plan 2022-2026

STATUTORY PROVISIONS

Dog and Cat Management Act 1995 (“Act”)

Local Government Act 1999

BACKGROUND

Dog registration fees for the City of Holdfast Bay provide funding for the administration of the *Dog and Cat Management Act 1995* (“Act”) across the City. This includes registrations, managing barking dogs and dogs at large; collecting and impounding stray dogs; investigating dog attacks; and managing dogs in reserves and public places. Facilities for dogs, including the provision of dog bag dispensers and water points are also part of the service.

The costs of providing the service increases annually due to higher charges and demands for expanded services. In principle, the cost of administering and providing the dog management service and facilities should be covered by revenues from dog registration fees and any fines paid.

It is proposed the 2022-2023 dog registration fees are increased to align with increasing costs.

REPORT

Prior Resolution (Council Report 95/20) – Fee Increase

On 28 April 2020, Council approved a plan to increase dog registration fees \$10.00 for non-standard dogs (not de-sexed and microchipped). In accordance with provisions of the *Dog and Cat Management Act 1995*, discounts are then applied for other categories of dog registrations including:

- Dogs that are de-sexed and microchipped ('standard dog');
- Obedience trained dogs;
- Aged Pensioner concessions and
- Guide dogs

The majority of residents have a 'standard' dog (receiving a 50% discount), with only 31 residents with 'non-standard' dogs. Residents with concession cards received an additional 50% off their fee.

In 2021-2022 the fees did not increase, however costs of operating the animal management did increase. Consequently, council is still not fully recovering the cost of the dog management service and facilities from registration charges and fine revenue.

Current Registration Revenue & Associated Expenditure

In 2020-2021, Council registered approximately 4,692 dogs within the City. The budget revenue for 2021-2022 from registrations is \$168,200 and \$15,000 from fines totalling \$183,200. Therefore, there is a budget operating loss of \$38,880.

Dog & Cat Management Board Contributions

Under the *Dog and Cat Management Act 1995*, Council must contribute a percentage of the monies collected from dog registrations to the Dog and Cat Management Board. This contribution is 24%, which goes towards supporting education, support and hosting the Dogs and Cats online platform.

Proposed Fee Structure

Dog management is a key service within the City of Holdfast Bay. The urbanised nature of Council's residential areas and the popularity of the beaches means the demands on Community Safety Officers are increasing and the fees need to increase to meet these demands.

Under the Dog and Cat Management Regulations, Council has the ability to set their own dog registration fees. Currently, Council's fee structure will increase to the same as Charles Sturt Council, which have similar animal management issues being a beachside council attracting visitors and locals to the beach with their dogs.

In order to better match revenue to costs, a modest increase is required. The proposed increase is \$5 for a 'non-standard' dog, which increases these registrations from \$95 to \$100. The majority of dog owners with 'standard' dogs will receive an increase of \$2.00, from \$48 to \$50. Concession holders will receive a further 50% discount. Therefore, the majority of dog owners will receive a \$2 increase and concession holders a \$1 increase.

Furthermore, the fee structure has been modified to encourage dog owners to have their dog microchipped. Currently, the fee structure allows discounts for dog owners that have not microchipped, which is discouraged by the Dog and Cat Management Board.

In addition, the regulated late fee has been added for people who have not registered their dogs two (2) months after the due date. This will encourage dog owners to register their dogs on time.

Furthermore, other costs and discounts have been included addressing some common questions and inconsistencies with other councils.

1. Deceased dog partial refunds (for dogs registered between July and September);
2. Registering of puppies;
3. Dog Business registrations; and
4. Registering one (1) month before renewals are due.

The proposed fee increase also aligns with Charles Sturt Council as this structure represents a good balance across most councils in SA. The discounts and fee structures have been mirrored.

The full proposed fee structure for 2022-23 is presented below in Table 1:

Table1: Proposed Dog Registration Fees 2022-2023

Existing Fee Description	Fee		New Fee Description	Fee
Assistance Dog	0		Assistance Dog	0
Assistance Dog in Training	0		Assistance Dog in Training	0
Non-standard dog	95		Annual registration Fee - Non Standard Dog	100
Non-standard dog - Concession	48		Annual registration Fee - Standard Dog	50
Non-standard dog - Desexed - Concession	32		Fee for Standard dog trained	45
Non-standard dog - Microchipped	80		Fee for Non Standard dog trained	90
Non-standard dog - Microchipped - Trained	49		Fee for puppy (under 6 months)	50
Non-standard dog - Microchipped Concession	37		Fee for puppy trained	45
Non standard dog - Trained	73		All new registrations between 1 June to 30 June	0
Non-standard dog - Trained concession	36		Fee for concession card holder rebate	50% of applicable registration fee
Non-standard dog - Desexed	64			(not including late payment)
Non-standard dog - Microchipped - Desexed	24			
Standard Dog - Microchipped - Desexed	48		Penalty fee for late registrations	\$20
				1 x Business Dog \$100.00 2 x Business Dog \$200.00 3 x Business Dog \$300.00 4 x Business Dog \$400.00 5-10 Business Dog \$500.00 11-20 Business Dog \$1,000.00 21-30 Business Dog \$1,500.00 31+ Business Dog \$2,000.00
Standard Dog - Microchipped - Desexed - Trained	41		Registration of dogs in a dog business	
Standard Dog - Microchipped - Desexed - Trained - Concession	20			
			Refunds: Upon written request from a dog owner whose dog has deceased between 1 July and 30 September, Council may approve a 50% refund.	
Standard Dog - Microchipped - Desexed - Concession	24			

*Note: a 'Standard Dog' is a dog that is microchipped and desexed. The majority of the dogs in the City of Holdfast Bay Council are 'Standard' dogs.

Currently 31 residents pay the maximum non-standard dog registration fee. Discounts are applied to encourage dog owners to de-sex and microchip their dogs.

BUDGET

Based on forecast registrations for 2022-2023, the revenue generated by the proposed fee structure will increase by an estimated \$10,000 and this is sufficient to pay for additional expenses. The total budgeted income for 2022-2023 is approximately \$168,000 for dog registrations.

LIFE CYCLE COSTS

The costs need to be reviewed annually and will be influenced by demands on Community Safety Officers.

Item No: 15.3

Subject: **MONTHLY FINANCIAL REPORT – 31 JANUARY 2022**

Date: 22 February 2022

Written By: Management Accountant

General Manager: Strategy and Corporate, Ms P Jackson

SUMMARY

Attached are financial reports as at 31 January 2022. They comprise a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor Aged Care. The adjusted forecast budget includes the carried forward amount as approved by Council 24 August 2021 and the two quarterly budget updates approved by Council 26 October 2021 and 8 February 2022.

No changes to Alwyndor and Municipal budgets are recommended at this time, but the report highlights items that show a material variance from the YTD budget.

RECOMMENDATION

That Council receives the financial reports and budget update for the 7 months to 31 January 2022 and notes:

- **no change to the Municipal activities 2021/22 revised budget forecast; and**
 - **no change to the Alwyndor Aged Care 2021/22 revised budget forecast.**
-

STRATEGIC PLAN

Not applicable.

COUNCIL POLICY

Not applicable.

STATUTORY PROVISIONS

Not applicable.

BACKGROUND

Council receives financial reports each month comprising a Funds Statement and Capital Expenditure Report for each of Council's municipal activities and Alwyndor Aged Care.

The Funds Statements include an income statement and provide a link between the Operating Surplus/Deficit with the overall source and application of funds including the impact on cash and borrowings.

Refer Attachment 1

REPORT

A comprehensive budget update was conducted for the half-year ending 31 December 2021 and approved by Council 8 February 2022. Following this review the majority of the current variances to date are due to budget and actuals timing differences over the first seven months of the financial year.

There are major positive variances within Community Safety due to higher than forecast car parking related revenue and within Capital Expenditure due to delays in the delivery of replacement vehicles on order. All budgets will be reassessed again as part of the budget review and update to be conducted at 31 March 2022.

Alwyndor Aged Care

There are no changes to the Alwyndor budget forecast as approved by Council, however as with the Municipal budget, a comprehensive budget update will be conducted for the month ending 31 March 2022. Details of the major year to date variances, along with amounts and notes, have been prepared and are attached to this report.

Refer Attachment 1

Attachment 1



City of Holdfast Bay Municipal Funds Statement as at January 2022

2021 - 2022 Original Budget \$'000	Year to Date			2021 - 2022 Adopted Forecast \$'000
	Adopted Forecast \$'000	Actual \$'000	Variance \$'000	
(614)	(381)	(380)	(1) Administrative Services	(614)
84	81	118	(37) Cemeteries	110
466	264	269	(4) Commercial & Club Leases	473
(1,011)	(512)	(466)	(46) Development Services	(978)
1,490	590	632	(42) FAG/R2R Grants	2,363
(1,689)	(1,248)	(1,295)	47 Financial Services	(1,792)
(9,743)	(4,911)	(4,888)	(23) Financial Services-Depreciation	(9,743)
(262)	-	-	- Financial Services-Employee Leave Provisions	(262)
(834)	(269)	(262)	(6) Financial Services-Interest on Borrowings	(739)
160	-	-	- Financial Services-SRWRA	160
37,146	37,779	37,774	5 General Rates	37,127
(2,780)	(1,926)	(1,883)	(43) Innovation & Technology	(2,832)
(684)	(288)	(254)	(34) People & Culture	(604)
(508)	(286)	(294)	7 Public Realm and Urban Design	(549)
(1,442)	(776)	(754)	(21) Strategy & Governance	(1,336)
(1,506)	(584)	(541)	(43) City Activation	(1,261)
1,134	557	548	9 Commercial - Brighton Caravan Park	1,238
15	14	23	(9) Commercial - Partridge House	21
(367)	(341)	(318)	(22) Communications and Engagement	(564)
(349)	(195)	(195)	- Community and Business Administration	(349)
(894)	(501)	(470)	(31) Community Events	(936)
661	521	619	(98) Community Safety	661
(540)	(395)	(383)	(12) Community Wellbeing	(602)
(617)	(319)	(288)	(32) Customer Service	(617)
-	237	262	(25) Jetty Road Mainstreet	(165)
(1,492)	(809)	(773)	(37) Library Services	(1,496)
(299)	(175)	(170)	(5) Assets & Delivery Administration	(299)
(1,195)	(559)	(552)	(7) Engineering & Traffic	(1,275)
(989)	(416)	(408)	(8) Environmental Services	(1,013)
(7,561)	(4,326)	(4,342)	16 Field Services & Depot	(7,581)
(2,062)	(1,016)	(976)	(40) Property Management	(2,062)
(455)	(229)	(184)	(45) Street Lighting	(455)
(4,086)	(2,084)	(2,052)	(32) Waste Management	(4,086)
928	-	-	- Less full cost attribution - % admin costs capitalised	928
107	17,497	18,115	(618) =Operating Surplus/(Deficit)	873
9,743	4,911	4,925	(14) Depreciation	9,743
102	-	-	- Other Non Cash Items	102
9,845	4,911	4,925	(14) Plus Non Cash Items in Operating Surplus/(Deficit)	9,845
9,953	22,408	23,040	(632) =Funds Generated from Operating Activities	10,718
879	1,964	1,964	- Amounts Received for New/Upgraded Assets	2,392
528	52	55	(3) Proceeds from Disposal of Assets	1,683
1,407	2,015	2,019	(3) Plus Funds Sourced from Capital Activities	4,075
(9,422)	(3,493)	(2,990)	(503) Capital Expenditure on Renewal and Replacement	(12,181)
(6,431)	(5,030)	(4,867)	(163) Capital Expenditure on New and Upgraded Assets	(14,743)
(15,853)	(8,523)	(7,858)	(665) Less Total Capital Expenditure	(26,924)
247	-	208	(208) Plus:Repayments of loan principal by sporting groups	247
247	-	208	(208) Plus/(less) funds provided (used) by Investing Activities	247
(4,246)	15,900	17,408	(1,508) = FUNDING SURPLUS/(REQUIREMENT)	(11,883)
			Funded by	
-	(681)	(681)	- Increase/(Decrease) in Cash & Cash Equivalents	-
-	16,029	20,243	(4,214) Non Cash Changes in Net Current Assets	-
(5,584)	-	-	- Less: Proceeds from new borrowings	(13,221)
-	-	(2,706)	2,706 Less: Net Movements from Cash Advance Debentures	-
1,338	552	552	- Plus: Principal repayments of borrowings	1,338
(4,246)	15,900	17,408	(1,508) =Funding Application/(Source)	(11,883)

