CITY OF
HOLDFAST BAY

Agenda

Council

NOTICE OF MEETING

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

Council Chamber - Glenelg Town Hall
Moseley Square Glenelg

25 November 2025 at 7:00pm

Pamela Jackson
Chief Executive Officer

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

CITY OF
HOLDFAST BAY

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 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

That the minutes of the Ordinary Meeting of Council held on 11 November 2025 be taken as read and confirmed.

9. Public Presentations

9.1 **Petitions - Nil**

9.2 **Presentations - Nil**

CITY OF HOLDFAST BAY

9.3 **Deputations - Nil**

10. Questions by Members

10.1 **Without Notice**

10.2 **On Notice**

10.2.1 Transforming Jetty Road – Councillor Bradshaw (Report No: 414/25) – *refer to Items in Confidence*

11. Member's Activity Reports - Nil

12. Motions on Notice

12.1 Chamber Seating Arrangement (Report No: 417/25)

13. Adjourned Matters - Nil

14. Reports of Management Committees and Subsidiaries

14.1 Minutes - Alwyndor Management Committee – 25 September 2025 (Report No: 403/25)
14.2 Minutes – Executive Committee – 18 November 2025 (Report No: 404/25)

15. Reports by Officers

15.1 Items in Brief (Report No: 405/25)
15.2 Monthly Financial Report – As At 31 October 2025 (Report No: 406/25)
15.3 Appointment to the Executive Committee vacancy for the Somerton Ward (Report No: 407/25)
15.4 Deaccession of Hove Mural (Report No: 412/25)
15.5 Glenelg Football Club Sponsorship Signage (Report No: 409/25)
15.6 Aged Care Act 2024 – Elected Members as Responsible Persons – Suitability Checklist and Declaration (Report No: 418/25)

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

CITY OF
HOLDFAST BAY

18. Items in Confidence

10.2.1 Question on Notice - Transforming Jetty Road – Councillor Bradshaw (Report No: 414/25)

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 considers 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 –

i. would 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;

k. tenders for the supply of goods, the provision of services or the carrying out of works;

18.1 Wigley Reserve Kiosk (Report No: 410/25)

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 considers the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

d. commercial information of a confidential nature (not being a trade secret) the disclosure of which –

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.

18.2 Unsolicited Proposals (Report No: 400/25) - Under separate cover

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 considers the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

d. commercial information of a confidential nature (not being a trade secret) the disclosure of which –

CITY OF HOLDFAST BAY

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.**

18.3 2024-25 Performance Review – Chief Executive Officer (Report No: 413/25)

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 considers the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

a. **information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);**

19. Closure

P Jackson

Pamela Jackson
Chief Executive Officer

Item No: 12.1

Subject: **MOTION ON NOTICE – CHAMBER SEATING ARRANGEMENT – MAYOR WILSON**

Proposed Motion

Mayor Wilson proposed the following motion:

That Councillors be sat in accordance with the attached seating plan from the next meeting.

Background

The current seating arrangements in the Chamber has Elected Members seated in groups by Ward in the following order (left to right as seen from the Mayor's Chair):

- Glenelg
- Brighton
- Seacliff
- Somerton

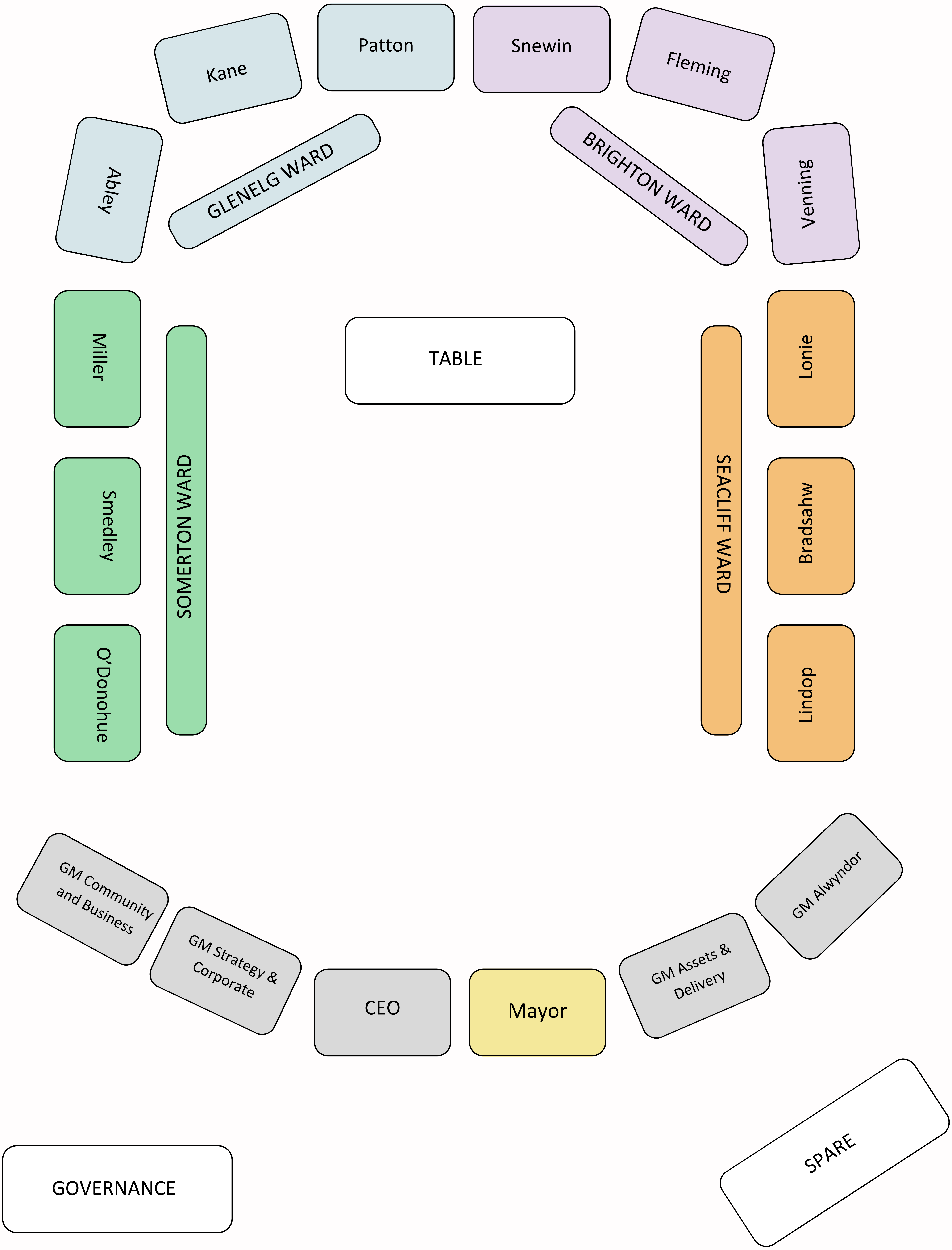
It is proposed that for the last year of this Council term, the order of the Wards, and the order within each Ward, be re-arranged as per the seating plan attached.