City of Holdfast Bay
Capital Expenditure Summary by Budget Item to January 2022

2021-22 Original Budget \$'000	Year to Date				2021-22 Adopted Forecast \$'000
	Adopted Forecast \$'000	Actual \$'000	Variance \$'000		
(928)	-	-	-	- Full Cost Attribution	(928)
(1,013)	(672)	(642)	(30)	Information Technology	(1,193)
(1,200)	(129)	(120)	(9)	Commercial and Economic Enterprises	(2,125)
(85)	(43)	(43)	-	Brighton Library	(85)
-	-	(15)	15	Sport and Recreation	(577)
(13)	(6)	-	(6)	Depot and Stores	(13)
(1,512)	(444)	(268)	(176)	Machinery Operating	(1,700)
(1,898)	(142)	(34)	(108)	Road Construction and Re-seal Program	(2,243)
(100)	-	-	-	Car Park Construction	(100)
(127)	(382)	(323)	(59)	Footpath Program	(382)
(1,100)	(1,085)	(1,098)	13	Stormwater Drainage Program	(1,953)
(130)	(65)	(4)	(61)	Traffic Control Construction Program	(153)
(1,307)	(325)	(258)	(67)	Kerb and Water Table Construction Program	(1,307)
(30)	(20)	(25)	5	Other Transport - Bus Shelters etc.	(64)
(3,869)	(871)	(576)	(295)	Reserve Improvements Program	(5,892)
(1,434)	(1,586)	(1,715)	129	Land, Buildings and Infrastructure Program	(3,995)
(580)	(2,681)	(2,690)	9	Streetscape Program	(3,562)
(526)	(72)	(46)	(26)	Foreshore Improvements Program	(652)
(15,853)	(8,523)	(7,858)	(665)	Total	(26,924)



Alwyndor Aged Care Funds Statement as at 31 January 2022

Full Year	Year to Date				Full Year		
2021-22 Original Budget \$'000	Original Budget YTD \$'000	Actual YTD \$'000	Variance \$'000		2021-22 Adopted Forecast \$'000	Note	
	5,435	3,167	3,062	105	User Charges	5,292	
	12,472	7,334	6,977	358	Operating Grants and Subsidies	12,060	
	165	67	121	(54)	Investment Income	344	
	3,268	1,856	2,011	(155)	Reimbursements	3,635	
	2,722	1,571	1,748	(176)	Other Income	3,020	
	24,062	13,996	13,918	78	Operating Revenue	24,350	1
	(16,551)	(9,666)	(9,604)	(61)	Employee Costs - Salaries & Wages	(16,899)	
	(6,512)	(3,793)	(3,949)	156	Materials, Contracts and Other Expenses	(7,120)	2
	(60)	(35)	(49)	14	Finance Charges	(81)	
	(1,232)	(726)	(723)	(3)	Depreciation	(1,236)	
	(24,355)	(14,219)	(14,326)	106	Less Operating Expenditure	(25,336)	
	(293)	(223)	(407)	184	=Operating Surplus/(Deficit)	(986)	4
	1,232	726	723	3	Depreciation	1,236	
	168	98	18	80	Provisions	253	
	1,401	824	741	83	Plus Non Cash Items in Operating Surplus/(Deficit)	1,489	
	1,107	601	334	267	=Funds Generated from Operating Activities	503	
	0	0	12	(12)	Amounts Received for New/Upgraded Assets	12	3
	0	0	12	(12)	Plus Funds Sourced from Capital Activities	12	
	(633)	(369)	(183)	(186)	Capital Expenditure on New and Upgraded Assets	(635)	
	(633)	(369)	(183)	(186)	Less Total Capital Expenditure	(635)	
	475	232	163	69	= Funding SURPLUS/(REQUIREMENT)	(120)	
					Funded by		
	475	232	163	69	Increase/(Decrease) in Cash & Cash Equivalents	(120)	
	475	232	163	69	=Funding Application/(Source)	(120)	4

**Alwyndor Aged Care – Notes
January 2022**

1 Operating Revenue

Operating Revenue is unfavourable by \$78K mainly due to lower federal government funding (ACFI) received for permanent residents. A focussed effort to improve the ACFI funding commenced in December, which will continue for the remainder of this financial year. Significant improvements have been realised so far.

Support at Home client growth remains strong and monthly targets are being exceeded.

Therapy and Wellness classes continue to be impacted by smaller class numbers than assumed in the budget.

Investment income is higher due to the annual bonus interest payment received from the LGFA.

2 Materials, Contracts and other expenditure

The increase of expenditure from budget is mainly due to additional COVID expenses which are offset by a COVID Grant (included within Other Income) which will be submitted in February 2022.

3 Amounts Received for New/Upgraded Assets

\$12K of income received from Local Government Risk Services relating to a WHS reimbursement for noise cancelling headsets.

4 Operating Deficit

January 2022 YTD

The \$407K Operating Deficit, after allowing for depreciation and capital expenditure, has led to a funding surplus of \$163K as at January YTD. This funding surplus has been assisted by lower capital expenditure to date.

2022 Adopted Forecast

The \$986K operating deficit includes \$400K of AlayaCare new software project expenditure which has been classed as an operational expense rather than capital expenditure. Excluding this item, the deficit that reflects Alwyndor's operational performance would have been a \$586K deficit. After allowing for proposed capital expenditure, has led to a funding requirement of \$120K, which will be funded by existing cash reserves.

Growth targets have been amended to take into account the year to date performance and the impact of the changing environment and associated assumptions throughout the year.

Alwyndor has not yet revised its Long Term Financial Plan (LTFP). The final outcome of the AN-ACC (Australian National Aged Care Classification) funding model, which replaces the existing ACFI (Aged Care Funding Instrument) commences in October 2022, is still unknown. This means supporting information for some key assumptions to inform the review of the LTFP and FY23 Budget are not yet available. The outcome of the AN-ACC funding model and Alwyndor's pace of growth are the two main factors that will make an impact on the timing of when Alwyndor will break even however, based on the current LTFP projections, these factors will not impact the overall question of whether Alwyndor is financially sustainable. Alwyndor continues to invest resources to benefit future operations in accordance with its Strategic Plan. With these plans in place the financial sustainability remains strong.

Item No: 15.4

Subject: **UPDATE TO CODE OF PRACTICE - ACCESS TO MEETINGS AND DOCUMENTS**

Date: 22 February 2022

Written By: Team Leader, Governance

General Manager: Strategy and Corporate, Ms P Jackson

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 Review Act updates the *Local Government Act 1999*.

As the legislation relating to Informal Gatherings has changed (Council Policy revoked on 12 October 2021 – C121021/2440) it is necessary to update Council's Code of Practice – Access to Meetings and Documents (the Code). Proposed draft changes to the Code were provided to the Council meeting on 9 November 2021 and it was resolved that the draft Code undertake public consultation in accordance with section 92(5) of the Act (resolution number C091121/2469).

The results of this engagement are provided in this report.

RECOMMENDATION

That Council endorses the Code of Practice – Access to Meetings and Document.

STRATEGIC PLAN

Statutory Requirement

COUNCIL POLICY

Community Consultation and Engagement Policy

STATUTORY PROVISIONS

Local Government Act 1999

Statutes Amendment (Local Government Review) Act 2021

BACKGROUND

Administration provided a report to Council on 9 November 2021, Item number 15.6 Local Government Reform and Update to Code of Practice – Access to meetings and Documents (Report No: 382/21).

The Code was updated to provide the details about information or briefing sessions, holding these electronically and other minor changes.

REPORT

Community consultation on the draft Code was conducted from 18 November to 6 December 2021 (21 days) and promoted through:

- A registered user update - via email to an 1800 database;
- City of Holdfast Bay's Twitter account every week for the duration of the engagement;
- Posters at the Brighton Civic Centre and libraries;
- Facebook post;
- News article in Holdfast News; and
- Newsfeed on the City of Holdfast Bay's council and engagement websites.

The views of the community were collected via Council's website (the council's engagement website - www.yourholdfast.com) and provided the opportunity to complete an online survey. During the community consultation period, the project page was visited 70 times by 30 visitors, with the draft Code downloaded 44 times.

Using the online and written engagement options, one response was received, and a summary of their feedback is appended as Attachment 1.

Refer Attachment 1

A version of the Code showing proposed changes is appended as Attachment 2 and a final amended version is provided (Attachment 3). As the Code currently contains interim measures related to COVID-19 Emergency Declarations in blue, proposed changes have been tracked in purple.

Refer Attachments 2 and 3

Council in the past has considered live streaming at Council meetings. A barrier in the past has been the equipment required in the Council Chamber. The equipment in the Chamber has been updated and enhanced which would allow Council to live stream Council meetings if it resolves to do so.

If Council resolves to live stream Council meetings, Administration would need to bring a report to Council that would amend/update the Code of Practice – Meetings Procedures, which would include the protocols/procedures that would need to be put in place for live streaming to be implemented.