Refer Attachment 1

Attachment 1

CITY OF HOLDFAST BAY

Council Chamber Seating Plan



Item No: 14.1

Subject: **MINUTES - ALWYNDOR MANAGEMENT COMMITTEE – 25 SEPTEMBER 2025**

Summary

The minutes of the Alwyndor Management Committee meeting held on 25 September 2025 are provided for information.

Recommendation

1. **That the minutes of the Alwyndor Management Committee meeting held on 25 September 2025 be noted.**

RETAIN IN CONFIDENCE - Section 91(7) Order

2. **That having considered Attachment 2 to Report No: 403/25 Minutes - Alwyndor Management Committee –25 September 2025 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 18 months and that this order be reviewed every 12 months.**

Background

This report is presented following the Alwyndor Management Committee Meetings.

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

Report

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

Refer Attachments 1 and 2

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

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

Council Policy

Alwyndor Management Committee, Terms of Reference

Statutory Provisions

Local Government Act 1999, section 41
Aged Care Act 2024

Written By: General Manager, Alwyndor

General Manager: Alwyndor, Ms B Davidson-Park

Attachment 1

CITY OF HOLDFAST BAY

Minutes of the meeting of the Alwyndor Management Committee of the City of Holdfast Bay held in the Boardroom Alwyndor 52 Dunrobin Road Hove or via Audio-visual telecommunications on Thursday 25 September 2025 at 6.30pm.

PRESENT

Elected Members
Councillor Susan Lonie
Councillor Robert Snewin

Independent Members
Mr Kim Cheater- Chair
Ms Joanne Cottle
Ms Alice Haynes
Mr John O'Connor
Ms Felicity Ryan
Prof Judy Searle
Prof Lorraine Sheppard (via Teams)

Staff
Chief Executive Officer – Ms Pamela Jackson
General Manager Alwyndor – Ms Beth Davidson-Park
Executive Manager, Community Connections – Ms Molly Salt
Executive Manager, Residential Services – Ms Natasha Stone
Executive Manager, People and Culture, Ms Lisa Hall
Chief Financial Officer– Mr Jarrod Thorn
Senior Financial Accountant, Ms Prue Lukey
Executive Assistant – Ms Bronwyn Taylor

Guests
Ms Samantha Creten, Director Dean Newbery
Ms Whitney Sandow, Senior Auditor Dean Newbery

1. OPENING

The Chairperson declared the meeting opened 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 Kaurna People today.

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.
Attachment 1 Register of Interests

5. CONFIRMATION OF MINUTES

Motion

1. **Noting the update of the mover and seconder of item 7.1.1 *Council approval of the appointment of Prof Lorraine Sheppard as Deputy Chair* in the minutes, that the Public and Confidential minutes of the Alwyndor Management Committee held on 31 July 2025 be taken as read and confirmed.**

2. **That the Public and Confidential minutes of the Alwyndor Management Committee held on 10 September 2025 be taken as read and confirmed.**

   It was noted that a further recommendation regarding the service fees increase would be moved as a part of this meeting.

Moved by Mr John O'Connor, Seconded by Ms Joanne Cottle **Carried**

6. REVIEW OF ACTION ITEMS

6.1 Action Items

Action #89: The General Manager drew attention to the action noting that the Cyber Update is not being presented at this meeting. As noted in the progress update, a draft roadmap for compliance with the South Australian Cyber Security Framework (SACSF) will be presented at the November AMC meeting.
Action #90: edit wording to reflect market pricing movements rather than "client behaviour"
Action #92 Request the Chair of QCAG attend for each report twice a year.