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



UPDATE TO CODE OF PRACTICE - ACCESS TO MEETINGS AND DOCUMENTS

SUMMARY OF SUBMISSIONS

Submission	Response
<p data-bbox="192 276 293 300">J Lynch</p> <p data-bbox="192 344 967 544">The Code of Practice policy is an important document as it gives rise to community access, inclusion and transparency over many important Council matters. In some ways this policy is a little behind in reflecting now mainstream digital communication practices. I would like to suggest some things be codified to allow more meaningful broadcasting of Council information/progress, namely:</p> <ul data-bbox="248 584 967 858" style="list-style-type: none"> • All Council Meetings and Workshops livestreamed and historically saved on Council Websites. Eg a YouTube file. • Powerpoint Presentations or the like for Briefing Sessions be put on the Council Website prior to the meeting (where not in confidence). • Councillor Questions without Notice – replies at Council to be recorded in the minutes in short-form. This would make Holdfast a leader in updating the community. <p data-bbox="192 898 387 922">More generally;</p> <ul data-bbox="248 935 967 1414" style="list-style-type: none"> • For further scrutiny to occur over why matters are put in confidence. In many instances, reports can be split and any sensitive stuff like tenders etc just put in a separate confidential addendum. A recent example was the request to cut down a tree on Augusta Street. An issue of vital interest to the surrounding community, but fully behind closed doors. • Council meetings be permitted to be held with digital Council Member access/inclusion, but preference still to being in-person due to the positive cultural aspects this provides. • The document to move towards being framed in a more pro-active narration of inclusion and community information rather than have a passive/compliance tone. 	<ul data-bbox="1048 344 2110 1401" style="list-style-type: none"> • As you may be aware, the Council Chamber at the Glenelg Town Hall has not historically had the necessary technology to enable live-streaming. The Council livestreamed meetings via Zoom during COVID, when it was not possible to meet in person. Currently the Council Chamber is having technology installed whereby Council meetings can be livestreamed if Council resolve to so. • We can take this suggestion on board on a case by case basis, however, presentations provided to Elected Members during information/ briefing sessions are typically working papers. Working papers are generally not considered appropriate to release as they do not necessarily reflect a decision of Council. • There are legislative constraints to implementing this. Responses to Questions Without Notice would have to be resolved to be included in the minutes on each occasion, as per the Code of Conduct - Meeting Procedures. The Code is prescribed by Regulations and this part cannot be amended by Council to enable a blanket policy change of this kind. • It is Council’s decision to go into confidence, which can only be done for a limited number of reasons contained in section 90(3) of the Local Government Act 1999. Administration facilitates the review of confidential documents on a regular basis and recommends to Council the release of confidential documents as soon as practical. • Currently, due to the operation of the Electronic Participation in Council Meetings Notice (No 1) 2020, participation via digital means is possible. However, once this Notice lapses, the regulatory requirements revert to previous settings. Digital participation is then constrained by the Local Government (Procedures at Meetings) Regulations 2013, which include provisions such as section 16 (3), which preclude a person who is not in their seat from voting. We agree that enabling digital participation can be beneficial for a number of reasons and hope that the legislative constraints will ease in future. • Thank you for your observations about the tone of the document. We will take this into account when we next undertake a wider review.

Attachment 2





Code of Practice – Access to Meetings and Documents

Adopted by Council ~~7~~.....April 2021~~0~~
Review by 1 November 2023

1.1 Preamble

The City of Holdfast Bay supports the principle that the procedures to be observed at a meeting of Council or a Council Committee should contribute to open, transparent and informed decision-making and encourage appropriate community participation in the affairs of Council.

1.2 Background

1.2.1 The *Local Government Act 1999* sets out arrangements for meetings and requires that all Council and Council Committee meetings are held in public except where special circumstances exist.

1.2.2 Section 90 of the *Local Government Act 1999* outlines the circumstances in which a document or discussion considered in a Council or Committee meeting can be kept confidential.

1.3 Purpose

1.3.1 The Code of Practice for Access to Meetings and Documents sets out the commitment of City of Holdfast Bay to provide public access to Council and Council committee meetings and documents (s92 of the Act) and outlines the policies and procedures contained within the Act, to restrict public access.

1.3.2 This Code has been supplemented to include the provisions made by the Minister for Transport, Infrastructure and Local Government on 31 March 2020 to take into account the Local Government (Public Health Emergency) Amendment Act 2020 (which inserted section 302B in to the Act) and the Electronic Participation in Council Meetings Notice (No 1) 2020, which provides variations to the Act to enable all council members to participate in a council meeting by electronic means. These provisions are shown in blue and will remain in operation during the current public health emergency (COVID-19) and whilst the Minister's Notice No. 1 remains in operation.

1.3.3 Notice No 1:

- (a) provides that a Council is not required to adopt any provision in a code of practice that would prevent or inhibit members from participating in Council meetings or Council committee meetings by electronic means;
- (b) provides that Council members may meet by electronic means to alter the code of practice of the Council, or substitute a new code of practice of the Council, even if the existing code of practice prevents or inhibits the Council members from meeting by electronic means; and
- (c) suspends the requirement in section 92(5) that before a Council adopts, alters or substitutes a code of practice it make copies of the

proposed code, alterations or substitute code (as the case may be) available for inspection and purchase at the principal office of the Council and on a website determined by the Council and that the Council follow the steps set out in its public consultation policy.

1.4 Scope

1.4.1 The Code includes information about the relevant provisions of the Act and Council's policy and procedures for:

- access to the agenda for meetings
- public access to meetings
- the process to exclude the public from meetings
- matters for which the Council or a Council Committee can order that the public be excluded
- how the Council will approach the use of confidentiality provisions of the Act
- public access to documents including minutes
- review of confidentiality orders
- accountability and reporting to the community, and the availability of the code
- grievance procedures to be followed if a member of the public believes that the Council has unreasonably restricted public access on a particular matter.

1.5 Definitions

Act means the *Local Government Act 1999*

Code means this Code of Practice for Access to Meetings and Documents

Notice No 1 means the *Electronic Participation in Council Meetings Notice (No 1)* ~~2020~~

2.1 Public Access to the Agenda for Council or Council Committee Meetings

2.1.1 At least three clear days before the Council or Council committee meeting (unless a Special Meeting has been called) the Chief Executive Officer (CEO) must give written notice of the meeting to all Council/Committee members setting out the date, time and place of the meeting. The notice must contain or be accompanied by the agenda for the meeting.

2.1.2 Subject to clause 2.1.7, the notice and agenda will be placed on public display at the principal office of the Council (Brighton Civic Centre, 24 Jetty Road Brighton) and on Council's website www.holdfast.sa.gov.au. Copies will also be available at the Council's Library's.

2.1.3 Subject to clause 2.1.8, copies of the agenda documents and non-confidential reports will be available for public inspection at the Brighton Civic Centre and the Council Libraries. A reasonable number of copies will be available for public inspection as soon as practicable after they are supplied to the Members of the Council.

- 2.1.4 Members of the public may obtain a copy of the agenda and non-confidential reports for a fee to cover the costs of photocopying, in accordance with the Council's schedule of fees and charges.
- 2.1.5 Copies of the Agenda documents and non-confidential reports that are to be considered at a meeting will be made available to members of the public in attendance.
- 2.1.6 Where the CEO of the Council believes that a document or report on a particular matter should be considered in confidence with the public to be excluded, the basis under which the order could be made in accordance with section 90(3) of the Act will be specified. Refer to sections 83(5)(Council) and 87(10) (Committees) of the Act.
- 2.1.7 For the period of the operation of Notice No 1 the requirement that the chief executive officer give notice to the public of the times and places of council meetings by placing the notice of meeting and agenda on public display at each office of the Council that is open to the public for the general administration of Council business within its area is **suspended**.
- 2.1.8 For the period of the operation of Notice No 1:
- 2.1.8.1 the requirement that the chief executive officer must ensure that a reasonable number of copies of any document or report supplied to members of the Council for consideration at a meeting of the Council are available for inspection by members of the public at the principal office of the Council or at the meeting is **suspended**.
 - 2.1.8.2 the chief executive officer (or a person nominated in writing by the chief executive officer) will ensure that any document or report supplied to members of the Council for consideration at a meeting of the Council is available for inspection by members of the public -
 - (a) in the case of a document or report supplied to members of the Council *before* the meeting - on a website determined by the chief executive officer as soon as practicable after the time when the document or report is supplied to members of the Council; or
 - (b) in the case of a document or report supplied to members of the Council *at the* meeting - on a website determined by the chief executive officer as soon as practicable after the time when the document or report is supplied to members of the Council.

2.2 Public Access to Council or Committee Meetings

- 2.2.1 Council and Council committee meetings are open to the public and attendance is encouraged, except where Council (or Council committee) has grounds (section 90 of the Act) to exclude the public from the discussion (and, if necessary, decision) of a

particular matter (see 2.4).

2.2.2 The public will only be excluded when there are grounds in the Act for properly doing so.

2.2.3 Notice No 1 provides that a Council meeting will be taken to be conducted in a place open to the public even if 1 or more Council members participate in the meeting by electronic means provided that -

- (a) the chief executive officer (or a person nominated in writing by the chief executive officer) makes available to the public a live stream (the transmission of audio and/or video from a meeting at the time that the meeting is occurring) of the meeting on a website determined by the chief executive officer and ensures that members of the public can hear the discussion between all Council members present at the meeting via the live stream; or
- (b) if the chief executive officer (or a person nominated in writing by the chief executive officer) has taken reasonable steps to make available a live stream of the meeting but is unable to make available a live stream of the meeting, the chief executive officer (or a person nominated in writing by the chief executive officer) makes available to the public a recording of the meeting as soon as practicable after the meeting on a website determined by the chief executive officer and ensures that members of the public can hear the discussion between all Council members present at the meeting via the recording.

If the chief executive officer (or a person nominated in writing by the chief executive officer) has taken reasonable steps to make available to the public a live stream of the meeting or, (if unable to make available a live stream of the meeting) a recording of the meeting but is unable to comply the chief executive officer (or a person nominated in writing by the chief executive officer) must publish on a website determined by the chief executive officer the steps taken to comply.

~~2.2.4 — Members of Council, Committee members and staff may participate in informal gatherings or discussion provided that a matter which would ordinarily form part of the agenda for a formal meeting is not dealt with in such a way as to obtain or effectively obtain, a decision outside of a formally constituted meeting of Council or Committee. Informal gatherings are not bound to be open to the public in accordance with section 90(1) of the Act as openness to the public only applies to 'ordinary' or 'special' Council or Committee meetings.~~

~~2.2.5 — The following are examples of informal gatherings or discussions that may be held in accordance with section 90(8):~~

- ~~• planning sessions associated with the development of policies and strategies~~
- ~~• briefing or training sessions~~
- ~~• workshops or~~
- ~~• social gatherings to encourage informal communication between members or between members and staff.~~

2.3 **Process to ~~e~~Exclude the ~~P~~ublic from a ~~M~~Meeting**

2.3.1 The practice of the City of Holdfast Bay is as follows:

2.3.1.1 to deal with the agenda items in the order listed in the agenda, or

2.3.1.2 for the convenience of the public present at a meeting, where it is resolved to consider a matter in confidence, this matter may be adjourned until all other business has been dealt with to allow the public to leave the meeting once all public business has been concluded.

2.3.2 Before a meeting orders that the public be excluded to enable the receipt, discussion and consideration of a particular matter, the meeting must, in public, formally determine if this is necessary and appropriate and then pass a resolution to exclude the public while dealing with that particular matter. If this occurs the public must leave the room. For the operation of 90(2) a member of the public does not include an employee of the council.

2.3.3 Notice No 1 provides that the Council or council committee must disconnect any live stream or recording of a meeting for the period that the meeting is closed to the public pursuant to an order made under section 90(2).