6.2 Annual Work Plan

It was noted that consideration should be given when updating the Work Plan 2026 that Risk Reporting may be moved to another meeting given the September meeting focus on End of Year Financial reports.

7. GENERAL MANAGER REPORT

7.1 General Manager Report

Nil reports

8. CONFIDENTIAL REPORTS
The Chair requested leave of the meeting to move Item 8.2 - Finance Report Financial Year Statements and Item 8.3 Finance Report to the first items of business.
Request granted.

8.2 Finance Report Financial Year Statements – Confidential (Report No:23/25)

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 23/25 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: 23/25 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.**

Moved by Cr Bob Snewin, Seconded by Cr Susan Lonie **Carried**

RETAIN IN CONFIDENCE - Section 91(7) Order

4. **That having considered Agenda Item 8.2 Financial Report Financial Year Statements - confidential (Report No 23/25) 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 18 months and that this order be reviewed every 12 months.**

Moved by Mr John O'Connor, Seconded by Ms Joanne Cottle **Carried**

8.3 Finance Report– Confidential (Report No:24/25)

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

3. **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 24/25 in confidence.**
4. **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: 24/25 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.**

Moved by Cr Susan Lonie, Seconded by Ms Joanne Cottle **<u>Carried</u>**

<u>RETAIN IN CONFIDENCE - Section 91(7) Order</u>

3. **That having considered Agenda Item 8.3 Financial Report - confidential (Report No 24/25) 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 18 months and that this order be reviewed every 12 months.**

Moved by Mr John O'Connor, Seconded by Prof Judy Searle **<u>Carried</u>**

8.1 General Manager Report – Confidential (Report No22/25)

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: 22/25 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: 22/25 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.**

Moved by Ms Joanne Cottle, Seconded by Prof Judy Searle **<u>Carried</u>**

<u>RETAIN IN CONFIDENCE - Section 91(7) Order</u>

8. **That having considered Agenda Item 8.1 General Managers Report – Confidential (Report No: 22/25) 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 12 months and that this order be reviewed every 12 months.**

Moved by Cr Susan Lonie, Seconded by Ms Joanne Cottle **<u>Carried</u>**

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

9.1 – Vehicle incident at the Holdfast Bay Community Centre

The General Manager provided information regarding the vehicle incident which occurred on Monday 22 September 2025. It was noted that we have provided immediate and ongoing support for impacted employees including the provision of Employee Assistance services. Prompt investigations and planning for repairs as well as the installation of bollards at the Centre have been undertaken.

9.2 Support at Home Care Package (HCP) release

In response to a query from the Chair ,the Executive Manager Community Connections clarified that our package client numbers have reduced over the last few months due to the slower than anticipated release of HCPs and that we have capacity to address growth coming from the recently announced release of 20000 packages by the Federal Government. Alwyndor continue to proactively monitor and identify potential HCP clients via the My Aged Care Portal.

10. DATE AND TIME OF NEXT MEETING

The next meeting of the Alwyndor Management Committee will be held on **Thursday 30 October 2025** in the Hub Alwyndor, 52 Dunrobin Road, Hove.

11. CLOSURE

The meeting closed at 9.10pm.

CONFIRMED 30 October 2025

CHAIRPERSON

Item No: 14.2

Subject: **MINUTES – EXECUTIVE COMMITTEE – 18 NOVEMBER 2025**

Summary

The public and confidential minutes of the meeting of the Executive Committee held on 18 November 2025 are presented to Council for information.

Recommendation

1. **That Council notes the public and confidential minutes of the meeting of the Executive Committee, held on 18 November 2025.**

RETAIN IN CONFIDENCE - Section 91(7) Order

2. **That having considered Agenda Item 14.2 404/25 Minutes – Executive Committee – 18 November 2025 in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that Attachment 2 to this report be retained in confidence for a period of 3 months and/or the Chief Executive Officer is authorised to release the documents when the performance review process is completed and that this order be reviewed every 12 months.**

Background

Council established an Executive Committee pursuant to section 41 of the *Local Government Act 1999* with responsibility for undertaking the annual performance appraisal of the Chief Executive Officer to:

- recommend to Council the form and process of the Chief Executive Officer's annual performance appraisal;
- undertake the annual performance appraisal; and
- provide a report and to make recommendations to Council on any matters arising from the annual performance appraisal.

The Executive Committee's authority extends to making recommendations to Council and does not have any authority to make decisions in relation to the Chief Executive Officer's employment arrangements.

Report

The public and confidential minutes of the meeting of the Executive Committee held on 18 November 2025 are attached for Members' information.

Refer Attachments 1 and 2

A separate report on this agenda addresses the matter discussed at this meeting specifically relating to the remuneration package of the Chief Executive Officer.

Budget

There are no budget implications associated with this report.

Life Cycle Costs

Not applicable

Strategic Plan

Statutory compliance

Council Policy

Executive Committee Terms of Reference

Statutory Provisions

Local Government Act 1999, sections 41 and 102A

Written By: Executive Officer

General Manager: Strategy and Corporate, Mr A Filipi

Attachment 1

CITY OF
HOLDFAST BAY

Minutes of the Executive Committee
Held in the Kingston Room, Brighton Civic Centre
Tuesday 18 November 2025 at 5.00pm

MEMBERS PRESENT

Mayor A Wilson
Deputy Mayor J Fleming
Councillor S Lonie
Councillor R Patton
Councillor R Snewin

QUALIFIED INDEPENDENT ADVISOR

Ms C Molitor

STAFF IN ATTENDANCE

General Manager, Strategy and Corporate – A Filipi
Executive Officer – R Steventon

1. **OPENING**

The Mayor declared the meeting open at 5.06pm.