2.3.4 Once Council or Council committee has made the order, it is an offence for a person, who knowing that an order is in force, enters or remains in a room in which such a meeting is being held. It is lawful for an employee of Council or a member of the police to use reasonable force to remove the person from the room if they fail to leave on request.

2.3.5 Further, Notice 1 provides that it is also an offence for person who, knowing that an order is in force under section 90(2), to connect (i.e. able to hear and/or see the meeting, including via a live stream recording or recording of the meeting) to a meeting of the Council or Council committee by electronic means, or fail to disconnect (i.e. remove the connection so as to be able to hear and see the meeting) from a meeting of the Council or Council committee.

2.3.6 Once discussion on that particular matter is concluded, the public are then permitted to re-enter or reconnect to the meeting.

2.3.7 Council or Council committee can by inclusion within the resolution permit a particular person or persons to remain in a meeting.

2.3.8 Notice No 1 provides that a Council meeting will be taken to be conducted in a place open to the public even if 1 or more Council members participate in the meeting by electronic means provided that –

2.3.8.1 the chief executive officer (or a person nominated in writing by the chief executive officer) makes available to the public a live stream of the meeting on a website determined by the chief executive officer and

ensures that members of the public can hear the discussion between all Council members present at the meeting via the live stream; or

- 2.3.8.2 if the chief executive officer (or a person nominated in writing by the chief executive officer) has taken reasonable steps to make available a live stream of the meeting but is unable to make available a live stream of the meeting, the chief executive officer (or a person nominated in writing by the chief executive officer) makes available to the public a recording of the meeting as soon as practicable after the meeting on a website determined by the chief executive officer and ensures that members of the public can hear the discussion between all Council members present at the meeting via the recording.

If the chief executive officer (or a person nominated in writing by the chief executive officer) has taken reasonable steps to make available to the public a live stream of the meeting or, (if unable to make available a live stream of the meeting) a recording of the meeting but is unable to comply the chief executive officer (or a person nominated in writing by the chief executive officer) must publish on a website determined by the chief executive officer the steps taken to comply and the requirement will be suspended.

2.4 Matters from which the ~~P~~ublic can be ~~E~~xcluded

- 2.4.1 In accordance with the requirements of section 90(3) of the Act, Council, or a Council committee, may order the public be excluded from the Meeting to allow confidential discussion of matters where there are grounds under the following provisions:

- (a) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*
- (b) *information the disclosure of which—*
 - (i) *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*
 - (ii) *would, on balance, be contrary to the public interest;*
- (c) *information the disclosure of which would reveal a trade secret;*
- (d) *commercial information of a confidential nature (not being a trade secret) the disclosure of which—*
 - (i) *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*
 - (ii) *would, on balance, be contrary to the public interest;*
- (e) *matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;*

- (f) *information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;*
- (g) *matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;*
- (h) *legal advice;*
- (i) *information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;*
- (j) *information the disclosure of which—*
 - (i) *would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and*
 - (ii) *would, on balance, be contrary to the public interest;*
- (k) *tenders for the supply of goods, the provision of services or the carrying out of works;*
- (m) *information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act;*
- (n) *information relevant to the review of a determination of a council under the Freedom of Information Act 1991.*
- (o) *information relating to a proposed award recipient before the presentation of the award.*

2.4.2 The Act provides for a definition of ‘personal affairs’, being a person’s financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, but does not include the personal affairs of a body corporate. This is an inclusive (not exhaustive) list of personal matters.

2.4.3 In considering whether an order should be made under section 90(2), it is irrelevant that discussion of a matter in public may—

- (a) cause embarrassment to the council or council committee concerned, or to members or employees of the council; or
- (b) cause a loss of confidence in the council or council committee.

2.4.4 If a decision to exclude the public is taken, the Council or Council committee is

required to make a note in the minutes of the making of the order and the grounds on which it was made. Sufficient detail of the grounds on which the order was made will be included in the minutes.

2.4.5 Where a person provides information to the Council and requests that it be kept confidential, Council is not able to consider this request unless the matter is one that falls within section 90(3). If this is the case, Council will then be in a position to consider the request on its merits.

2.5 Information or Briefing Sessions

2.5.1 Members of Council, Committee members and staff may participate in information or briefing sessions provided that a matter which would ordinarily form part of the agenda for a formal meeting is not dealt with in such a way as to obtain or effectively obtain, a decision outside of a formally constituted meeting of Council or Committee.

2.5.2 An information or briefing session pursuant to section 90A is one that is:

- arranged by the Council or the Chief Executive Officer
- includes an invitation to attend or be involved to more than one member of the Council/Council Committee
- is convened for the purpose of providing information or a briefing to attendees.

2.5.3 Information or briefing sessions must be conducted in a place open to the public when a matter is, or is intended to be, on the agenda for a formal meeting of the Council to be discussed (s.90A(3)). It is not required that all meetings be open to the public only those that are or intended to be on the agenda for a meeting.

2.5.4 Information or briefing sessions may be closed to the public to allow attendees to receive, discuss or consider any information or matter listed in section 90(3) of the Act (on confidential grounds). The decision can be made by the CEO before or at the session. The CEO must make an order to close an information or briefing session – s.90A(4) (unless order is made by the Council) and record:

- (a) -the grounds on which the order was made
- (b) -the basis on which the information falls within the ambit of each ground of s.90(3)
- (c) -the reasons that the receipt, consideration or discussion of the information public would be contrary to the public interest.

2.5.5 Attendance at Information or Briefing Sessions Electronically

Members of the Council or a Council Committee may participate in an information or briefing session by electronic means (an electronic information or briefing session). A member of the Council or Council Committee participating in electronic information or briefing session is taken to be present at the information or briefing session provided that the member:

- (a) can hear all other members present at the information or briefing session; and

(b) can be heard by all other members present at the information or briefing session.

For the application of 'electronic means' for information sessions or briefing sessions this includes a telephone, computer or other electronic device used for communication.

2.5.6 Form of Participation by Electronic Means

Where:

(a) a Council or Committee member is to participate in an information or briefing session by electronic means; and

(b) the electronic means has the functionality to allow the member to participate in electronic information or briefing session by being heard but not seen or by being both seen and heard; and

(c) the electronic means of the Council has the functionality to allow the council member to be heard but not seen or to be both seen and heard, the member must participate by being both seen and heard.

2.5.7 Council will make available to the public a live stream of any electronic information or briefing session which must be conducted in a place open to the public so that members of the public can hear the discussions between all persons participating in the information or briefing session.

The live stream will be published on a website determined by the chief executive officer, provided that this requirement will not apply to any part of the electronic information or briefing session that has been closed to the public.

2.5.8 Council will publish information about information and briefing sessions in accordance with Regulation 8AB of the *Local Government (General) Regulations 2013*. Without a specific decision of the Council or Chief Executive Officer to the contrary, documents presented to information or briefing sessions are not publicly available and documents presented to information or briefing sessions that are closed to the public are confidential.

~~2.52.6~~ Public ~~a~~Access to ~~m~~Minutes

~~2.5.12.6.1~~ Minutes of a meeting of Council or Council committee, apart from confidential material, will be publicly available, including the internet, within five days after the meeting.

~~2.5.22.6.2~~ Notice No 1 provides that a copy of the minutes of a meeting of the Council must be placed on public display on a website determined by the chief executive officer within five days after the meeting and kept on display for a period of one month.

~~2.62.7~~ Use of ~~C~~Confidentiality ~~p~~Provisions

~~2.6.12.7.1~~ Any consideration of the use of confidentiality provisions to exclude the public

10

The electronic version on the internet is the controlled version of this document.

Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the controlled version.

from the discussion of a particular matter at a meeting will require the identification of one or more of the grounds listed within section 90(3) of the Act and the factual reasons for the relevance and application of the ground(s) in the circumstances. The grounds are listed in paragraph 2.4.1 of this Code.

2.6.2.7.2 The policy approach of the City of Holdfast Bay is:

2.7.2.1 Information regarding the grounds on which an order to exclude the public is made will be conveyed to the public at the time of them being ordered to leave or disconnect from the meeting. The public will not be excluded until after confidentiality motion has been carried and sufficient reasons for the need to exclude the public given.

2.7.2.2 Once discussion of the matter is concluded, and while the meeting is still in confidential session, the meeting will consider if it is necessary to make an order that a document associated with that agenda item (including minutes) remain confidential. In determining this, the meeting will have regard to the provisions of section 91 and in particular section 91(8) which details when a Council must not order that a document remain confidential.

2.7.2.3 If the meeting determines that it is proper and necessary to keep a document confidential, then a resolution for an order to this effect is required in accordance with section 91(7) of the Act.

2.7.2.4 The Council will determine the matter of confidentiality on each item separately, determining the relevant grounds for confidentiality for each item.

2.7.2.5 Where keeping a document confidential is considered proper and necessary, a resolution to this effect is required which shall include:

- the grounds for confidentiality
- the duration of the order or the circumstances in which the order will cease to apply
- if the duration of the order is for more than 12 months, the order must be reviewed at least once in every year
- whether the power to revoke the order will be delegated to an employee of the Council (s.91(9)).

2.7.2.6 In accordance with section 91(8) the Council or Council committee must not make an order:

- to prevent the disclosure of the remuneration or conditions of service of an employee of the council after the remuneration or conditions have been set or determined; or
- to prevent the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of

works), or of any reasons adopted by the council as to why a successful tenderer has been selected; or

- to prevent the disclosure of the amount or amounts payable by the council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the council after the contract has been entered into by all parties to the contract; or
- to prevent the disclosure of the identity of land that has been acquired or disposed of by the council, or of any reasons adopted by the council as to why land has been acquired or disposed of by the council.

2.76.3 In all cases the objective is that the information be made publicly available at the earliest possible opportunity.

2.8 Public Access to Documents

2.8.1 In accordance with section 132 and schedule 5 of the Act, various documents are available for inspection and purchase (for a fee) by the public at the Brighton Civic Centre. Council may also make available a document in electronic form and place it on the internet for public access

2.8.2 The Council or Council committee will only order that a document associated with a discussion from which the public are excluded is to remain confidential if it is considered proper and necessary and meets the test(s) for one of the grounds in the Act.

2.8.3 The Council or Council committee can only resolve to retain minutes and/or documents confidential under section 91(7) if they were considered in confidence pursuant to sections 90(2) and 90(3).

2.8.4 Inquiries in relation to the process for seeking access to documents held by Council and which are not publicly available, should be directed to Council's accredited Freedom of Information Officer.

2.9 Review of Confidentiality Orders

2.9.1 A confidentiality order made under section 91(7) of the Act must specify the duration of the order or the circumstances in which the order will cease to apply.

2.9.2 An order will lapse if the time or event specified has been reached or carried out. There is no need for the Council to resolve for the confidential order to be lifted. Once an order has lapsed, the minutes and/or documents automatically become public.

2.9.3 Orders that exceed 12 months must be reviewed annually and the council must assess whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential.

2.9.4 if there is no longer a need for the confidentiality order then the Council or Council committee may delegate to an employee of the Council the power to revoke an order made in accordance with section 91(7) of the Act. The Council or Council committee may also include in the resolution whether any delegation is given to an employee to revoke the order and if relevant, any conditions associated with the delegation.