2. **KAURNA ACKNOWLEDGEMENT**

With the opening of the meeting Her Worship the Mayor stated:

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
3.2 Absent – Councillor Smedley

4. **DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

5. **CONFIRMATION OF MINUTES**

Motion

That the minutes of the Executive Committee held on 8 October 2025 be taken as read and confirmed.

Moved by Councillor Lonie, Seconded by Councillor Patton **Carried**

6. **REPORTS BY OFFICERS** - Nil

7. **URGENT BUSINESS – SUBJECT TO LEAVE OF THE MEETING** - Nil

8. **CONFIDENTIAL ITEMS**

8.1 **2024-25 Performance Review – Chief Executive Officer** (Report No: 402/25)

Motion – Exclusion of the Public Section 90(3)(a)

1. **That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public and staff be excluded from attendance at this meeting with the exception of the General Manager Strategy and Corporate and Executive Officer in order to consider Report No: 402/25 2024-25 Performance Review – Chief Executive Officer in confidence.**

2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 402/25 2024-25 Performance Review – Chief Executive Officer on the following grounds:

a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Report No: 402/25 2024-25 Performance Review – Chief Executive Officer is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Chief Executive Officer, Ms Pamela Jackson, in that details of her performance will be discussed, which are sensitive and are details only known to those who have participated in the discussion.

3. The Council 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.

Moved Councillor Lonie, Seconded Councillor Patton **Carried**

Motion - RETAIN IN CONFIDENCE - Section 91(7) Order

That having considered Agenda Item 8.1 402/25 2024-25 Performance Review – Chief Executive Officer in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the Report, Attachment 1 and Minutes be retained in confidence for a period of 3 months and the Chief Executive Officer is authorised to release the documents when the performance review process is completed; and Attachments 2 and 3 be retained in confidence until the current Chief Executive Officer is no longer employed by Council and that this order be reviewed every 12 months.

Moved Councillor Patton, Seconded Councillor Lonie **Carried**

9. CLOSURE

The Meeting closed at 5.24pm.

CONFIRMED **to be confirmed**

MAYOR

Item No: 15.1

Subject: **ITEMS IN BRIEF**

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. Jetty Summit

Report

1. **Jetty Summit**

On 6 November 2025, coastal council Mayors, CEOs, council staff, South Australian Coastal Councils Network representatives and the Department for Infrastructure and Transport attended the 2025 LGA Coastal Jetties Summit to discuss the future of South Australia's jetties.

Jetty management remains a major challenge for councils, with high costs and unclear standards prompting some councils reporting that they had handed back assets to the State Government. Some councils indicated that their communities were not supportive of potentially high rate increases required to fund high capital investment and ongoing operational costs, especially where non-residents may make up the majority of jetty users.

Through interactive workshops, attendees explored the role of local and state government, the ongoing challenges in maintaining these important community structures and opportunities for collective advocacy. A number of potential actions were discussed and will be explored by the LGA. A further update will be provided when additional information is available.

Written By: Executive Officer

Chief Executive Officer: Ms P Jackson

Item No: 15.2

Subject: **MONTHLY FINANCIAL REPORT – AS AT 31 OCTOBER 2025**

Summary

The financial report for municipal activities to the 31 October 2025 confirms that Council is on target to meet its estimated surplus of $583,957 in 2025-26. Favourable minor variances indicate a positive financial position for the remainder of the year.

Recommendation

That Council receives the financial report for Municipal activities as at 31 October 2025.

Background

Applying the principles of good corporate governance, Council is provided with monthly reports detailing its financial performance compared to its budget.

Report

A summary of Council's financial performance at 31 October 2025 is provided in the following table.

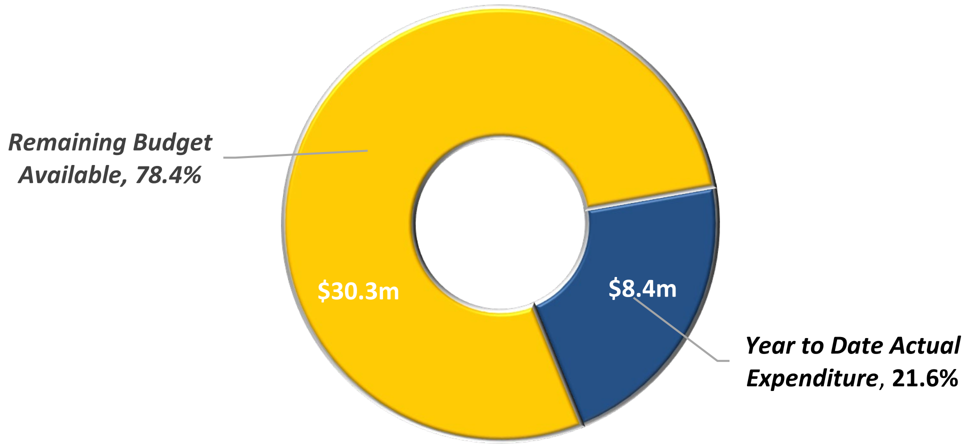
All amounts in $000	2025-26 Adopted Budget	2025-26 Year to date Budget	2025-26 Year to date Actuals	Variance	
Operating revenue	63,068	53,371	53,479	108	↑
Operating expenditure	(62,484)	(18,934)	(18,749)	185	↑
Result from Operational Activities	**584**	**34,437**	**34,730**	**293**	
Capital renewal Program (Net)	(28,174)	(2,601)	(2,595)	6	↑
Capital New and Upgraded Works (Net)	(17,647)	(8,227)	(8,183)	44	↑
Loan Repayments	(2,802)	-	-	-	
Loans repaid by community clubs	21	8	8	-	
Result from Capital Activities	**(48,602)**	**(10,820)**	**(10,770)**	**50**	
Add back non-cash items	12,860	3,260	3,269	9	
Funding (Requirement)/Surplus	**(35,158)**	**26,877**	**27,229**	**352**	

Operational activities are currently ahead of budget, largely due to savings on employee expenses from temporary vacancies. While operating revenue remains in line with budget expectations, it might not be sustainable for the remainder of the financial year due to ongoing external and internal pressures, including the Algal Bloom event and the Transforming Jetty Road project. Council will continue to closely monitor potentially affected revenue streams, including the Brighton Beachfront Holiday Park, parking ticket machines, and event-related income and will seek to mitigate any shortfalls through expenditure reductions. Variances by individual business units is provided in Attachment 1.

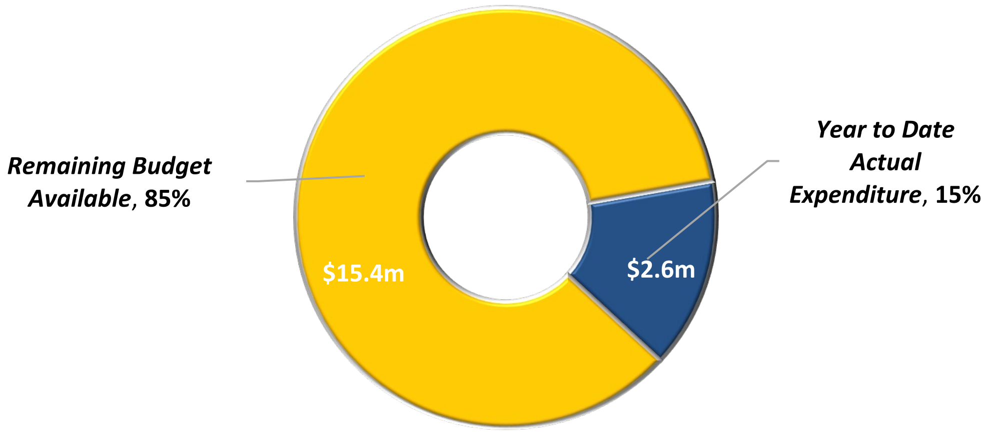
Refer Attachment 1

A detailed progress report on Council's program of works is provided each quarter, however, in the interim, the following graphs represent the percentage of total capital works financially completed by 31 October 2025. The figures shown in the graphs represent expenditure on the capital programs, whereas the figures in the financial table reflect net expenditure, inclusive of amounts received for new and upgraded assets as well as proceeds from asset disposals.

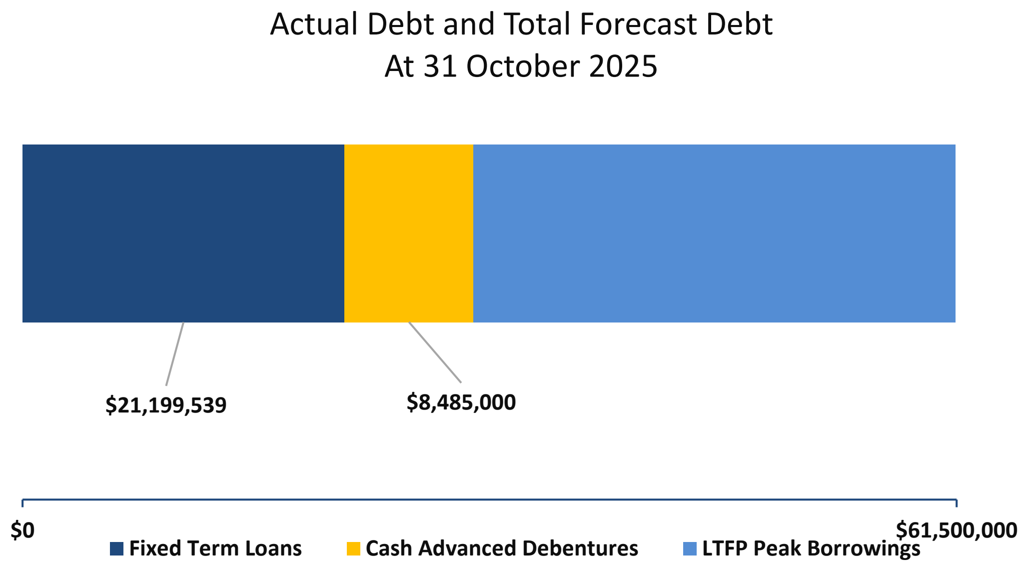
Capital New and Upgraded Works Budget
At 31 October 2025