2.10 Accountability and ~~R~~eporting to the ~~C~~ommunity

2.10.1 A report on the use of the sections 90(2) and 91(7) by the Council and Council committees must be included in the annual report of a Council as required by Schedule 4 of the Act. This supports commitment to the principle of accountability to the community.

2.9.2 The reporting should include the following information be included in the annual report:

~~2.9.2.1 number of occasions orders made under each of the provisions of sections s.90(2) excluding the public from attendance at a meeting in the financial year and 90(3) were utilised;~~

~~2.9.2.2 date and subject of each order made under s.90(2) in the financial year~~

~~2.9.2.3 number of orders under each ground for s.90(2) in the financial year~~

~~2.9.2.4 number of retain in confidence orders (s.91(7) in the financial year including date and subject~~

~~2.9.2.5 number of retain in confidence orders (s.91(7) that expired, ceased to apply or were revoked during the financial year~~

~~2.9.2.6 number of retain in confidence orders (s.91(7) that remained operative at the end of the financial year including date and subject.~~

~~2.9.2.2 number of occasions each of the provisions of sections 90(2) and 90(3) and section 91(7) were utilised, expressed as a percentage of total agenda items considered'~~

~~2.9.2.3 an indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion e.g. a proposal to acquire a parcel of land was considered on 3 separate occasions;~~

~~2.9.2.4 number of occasions that information originally declared confidential has subsequently been made publicly available; and~~

~~2.9.2.5 number of occasions that information declared confidential has not been made publicly available and the reason for this in each case.~~

2.11 Availability of the ~~C~~ode

The public may inspect a copy of this Code, without charge, at the Civic Centre during office hours, and may obtain a copy for a fee fixed by Council. The Code is also available on the internet www.holdfast.sa.gov.au.

2.12 Grievance

2.12.1 Council has established procedures under section 270 of the Act for the review of decisions by:

- Council and its committees

- employees of the Council
- other persons acting on behalf of the Council

2.12.2 People who have a complaint about public access to either a formal Council or Committee meeting, or the Council Agendas, and their attached documents or Minutes, can lodge an application for review of the decision under the procedures established by Council. The procedures are available on Council's website www.holdfast.sa.gov.au.

3 References

Legislation

- *Electronic Participation in Council Meetings Notice (No 1) 2020*
- *Freedom of Information Act 1991*
- *Local Government Act 1999*

Policies and Procedures

- *Code of Practice- Meeting Procedures*
- *Customer Feedback and Complaints Procedure*
- *Internal Review of Council Decisions (s270) Policy*

Attachment 3





Code of Practice – Access to Meetings and Documents

Adopted by Council 2022
Review by 1 November 2023

1.1 Preamble

The City of Holdfast Bay supports the principle that the procedures to be observed at a meeting of Council or a Council Committee should contribute to open, transparent and informed decision-making and encourage appropriate community participation in the affairs of Council.

1.2 Background

1.2.1 The *Local Government Act 1999* sets out arrangements for meetings and requires that all Council and Council Committee meetings are held in public except where special circumstances exist.

1.2.2 Section 90 of the *Local Government Act 1999* outlines the circumstances in which a document or discussion considered in a Council or Committee meeting can be kept confidential.

1.3 Purpose

1.3.1 The Code of Practice for Access to Meetings and Documents sets out the commitment of City of Holdfast Bay to provide public access to Council and Council committee meetings and documents (s92 of the Act) and outlines the policies and procedures contained within the Act, to restrict public access.

1.3.2 This Code has been supplemented to include the provisions made by the Minister for Transport, Infrastructure and Local Government on 31 March 2020 to take into account the *Local Government (Public Health Emergency) Amendment Act 2020* (which inserted section 302B in to the Act) and the *Electronic Participation in Council Meetings Notice (No 1) 2020*, which provides variations to the Act to enable all council members to participate in a council meeting by electronic means. These provisions are shown in blue and will remain in operation during the current public health emergency (COVID-19) and whilst the Minister's Notice No. 1 remains in operation.

1.3.3 Notice No 1:

- (a) provides that a Council is not required to adopt any provision in a code of practice that would prevent or inhibit members from participating in Council meetings or Council committee meetings by electronic means;
- (b) provides that Council members may meet by electronic means to alter the code of practice of the Council, or substitute a new code of practice of the Council, even if the existing code of practice prevents or inhibits the Council members from meeting by electronic means; and
- (c) suspends the requirement in section 92(5) that before a Council adopts, alters or substitutes a code of practice it make copies of the

proposed code, alterations or substitute code (as the case may be) available for inspection and purchase at the principal office of the Council and on a website determined by the Council and that the Council follow the steps set out in its public consultation policy.

1.4 Scope

1.4.1 The Code includes information about the relevant provisions of the Act and Council's policy and procedures for:

- access to the agenda for meetings;
- public access to meetings;
- the process to exclude the public from meetings;
- matters for which the Council or a Council Committee can order that the public be excluded;
- how the Council will approach the use of confidentiality provisions of the Act;
- public access to documents including minutes;
- review of confidentiality orders;
- accountability and reporting to the community, and the availability of the code; and
- grievance procedures to be followed if a member of the public believes that the Council has unreasonably restricted public access on a particular matter.

1.5 Definitions

Act means the *Local Government Act 1999*

Code means this Code of Practice for Access to Meetings and Documents

Notice No 1 means the *Electronic Participation in Council Meetings Notice (No 1) 2020*

2.1 Public Access to the Agenda for Council or Council Committee Meetings

2.1.1 At least three clear days before the Council or Council committee meeting (unless a Special Meeting has been called) the Chief Executive Officer (CEO) must give written notice of the meeting to all Council/Committee members setting out the date, time and place of the meeting. The notice must contain or be accompanied by the agenda for the meeting.

2.1.2 [Subject to clause 2.1.7](#), the notice and agenda will be placed on public display at the principal office of the Council (Brighton Civic Centre, 24 Jetty Road Brighton) and on Council's website www.holdfast.sa.gov.au. Copies will also be available at the Council's Library's.

2.1.3 [Subject to clause 2.1.8](#), copies of the agenda documents and non-confidential reports will be available for public inspection at the Brighton Civic Centre and the Council Libraries. A reasonable number of copies will be available for public inspection as soon as practicable after they are supplied to the Members of the Council.

- 2.1.4 Members of the public may obtain a copy of the agenda and non-confidential reports for a fee to cover the costs of photocopying, in accordance with the Council's schedule of fees and charges.
- 2.1.5 Copies of the Agenda documents and non-confidential reports that are to be considered at a meeting will be made available to members of the public in attendance.
- 2.1.6 Where the CEO of the Council believes that a document or report on a particular matter should be considered in confidence with the public to be excluded, the basis under which the order could be made in accordance with section 90(3) of the Act will be specified. Refer to sections 83(5)(Council) and 87(10) (Committees) of the Act.
- 2.1.7 For the period of the operation of Notice No 1 the requirement that the Chief Executive Officer give notice to the public of the times and places of council meetings by placing the notice of meeting and agenda on public display at each office of the Council that is open to the public for the general administration of Council business within its area is **suspended**.
- 2.1.8 For the period of the operation of Notice No 1:
- 2.1.8.1 the requirement that the Chief Executive Officer must ensure that a reasonable number of copies of any document or report supplied to members of the Council for consideration at a meeting of the Council are available for inspection by members of the public at the principal office of the Council or at the meeting is **suspended**.
- 2.1.8.2 the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) will ensure that any document or report supplied to members of the Council for consideration at a meeting of the Council is available for inspection by members of the public -
- (a) in the case of a document or report supplied to members of the Council *before* the meeting - on a website determined by the Chief Executive Officer as soon as practicable after the time when the document or report is supplied to members of the Council; or
- (b) in the case of a document or report supplied to members of the Council *at the* meeting - on a website determined by the Chief Executive Officer as soon as practicable after the time when the document or report is supplied to members of the Council.

2.2 Public Access to Council or Committee Meetings

- 2.2.1 Council and Council committee meetings are open to the public and attendance is encouraged, except where Council (or Council committee) has grounds (section 90 of the Act) to exclude the public from the discussion (and, if necessary, decision) of a particular matter (see 2.4).

2.2.2 The public will only be excluded when there are grounds in the Act for properly doing so.

2.2.3 Notice No 1 provides that a Council meeting will be taken to be conducted in a place open to the public even if one (1) or more Council members participate in the meeting by electronic means provided that -

(a) the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) makes available to the public a live stream (the transmission of audio and/or video from a meeting at the time that the meeting is occurring) of the meeting on a website determined by the Chief Executive Officer and ensures that members of the public can hear the discussion between all Council members present at the meeting via the live stream; or

(b) if the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) has taken reasonable steps to make available a live stream of the meeting but is unable to make available a live stream of the meeting, the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) makes available to the public a recording of the meeting as soon as practicable after the meeting on a website determined by the Chief Executive Officer and ensures that members of the public can hear the discussion between all Council members present at the meeting via the recording.

If the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) has taken reasonable steps to make available to the public a live stream of the meeting or, (if unable to make available a live stream of the meeting) a recording of the meeting but is unable to comply, the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) must publish on a website determined by the Chief Executive Officer the steps taken to comply.

2.3 *Process to Exclude the Public from a Meeting*

2.3.1 The practice of the City of Holdfast Bay is as follows:

2.3.1.1 to deal with the agenda items in the order listed in the agenda, or

2.3.1.2 for the convenience of the public present at a meeting, where it is resolved to consider a matter in confidence, this matter may be adjourned until all other business has been dealt with to allow the public to leave the meeting once all public business has been concluded.

2.3.2 Before a meeting orders that the public be excluded to enable the receipt, discussion and consideration of a particular matter, the meeting must, in public, formally determine if this is necessary and appropriate and then pass a resolution to exclude the public while dealing with that particular matter. If this occurs the public must leave the room. For the operation of 90(2) a member of the public does not include an employee of the council.

- 2.3.3 Notice No 1 provides that the Council or council committee must disconnect any live stream or recording of a meeting for the period that the meeting is closed to the public pursuant to an order made under section 90(2).
- 2.3.4 Once Council or Council committee has made the order, it is an offence for a person, who knowing that an order is in force, enters or remains in a room in which such a meeting is being held. It is lawful for an employee of Council or a member of the police to use reasonable force to remove the person from the room if they fail to leave on request.
- 2.3.5 Further, Notice 1 provides that it is also an offence for a person who, knowing that an order is in force under section 90(2), to connect (i.e. able to hear and/or see the meeting, including via a live stream recording or recording of the meeting) to a meeting of the Council or Council committee by electronic means, or fail to disconnect (i.e. remove the connection so as to be able to hear and see the meeting) from a meeting of the Council or Council committee.
- 2.3.6 Once discussion on that particular matter is concluded, the public are then permitted to re-enter or reconnect to the meeting.
- 2.3.7 Council or Council committee can by inclusion within the resolution permit a particular person or persons to remain in a meeting.
- 2.3.8 Notice No 1 provides that a Council meeting will be taken to be conducted in a place open to the public even if one (1) or more Council members participate in the meeting by electronic means provided that –
- 2.3.8.1 the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) makes available to the public a live stream of the meeting on a website determined by the Chief Executive Officer and ensures that members of the public can hear the discussion between all Council members present at the meeting via the live stream; or
- 2.3.8.2 if the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) has taken reasonable steps to make available a live stream of the meeting but is unable to make available a live stream of the meeting, the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) makes available to the public a recording of the meeting as soon as practicable after the meeting on a website determined by the Chief Executive Officer and ensures that members of the public can hear the discussion between all Council members present at the meeting via the recording.