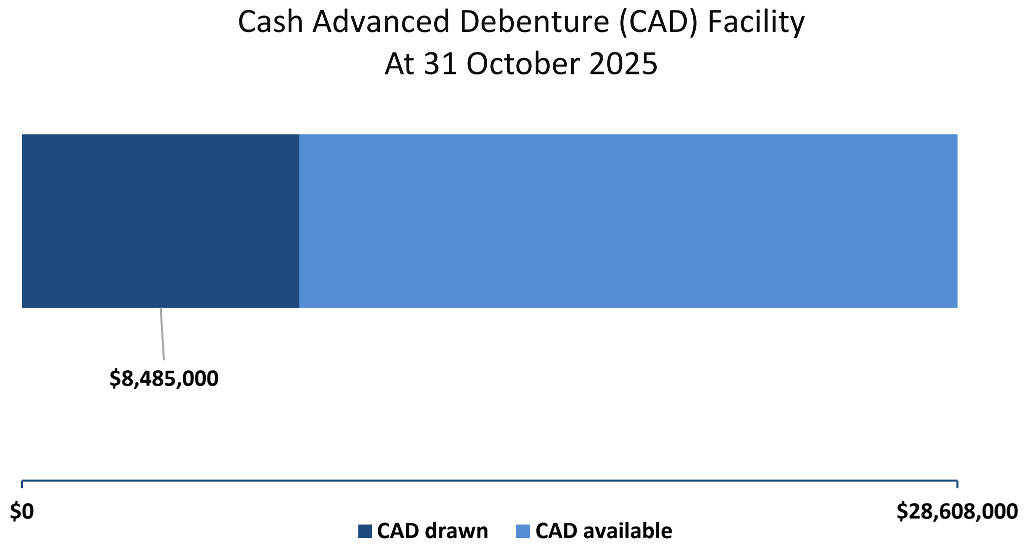


Capital Renewal Program
At 31 October 2025



At the date of this report, borrowings, as forecast in the current Long Term Financial Plan, will peak at $61.4 million in 2025-26. The following graphs detail Council's current debt position. The first graph illustrates Council's debt as a proportion of that peak forecast debt. The second graph details the status of Council's Cash Advance Debenture (CAD) facility which provides access to flexible funding, showing both the total facility limit and the amount currently drawn.





Budget

The content and recommendation of this report identifies the current position of the 2025-26 budget.

Life Cycle Costs

Not applicable

Strategic Plan

Statutory compliance

Council Policy

Not applicable

Statutory Provisions

Local Government (Financial Management) Regulations 2011, Regulation 9.

Written By: Management Accountant Lead

General Manager: Strategy and Corporate, Mr A Filipi

Attachment 1

City of Holdfast Bay
Municipal Funds Statement as at October 2025

2025 - 2026 Original Budget $'000	Year to Date Adopted Forecast $'000	Year to Date Actual $'000	Year to Date Variance $'000		2025 - 2026 Adopted Forecast $'000	Note
297	82	41	41	Cemeteries	297	
(1,400)	(407)	(367)	(40)	Council Administration	(1,400)	
(903)	(276)	(200)	(76)	Development Services	(906)	1
2,320	377	378	(1)	FAG/R2R Grants	2,567	
(2,196)	(1,061)	(1,069)	8	Financial Services	(2,196)	
(12,897)	(3,261)	(3,268)	8	Financial Services-Depreciation	(12,937)	
(305)	-	-	-	Financial Services-Employee Leave Provisions	(305)	
(2,588)	(45)	(52)	6	Financial Services-Interest on Borrowings	(2,438)	
182	-	-	-	Financial Services-SRWRA	182	
47,374	48,478	48,512	(34)	General Rates	47,374	
(3,851)	(2,463)	(2,472)	9	Innovation & Technology	(3,910)	
(828)	(211)	(176)	(34)	People & Culture	(828)	
(1,323)	(406)	(376)	(30)	Strategy & Governance	(1,323)	
(1,384)	(462)	(483)	20	City Activation	(1,433)	
15	10	15	(5)	Commercial - Partridge House	16	
(655)	(233)	(232)	(1)	Communications and Engagement	(655)	
(417)	(137)	(121)	(16)	Community and Business Administration	(417)	
(1,145)	(188)	(186)	(2)	Community Events	(1,026)	
1,456	635	645	(11)	Community Safety	1,451	
(652)	(166)	(136)	(30)	Community Wellbeing	(677)	
(621)	(209)	(197)	(12)	Customer Service	(621)	
(0)	501	544	(43)	Jetty Road Mainstreet	(111)	
(1,848)	(558)	(570)	13	Library Services	(1,848)	
(377)	(127)	(106)	(22)	Assets & Delivery Administration	(377)	
1,524	293	276	17	Commercial - Brighton Caravan Park	1,524	
597	197	212	(15)	Commercial & Club Leases	597	
(9,605)	(3,181)	(3,208)	27	Field Services & Depot	(9,918)	
(1,278)	(369)	(350)	(20)	Engineering & Traffic	(1,611)	
(787)	(125)	(126)	1	Environmental Services	(797)	
(2,880)	(813)	(809)	(4)	Property Management	(2,880)	
(509)	(140)	(147)	7	Public Realm and Urban Design	(509)	
(721)	(180)	(165)	(15)	Street Lighting	(721)	
(4,700)	(1,119)	(1,078)	(41)	Waste Management	(4,700)	
1,122	-	-	-	Less full cost attribution - % admin costs capitalised	1,122	
1,013	**34,437**	**34,730**	**(293)**	**=Operating Surplus/(Deficit)**	**584**	
12,897	3,261	3,268	(8)	Depreciation	12,937	
123	-	-	-	Other Non Cash Items	123	
13,020	**3,261**	**3,268**	**(8)**	**Plus Non Cash Items in Operating Surplus/(Deficit)**	**13,060**	
14,033	**37,697**	**37,998**	**(301)**	**=Funds Generated from Operating Activities**	**13,644**	
10,000	200	201	(1)	Amounts Received for New/Upgraded Assets	10,587	
470	68	62	6	Proceeds from Disposal of Assets	470	
10,470	**268**	**263**	**5**	**Plus Funds Sourced from Capital Activities**	**11,057**	
(13,330)	(2,669)	(2,657)	(12)	Capital Expenditure on Renewal and Replacement	(18,117)	
(31,693)	(8,427)	(8,384)	(43)	Capital Expenditure on New and Upgraded Assets	(38,761)	
(45,023)	**(11,096)**	**(11,041)**	**(55)**	**Less Total Capital Expenditure**	**(56,878)**	
21	8	8	-	Plus:Repayments of loan principal by sporting groups	21	
21	**8**	**8**	**-**	**Plus/(less) funds provided (used) by Investing Activities**	**21**	
(20,499)	**26,877**	**27,229**	**(352)**	**= FUNDING SURPLUS/(REQUIREMENT)**	**(32,156)**	
				Funded by		
-	(670)	(670)	-	Increase/(Decrease) in Cash & Cash Equivalents	-	
-	27,547	31,784	(4,237)	Non Cash Changes in Net Current Assets	200	
(23,301)	-	-	-	Less: Proceeds from new borrowings	(35,158)	
-	-	(3,885)	3,885	Less: Net Movements from Cash Advance Debentures	-	
2,802	-	-	-	Plus: Principal repayments of borrowings	2,802	
(20,499)	**26,877**	**27,229**	**(352)**	**=Funding Application/(Source)**	**(32,156)**	

Note 1 – Development Services - $76,000 favourable

Employment cost savings due to temporary vacancies.

Item No: 15.3

Subject: **APPOINTMENT TO THE EXECUTIVE COMMITTEE VACANCY FOR THE SOMERTON WARD**

Summary

The Executive Committee is a Council Committee established under section 41 of the *Local Government Act 1999* (the Act) to undertake the annual performance appraisal of the Chief Executive Officer (CEO).

Following the appointment of Councillor Smedley to Deputy Mayor, which takes effect from 1 December 2025, a vacancy on the Committee for the Somerton Ward will be created. This report seeks the appointment of a Somerton Ward Councillor to the Executive Committee for the remainder of the Council term.

Recommendation

That Council appoint Councillor _____________ to the Executive Committee to be the Elected Member for the Somerton Ward, for the remainder of the Council term.

Background

The Executive Committee performs functions relating to the annual performance appraisal of the Chief Executive Officer. This includes:

a. recommending to Council the form and process of the Chief Executive Officer's annual performance appraisal;
b. undertaking the annual performance appraisal; and
c. providing a report and making recommendations to Council on any matters arising from the annual performance appraisal.

The Executive Committee's authority extends to making recommendations to Council and it does not have any authority to make decisions in relation to the CEO's employment arrangements.

At its meeting on 13 December 2022, the Council made the following appointments to the Executive Committee for the duration of the Council term:

- The Mayor
- Deputy Mayor
- Councillor Lonie - Seacliff Ward
- Councillor Fleming - Brighton Ward
- Councillor O'Donohue - Somerton Ward
- Councillor Patton - Glenelg Ward

In July 2024, Councillor O'Donohue resigned from the Committee and Councillor Smedley was appointed as the Somerton Ward representative.

The Terms of Reference for the Executive Committee states:

"5. Membership of the Executive Committee comprises:

a. The Mayor;
b. The Deputy Mayor; and
c. Four other Elected Members being one from each Council ward, appointed by Council."

Report

As Councillor Smedley has been appointed as the Deputy Mayor from 1 December 2025, there will be a vacancy on the Executive Committee for the Somerton Ward. Councillor Miller or Councillor O'Donohue may be appointed to the Executive Committee for the Somerton Ward for the remainder of the Council term.

The Executive Committee typically meets approximately four occasions per annum and will need to conclude the CEO's 2025-26 Performance Review prior to entering the Caretaker period.

No additional allowance is paid to the Elected Member representatives on the Committee.

Budget

There are no budget implications associated with this report.

Life Cycle Costs

Not applicable

Strategic Plan

Statutory compliance

Council Policy

Executive Committee Terms of Reference

Statutory Provisions

Local Government Act 1999, sections 41 and 102A

Written By: Executive Officer

General Manager: Strategy and Corporate, Mr A Filipi

Item No: 15.4

Subject: **DEACCESSION OF HOVE MURAL**

Summary

The mural artwork created by artist Elizabeth Close is located on the beachside wall of the Sand Pumping Station, along the Esplanade at Hove, adjacent Wattle Reserve.