If the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) has taken reasonable steps to make available to the public a live stream of the meeting or,(if unable to make available a live stream of the meeting) a recording of the meeting but is unable to comply, the Chief Executive Officer (or a person

nominated in writing by the Chief Executive Officer) must publish on a website determined by the chief executive officer the steps taken to comply and the requirement will be suspended.

2.4 Matters from which the Public can be Excluded

2.4.1 In accordance with the requirements of section 90(3) of the Act, Council, or a Council committee, may order the public be excluded from the Meeting to allow confidential discussion of matters where there are grounds under the following provisions:

- (a) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*
- (b) *information the disclosure of which—*
 - (i) *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*
 - (ii) *would, on balance, be contrary to the public interest;*
- (c) *information the disclosure of which would reveal a trade secret;*
- (d) *commercial information of a confidential nature (not being a trade secret) the disclosure of which—*
 - (i) *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*
 - (ii) *would, on balance, be contrary to the public interest;*
- (e) *matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;*
- (f) *information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;*
- (g) *matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;*
- (h) *legal advice;*
- (i) *information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;*
- (j) *information the disclosure of which—*
 - (i) *would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and*

(ii) *would, on balance, be contrary to the public interest;*

(k) *tenders for the supply of goods, the provision of services or the carrying out of works;*

(m) *information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act;*

(n) *information relevant to the review of a determination of a council under the Freedom of Information Act 1991.*

(o) *information relating to a proposed award recipient before the presentation of the award.*

2.4.2 The Act provides for a definition of ‘personal affairs’, being a person’s financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, but does not include the personal affairs of a body corporate. This is an inclusive (not exhaustive) list of personal matters.

2.4.3 In considering whether an order should be made under section 90(2), it is irrelevant that discussion of a matter in public may—

(a) cause embarrassment to the council or council committee concerned, or to members or employees of the council; or

(b) cause a loss of confidence in the council or council committee.

2.4.4 If a decision to exclude the public is taken, the Council or Council committee is required to make a note in the minutes of the making of the order and the grounds on which it was made. Sufficient detail of the grounds on which the order was made will be included in the minutes.

2.4.5 Where a person provides information to the Council and requests that it be kept confidential, Council is not able to consider this request unless the matter is one that falls within section 90(3). If this is the case, Council will then be in a position to consider the request on its merits.

2.5 Information or Briefing Sessions

2.5.1 Members of Council, Committee members and staff may participate in information or briefing sessions provided that a matter which would ordinarily form part of the agenda for a formal meeting is not dealt with in such a way as to obtain or effectively obtain, a decision outside of a formally constituted meeting of Council or Committee.

2.5.2 An information or briefing session pursuant to section 90A is one that is:

- arranged by the Council or the Chief Executive Officer

- includes an invitation to attend or be involved to more than one member of the Council/Council Committee
- is convened for the purpose of providing information or a briefing to attendees.

2.5.3 Information or briefing sessions must be conducted in a place open to the public when a matter is, or is intended to be, on the agenda for a formal meeting of the Council to be discussed (s.90A(3)). It is not required that all meetings be open to the public only those that are or intended to be on the agenda for a meeting.

2.5.4 Information or briefing sessions may be closed to the public to allow attendees to receive, discuss or consider any information or matter listed in section 90(3) of the Act (on confidential grounds). The decision can be made by the CEO before or at the session. The CEO must make an order to close an information or briefing session – s.90A(4) (unless order is made by the Council) and record:

- (a) the grounds on which the order was made
- (b) the basis on which the information falls within the ambit of each ground of s.90(3)
- (c) the reasons that the receipt, consideration or discussion of the information public would be contrary to the public interest.

2.5.5 Attendance at Information or Briefing Sessions Electronically

Members of the Council or a Council Committee may participate in an information or briefing session by electronic means (an electronic information or briefing session). A member of the Council or Council Committee participating in electronic information or briefing session is taken to be present at the information or briefing session provided that the member:

- (a) can hear all other members present at the information or briefing session; and
- (b) can be heard by all other members present at the information or briefing session.

For the application of ‘electronic means’ for information sessions or briefing sessions this includes a telephone, computer or other electronic device used for communication.

2.5.6 Form of Participation by Electronic Means

Where:

- (a) a Council or Committee member is to participate in an information or briefing session by electronic means;
- (b) the electronic means has the functionality to allow the member to participate in electronic information or briefing session by being heard but not seen or by being both seen and heard; and

- (c) the electronic means of the Council has the functionality to allow the council member to be heard but not seen or to be both seen and heard, the member must participate by being both seen and heard.

2.5.7 Council will make available to the public a live stream of any electronic information or briefing session which must be conducted in a place open to the public so that members of the public can hear the discussions between all persons participating in the information or briefing session.

The live stream will be published on a website determined by the Chief Executive Officer, provided that this requirement will not apply to any part of the electronic information or briefing session that has been closed to the public.

2.5.8 Council will publish information about information and briefing sessions in accordance with Regulation 8AB of the *Local Government (General) Regulations 2013*. Without a specific decision of the Council or Chief Executive Officer to the contrary, documents presented to information or briefing sessions are not publicly available and documents presented to information or briefing sessions that are closed to the public are confidential.

2.6 Public Access to Minutes

2.6.1 Minutes of a meeting of Council or Council committee, apart from confidential material, will be publicly available, including the internet, within five days after the meeting.

2.6.2 [Notice No 1 provides that a copy of the minutes of a meeting of the Council must be placed on public display on a website determined by the Chief Executive Officer within five days after the meeting and kept on display for a period of one month.](#)

2.7 Use of Confidentiality Provisions

2.7.1 Any consideration of the use of confidentiality provisions to exclude the public from the discussion of a particular matter at a meeting will require the identification of one or more of the grounds listed within section 90(3) of the Act and the factual reasons for the relevance and application of the ground(s) in the circumstances. The grounds are listed in paragraph 2.4.1 of this Code.

2.7.2 The policy approach of the City of Holdfast Bay is:

2.7.2.1 Information regarding the grounds on which an order to exclude the public is made will be conveyed to the public at the time of them being ordered to leave or disconnect from the meeting. The public will not be excluded until after a confidentiality motion has been carried and sufficient reasons for the need to exclude the public given.

- 2.7.2.2 Once discussion of the matter is concluded, and while the meeting is still in confidential session, the meeting will consider if it is necessary to make an order that a document associated with that agenda item (including minutes) remain confidential. In determining this, the meeting will have regard to the provisions of section 91 and in particular section 91(8) which details when a Council must not order that a document remain confidential.
- 2.7.2.3 If the meeting determines that it is proper and necessary to keep a document confidential, then a resolution for an order to this effect is required in accordance with section 91(7) of the Act.
- 2.7.2.4 The Council will determine the matter of confidentiality on each item separately, determining the relevant grounds for confidentiality for each item.
- 2.7.2.5 Where keeping a document confidential is considered proper and necessary, a resolution to this effect is required which shall include:
- the grounds for confidentiality;
 - the duration of the order or the circumstances in which the order will cease to apply;
 - if the duration of the order is for more than 12 months, the order must be reviewed at least once in every year; and
 - whether the power to revoke the order will be delegated to an employee of the Council (s.91(9)).
- 2.7.2.6 In accordance with section 91(8) the Council or Council committee must not make an order:
- to prevent the disclosure of the remuneration or conditions of service of an employee of the council after the remuneration or conditions have been set or determined;
 - to prevent the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the council as to why a successful tenderer has been selected;
 - to prevent the disclosure of the amount or amounts payable by the council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the council after the contract has been entered into by all parties to the contract; and
 - to prevent the disclosure of the identity of land that has been acquired or disposed of by the council, or of any reasons adopted by the council as to why land has been acquired or disposed of by the council.

2.7.3 In all cases the objective is that the information be made publicly available at the earliest possible opportunity.

2.8 Public Access to Documents

- 2.8.1 In accordance with section 132 and schedule 5 of the Act, various documents are available for inspection and purchase (for a fee) by the public at the Brighton Civic Centre. Council may also make available a document in electronic form and place it on the internet for public access
- 2.8.2 The Council or Council committee will only order that a document associated with a discussion from which the public are excluded is to remain confidential if it is considered proper and necessary and meets the test(s) for one of the grounds in the Act.
- 2.8.3 The Council or Council committee can only resolve to retain minutes and/or documents confidential under section 91(7) if they were considered in confidence pursuant to sections 90(2) and 90(3).
- 2.8.4 Inquiries in relation to the process for seeking access to documents held by Council and which are not publicly available, should be directed to Council's accredited Freedom of Information Officer.

2.9 Review of Confidentiality Orders

- 2.9.1 A confidentiality order made under section 91(7) of the Act must specify the duration of the order or the circumstances in which the order will cease to apply.
- 2.9.2 An order will lapse if the time or event specified has been reached or carried out. There is no need for the Council to resolve for the confidential order to be lifted. Once an order has lapsed, the minutes and/or documents automatically become public.
- 2.9.3 Orders that exceed 12 months must be reviewed annually and the council must assess whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential.
- 2.9.4 If there is no longer a need for the confidentiality order then the Council or Council committee may delegate to an employee of the Council the power to revoke an order made in accordance with section 91(7) of the Act. The Council or Council committee may also include in the resolution whether any delegation is given to an employee to revoke the order and if relevant, any conditions associated with the delegation.

2.10 Accountability and Reporting to the Community

- 2.10.1 A report on the use of the sections 90(2) and 91(7) by the Council and Council committees must be included in the annual report of a Council as required by Schedule 4 of the Act. This supports commitment to the principle of accountability to the community.

2.10.2 The reporting should include the following information in the annual report:

- 2.10.2.1 number of orders made under s.90(2) excluding the public from attendance at a meeting in the financial year;
- 2.10.2.2 date and subject of each order made under s.90(2) in the financial year;
- 2.10.2.3 number of orders under each ground for s.90(2) in the financial year;
- 2.10.2.4 number of retain in confidence orders (s.91(7) in the financial year, including date and subject;
- 2.10.2.5 number of retain in confidence orders (s.91(7) that expired, ceased to apply or were revoked during the financial year; and
- 2.10.2.6 number of retain in confidence orders (s.91(7) that remained operative at the end of the financial year including date and subject.

2.11 Availability of the Code

The public may inspect a copy of this Code, without charge, at the Civic Centre during office hours, and may obtain a copy for a fee fixed by Council. The Code is also available on the internet www.holdfast.sa.gov.au.

2.12 Grievance

2.12.1 Council has established procedures under section 270 of the Act for the review of decisions by:

- Council and its committees;
- employees of the Council; and
- other persons acting on behalf of the Council

2.12.2 People who have a complaint about public access to either a formal Council or Committee meeting, or the Council Agendas, and their attached documents or Minutes, can lodge an application for review of the decision under the procedures established by Council. The procedures are available on Council's website www.holdfast.sa.gov.au.

3 References

Legislation

- *Electronic Participation in Council Meetings Notice (No 1) 2020*
- *Freedom of Information Act 1991*
- *Local Government Act 1999*

Policies and Procedures

- Code of Practice- Meeting Procedures
- Customer Feedback and Complaints Procedure
- Internal Review of Council Decisions (s270) Policy

Item No: 15.5

Subject: **GLENELG AS AN ACCESSIBLE BEACH**

Date: 22 February 2022

Written By: Manager, Community Wellbeing

General Manager: Community and Business, Ms M Lock

SUMMARY

This report responds to Council Motion on Notice, Beach Access at Glenelg (C080222/2534).

The successful Glenelg Accessible Beach Event in January 2022 demonstrated that it is feasible to make Glenelg beach accessible on a permanent basis.

This report provides the initial scoping and estimated costings to reconstruct the existing ramp north of the Glenelg Jetty DDA compliant and invest into the equipment to ensure that the beach as well as the ocean is accessible.

RECOMMENDATION

That Council

- 1. Endorses Administration to develop a detail design for a DDA compliant ramp at Glenelg that considers the needs of all beach users inclusive of people with a disability; and**
 - 2. Administration continues to investigate funding opportunities for detailed design and construction of a DDA compliant ramp, beach matting and beach wheelchairs at Glenelg Beach.**
-

STRATEGIC PLAN

Our beaches and Council-controlled public areas are accessible and inclusive (Our Holdfast 2050+ Strategic Plan)

COUNCIL POLICY

Social Development Policy

STATUTORY PROVISIONS

Disability Discrimination Act (Cth) 1992

Disability Inclusion Act (SA) 2018

BACKGROUND

This report responds to Council Motion on Notice, Beach Access at Glenelg (C080222/2534):

“That Council admin report back to Council by 8 March 2022 on installing a beach access mat from the Glenelg beach entry point (next to the jetty) to the sea so that people with a disability can have access to the ocean during the Summer months. The report will include costing on civil work required for the remodeling the ramp access onto Glenelg Beach so that it is DDA compliant, investigate grant funding available for DDA ramp upgrade, investigate grant funding available from PQSA or equivalent organisation for the accessibility mat. Investigate grant funding opportunity to purchase floating wheelchairs / beach access wheel chairs. It will also provide options for a DDA compliant toilet (s) near the Glenelg ramp access (near the water tank along the seawall or other such suitable location).”

The City of Holdfast Bay has almost nine kilometres of beautiful coastline with Glenelg the premier seaside tourism destination, visited by hundreds of thousands of people each year. Yet, for one out of every six Australians¹, the iconic swim at Glenelg is not an option because the beach is not accessible to people with a disability.

In January 2022, an Accessible Beaches event at Glenelg proved that it is possible to make the beach at Glenelg accessible. With more than 400 people attending the event, as well as the significant amount of feedback received following the media coverage of the day, demonstrated that an accessible beach at Glenelg will be a welcome and popular addition to the foreshore.

An additional consideration is the economic benefit that an increase in visitation would provide for the local economy. In 2018, people living with an accessibility challenge or disability contributed a staggering \$10.8 billion² tourism spend to the Australian economy.

REPORT

The Glenelg Beach Access Event was held north of the Glenelg Jetty, laying the beach matting from the existing ramp near the Glenelg Surf Lifesaving Club. This location was suitable as a temporary access point, but would not be ideal on a permanent basis due to the multi-purpose use of the space by the Glenelg Surf Lifesaving Club, Council and emergency vehicles to gain access to the beach.

The existing ramps either side of the Glenelg Jetty are not DDA compliant and would need to be re-engineered, but are a more inclusive option for access to the beach, as all beach users would

¹ ABS Census (2018)

² <https://capricornenterprise.com.au/2022/02/why-we-should-be-talking-about-accessible-tourism/>

have equal access to the patrolled areas of the beach. The shorter distance to the shoreline is also favourable, as it will result in less matting being required to reach the water's edge.

Administration have investigated options to make the ramp north of the jetty accessible and have returned two options for consideration. Each option is discussed in this report, with diagrams and indicative costs provided. It is to be noted that a detailed design will confirm the vertical fall that has to be considered with the construction of a new ramp so cost estimates are only indicative at this stage.

Ramp Construction Option 1

By constructing a ramp along the existing stone wall and reconstructing the existing access point, a ramp that is 18m in length and 2.5m in width; has a slope of 1:14, handrails and at least one landing point will ensure that the ramp is DDA compliant and provide a wide enough path to ensure that two wheelchairs could pass along the route. The long length of this ramp may require one of the volleyball courts to be moved further north to ensure a clear run off space from the court.

Ramp Construction Option 2

A switchback ramp requires the demolition of 2m of the existing stone wall to create a new entrance and landing point, with the existing entry closed up with a matching stone wall. This U shaped ramp, whilst still 18m in length, due to configuration will ensure sufficient distance between the ramp exit and the volleyball courts.

Refer Attachments 1 & 2

Beach Matting and Beach Wheelchairs

A quote has been received that provides the costings associated with laying beach matting as well as options for beach wheelchairs. Whilst the quote totals in excess of \$100,000 it includes all the available options for beach wheelchairs and 100m of beach matting. The distance to the shoreline at the identified location is approximately 70m at low tide and an initial investment could be made into one beach wheelchair, with further funding sought to increase the number of available chairs.

Refer Attachment 3

Storage of the beach wheelchairs as well as the matting during the off-season has to be considered. If a storage facility is not available, a beach storage box can be purchased and erected on the foreshore.

Refer Attachment 4

Beach Activations and Summer Events

Neither options have considered the impact on the requirements for current beach activations and summer events programming. Therefore, the detailed design phase will need to investigate options to ensure improved access for beach users, patrons and event attendees.

A Ramp Does Not Equal Beach Access

In addition to a DDA compliant ramp, full access to the beach can only be accomplished by providing beach matting and beach wheelchairs, so that people with disability and others with mobility challenges (whether temporary or permanent), can have a full beach experience.

DDA compliant toilet(s) near the Glenelg Beach Access

Amenity requirement shall continue to be investigated. Importantly cost estimates have not been considered as part of this report.

BUDGET

Total indicative cost (estimate) \$140,000.

The Department of Premier and Cabinet has donated \$50,000.00 (excl GST) to the City of Holdfast Bay for the cost to design and construct a DDA compliant ramp at Glenelg Beach. A donation from the Government of South Australia.

There are currently no specific grants available; however all grant funding opportunities will be scoped by Administration post Council endorsement.

The cost to construct a DDA compliant ramp ranges between \$80,000 and \$92,000 (excl GST), depending on the chosen option.

In addition, 70m of beach matting and at least one beach wheelchair will be a further \$40,000.

ParaQuad SA have made a commitment to donate towards the cost of the equipment required to make the beach inclusive. At the time of this report, the actual value of the contribution has not been confirmed.

A dedicated storage facility can be purchased for \$7,000.

LIFE CYCLE COSTS

A comprehensive site survey will incur an additional cost of approximately \$1,000.

Ongoing maintenance of the matting and beach wheelchairs will need to be incorporated into the annual budget cycle.

Attachment 1



Glenelg Beach DDA Access Ramp OPC

DATE: 08/02/2022

NOTE: All prices exclusive of GST. All prices are indicative only.

Option 1

Category	Item	Description	Unit	Qty	Rate	Cost
Preliminary Works	1	Preliminaries, establishment, set-out, insurances etc. (5%)	item	1	N/A	\$3,275.00
	2	Geotechnical Investigation	Allowance	1	\$5,000.00	\$5,000.00
	3	Temporary fencing	Allowance	1	\$1,500.00	\$1,500.00
	4	Demolition and disposal of existing concrete steps	Allowance	1	\$4,000.00	\$4,000.00
Hardscape	5	Supply and install of Wagner's Mini Mesh ramp including footings, handrails & balustrades	Allowance	1	\$52,500.00	\$52,500.00
	6	Reconstruction of brick wall where concrete stairs removed	Allowance	1	\$2,500.00	\$2,500.00
Contingencies	7	Design Development Contingency (10%)	Allowance	1	N/A	\$6,877.50
	8	Construction Contingency (10%)	Allowance	1	N/A	\$6,877.50
					Subtotal (exc. GST)	\$82,530.00
					Subtotal (inc. GST)	\$90,783.00

Option 2

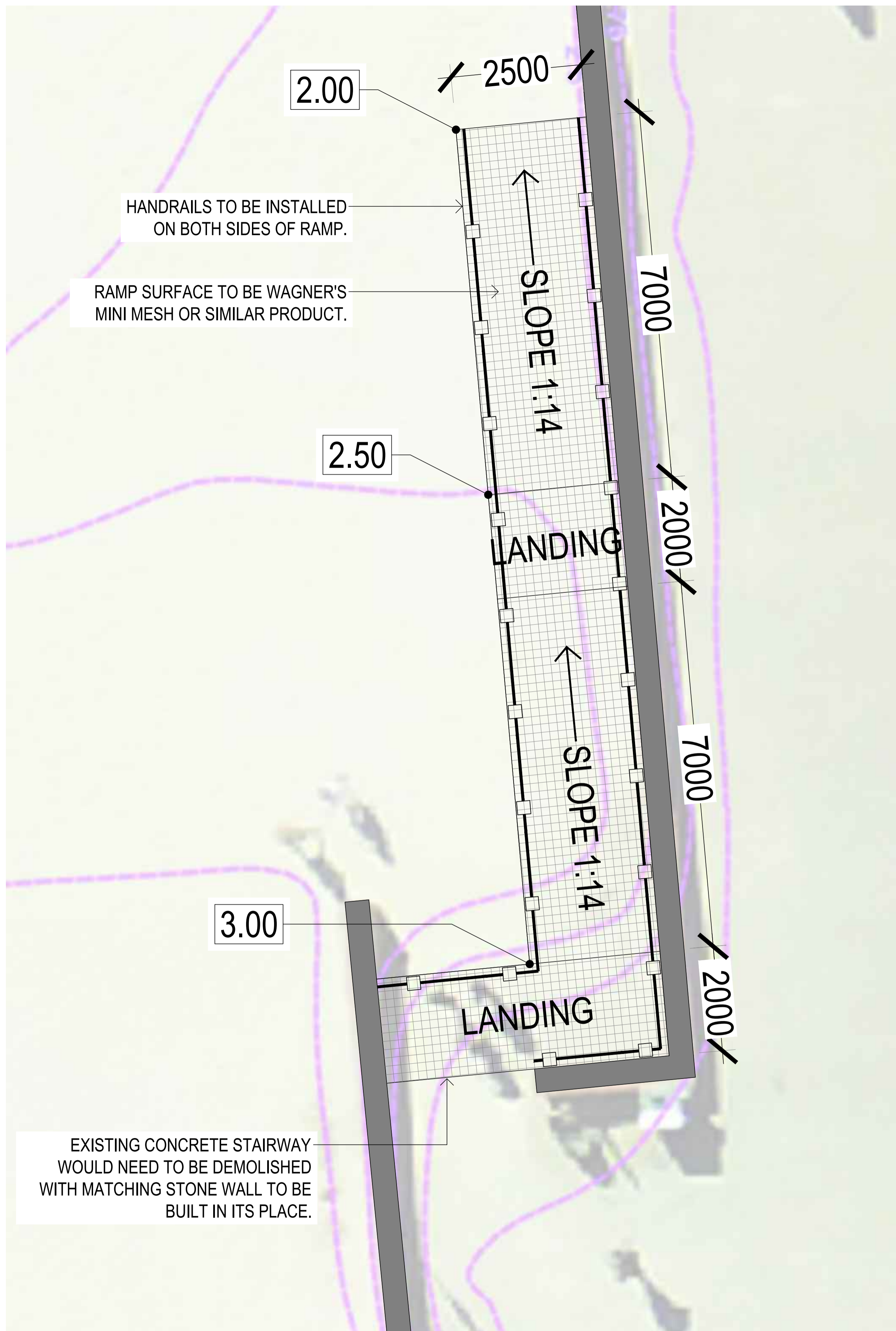
Category	Item	Description	Unit	Qty	Rate	Cost
Preliminary Works	1	Preliminaries, establishment, set-out, insurances etc. (5%)	item	1	N/A	\$3,656.25
	2	Geotechnical Investigation	Allowance	1	\$5,000.00	\$5,000.00
	3	Temporary fencing	Allowance	1	\$1,500.00	\$1,500.00
	4	Demolition and disposal of existing concrete steps	Allowance	1	\$4,000.00	\$4,000.00
Hardscape	5	Demolition and disposal of stone & brick wall section	Allowance	1	\$2,000.00	\$2,000.00
	6	Supply and install of Wagner's Mini Mesh ramp including footings, handrails & balustrades	Allowance	1	\$55,125.00	\$55,125.00
	7	Reconstruction of brick wall where concrete stairs removed	Allowance	1	\$2,500.00	\$2,500.00
	8	Construction of new stone & brick wall section	Allowance	1	\$3,000.00	\$3,000.00
Contingencies	9	Design Development Contingency (10%)	Allowance	1	N/A	\$7,678.13
	10	Construction Contingency (10%)	Allowance	1	N/A	\$7,678.13
					Subtotal (exc. GST)	\$92,137.50
					Subtotal (inc. GST)	\$101,351.25

NOTE:

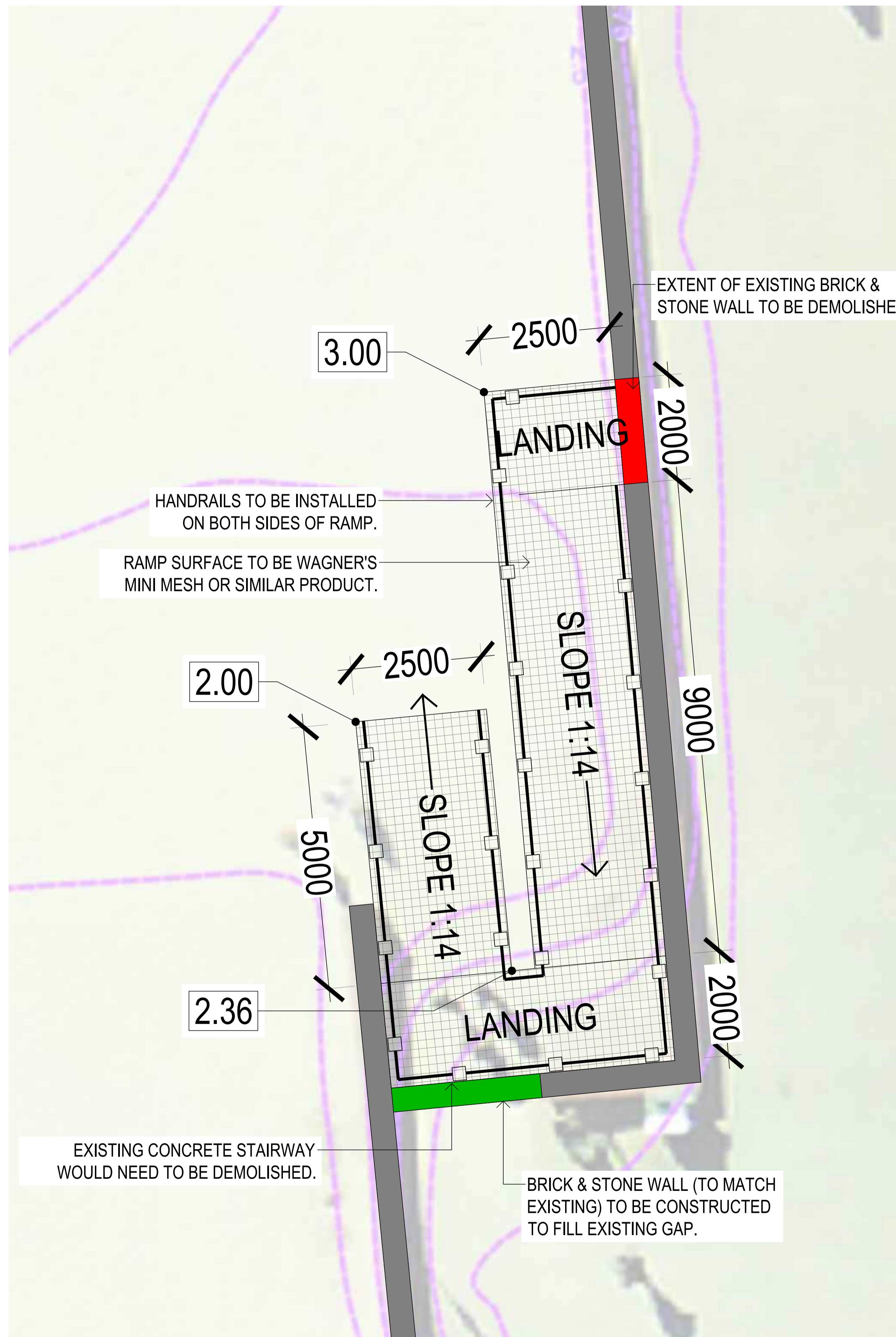
These cost estimates have been produced internally by CoHB and are indicative only. It is recommended that a formal cost estimation by a Quantity Surveyor be done to inform any project budgeting.

Attachment 2





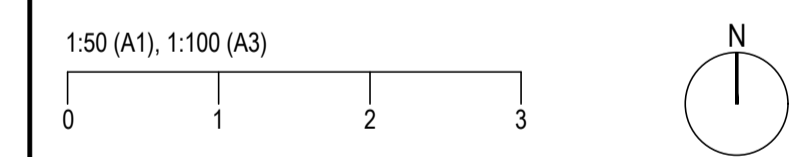
01 OPTION 1
SCALE 1:100 @ A3



02 OPTION 2
SCALE 1:100 @ A3



This drawing must be read in conjunction with all other contract documents including the project specifications, schedules and any instructions issued during the course of the contract. The Contractor must verify all dimensions on site and check the location of services before commencement of work. The Contractor is to notify the Superintendent of any discrepancies between the drawings or specifications. Drawings are not to be used for construction unless identified in the title block as 'for construction'. All drawings to be read at A1 unless otherwise stated. Drawings are intended for digital setout and DWG files will be issued upon request.



PROJECT
Glenelg Beach DDA Ramp Concept

DRAWING TITLE
Concept Design

STATUS
Preliminary

PROJECT NO.	DRAWING NO.	REVISION
005	L100	B

REV DATE	ISSUE	DWN	CHK	APP
A 07/02/2022	DRAFT FOR COMMENT	RO	PJMR	PJMR
B 08/02/2022	PRELIMINARY	RO	PJMR	PJMR

Attachment 3



QUOTE TO:

City of Holdfast Bay

SHIP TO:

City of Holdfast Bay

QUOTE

SO-07486



Quote Date
25/01/2022



Terms
7 Days



Reference
SO-07486

Description	Image	Code	Qty	Price	Disc %	GST	Total
Mobi-Mat Beach Access Matting - AFX - Blue 10m x 1.98m Direct path to the water		AFXW1.53X10-2	10.0	\$ 5,104.00	0	\$ 0.00	\$ 51,040.00
Mobi-Mat Beach Access Matting - AFX - Blue 10m x 1.98m Wheelchair parking on the sand to keep the path clear.		AFXW1.53X10-2	2.0	\$ 5,104.00	0	\$ 0.00	\$ 10,208.00
Mobi-Chair		176 275	2.0	\$ 4,999.00	0	\$ 0.00	\$ 9,998.00
Sandcruiser Beach Wheelchair		SCATWC	1.0	\$ 4,999.00	0	\$ 0.00	\$ 4,999.00
Sandpiper Beach Wheelchair		SPATWC	1.0	\$ 4,999.00	0	\$ 0.00	\$ 4,999.00
Push Beach Walker		PMBW	1.0	\$ 1,990.00	0	\$ 0.00	\$ 1,990.00
Beach Access Signage.		PMBAS	3.0	\$ 222.00	0	\$ 0.00	\$ 666.00
MOBI ROLL'N STOW - Aluminium - 2m wide Fits 50m of MobiMat		MOBI ROLL'N STOW - Aluminium - 2m wide	2.0	\$ 7,999.00	0	\$ 0.00	\$ 15,998.00

Additional Charges

Description	Qty	Amount	Disc %	Tax	Total
-------------	-----	--------	--------	-----	-------

Description	Qty	Amount	Disc %	Tax	Total
MobiMat freight 10m	12.0	\$ 188.00	0	\$ 225.60	\$ 2,481.60
Beach Wheelchair Freight	5.0	\$ 188.00	0	\$ 94.00	\$ 1,034.00

Subtotal	\$ 103,094.00
Tax	\$ 319.60
TOTAL	\$ 103,413.60

PAYMENT OPTIONS

Bank transfer

Horec Pty Ltd t/as Push Mobility
 BSB: 013215
 Acct: 188808713

Please quote your invoice number as Reference

Maximum of \$3,000 for PayPal and Stripe credit card payments



Attachment 4



QUOTE TO:

City of Holdfast Bay

SHIP TO:

City of Holdfast Bay

QUOTE

SO-07487




Quote Date
25/01/2022



Terms
7 Days



Reference
SO-07487

Description	Image	Code	Qty	Price	Disc %	GST	Total
BEACH STORAGE BOX. 3M		PUSBSB	1.0	\$ 6,922.00	0	\$ 0.00	\$ 6,922.00

Subtotal \$ 6,922.00
Tax \$ 0.00

TOTAL \$ 6,922.00

PAYMENT OPTIONS

Bank transfer

Horec Pty Ltd t/as Push Mobility
BSB: 013215
Acct: 188808713

Please quote your invoice number as Reference

Maximum of \$3,000 for PayPal and Stripe credit card payments