Due to multiple factors the condition of the mural has deteriorated and should be removed.

This report seeks Council's endorsement of the removal and approves the deaccession from Council's Public Art Assets Register.

Recommendation

That Council:

1. **notes the removal of the mural from the public realm; and**

2. **approves the deaccession of the artwork from Council's Public Art Assets Register.**

Background

In February 2023, Pitjantjatjara and Yankunytjatjara artist Elizabeth Close was commissioned to design and install a mural on the Hove Sand Pumping Station. The project was part-funded by the Department of Environment and Water (DEW), which owns and manages the site.

In 2024, issues were identified with multiple sections of the mural showing signs of peeling, blistering and detachment. An inspection was subsequently carried out by a Dulux consultant and a maintenance advisor who determined the mural could not be repaired due to an elevated amount of moisture content within the pumping station walls. The internal moisture trapped beneath the undercoat and mural paint was found to be the cause of the delamination and blistering and they advised the issue will continue to occur over time due to the continued damp conditions.

Additionally, a section of the safety railing at the top of the pumping station platform has been replaced by DEW contractors which consequently damaged the top left hand side of the mural and has contributed to the overall deterioration.


Images taken of mural

Report

The mural artwork has unfortunately not withstood the intended five-year lifespan. Due to the harsh coastal environment, underlying moisture issues, and the recent repairs to the safety railing carried out without consideration for the mural's preservation, the artwork has sustained significant damage.

Given the extent of deterioration and the significant ongoing damage to the artwork if left in its current location, the mural is now deemed irreparable. As such, Administration recommends that the mural be removed from the public realm and deaccessioned from the Council Assets Register. This meets the deaccessioning of artworks requirements within the Public Art Guidelines 2020-2025.

Both the artist Elizabeth Close and DEW have been notified about the request to Council for removal of the artwork due to the deterioration.

Should the removal and deaccession of the mural be endorsed by Council, the Field Services team will be responsible for the removal using a non-toxic product, ensuring minimal risk to the environment and the health and safety of the public and staff.

Budget

The cost of the removal of the mural will be covered within existing Arts and Culture Budget.

Life Cycle Costs

Not applicable

Strategic Plan

Our Holdfast 2050+ Strategic Plan - Arts and culture create vibrancy, celebrate creativity, and encourage people to connect with country, place, and each other.

Council Policy

Public Art and Monuments Policy

Statutory Provisions

Not applicable

Written By: Arts and Culture Coordinator

General Manager: Community and Business, Ms M Lock

Item No: 15.5

Subject: **GLENELG FOOTBALL CLUB SPONSORSHIP SIGNAGE**

Summary

Glenelg Football Club currently holds a non-exclusive licence over Glenelg Oval for a period of five years expiring on 30 June 2029. The Club is seeking Council's permission to install five new sponsorship signs around the perimeter of the oval. This report seeks Council's direction, with landowner consent being required prior to a Development Application being assessed.

Recommendation

1. **That Council approves the proposal from Glenelg Football Club to install four new non-illuminated inward facing sponsorship signs around the perimeter of Glenelg Oval, as depicted as Signs 2, 3, 4 and 5 in Attachment 1 of this report; and**

2. **That Glenelg Football Club obtain Development Approval pursuant to the *Planning, Development and Infrastructure Act 2016* prior to installation of any new signage; and**

3. **That Council rejects the proposal from Glenelg Football Club to install one non-illuminated inward facing sponsorship sign above existing signage on the perimeter of Glenelg Oval, as depicted as Sign 1 in Attachment 1 of this report; and**

4. **That the proliferation of Sponsorship signage on Council owned buildings and land be considered as part of the review of the Sporting and Community Leasing Policy, with the intent to ensure consistency and equity for clubs across all sites, and in consideration of community sentiment.**

OR

1. **That Council rejects the proposal from Glenelg Football Club to install five new non-illuminated inward facing sponsorship signs on the perimeter of Glenelg Oval, as depicted as Signs 1, 2, 3, 4 and 5 in Attachment 1 of this report; and**

2. **That the proliferation of Sponsorship signage on Council owned buildings and land be considered as part of the review of the Sporting and Community Leasing Policy, with the intent to ensure consistency and equity for clubs across all sites, and in consideration of community sentiment.**

Background

At its meeting held on 28 February 2023 Council resolved to endorse a commercial naming rights agreement between Glenelg Football Club and Stratarama Pty Ltd for an annual fee of $50,000 plus GST per annum over a ten-year term (C280223/7366). Prior to this Council has provided support to other commercial naming rights arrangements between the club and third-party sponsors as they were seen to provide a steady revenue stream.

Over the years Glenelg Football Club has received support from Council to erect further signage around the boundary of the oval. Council has not sought to take a portion of the income; on the basis the club was better financially placed because of the revenue.

Report

Proposal

Glenelg Football Club are seeking to install the following new Hotel Marion signage:

- three new signs along the Rugless Terrace boundary, removal of existing smaller signage.
- one new sign built above existing signage along the Holdfast Tennis boundary.
- one replacement of an existing sign, not considered a like for like replacement due to it being located further forward away from the tree.

A mock-up of the proposed signage is provided as Attachment 1 of this report. All signage would be non-illuminated and inward facing. While residents would not see the advertising, the rear of the sign frames are still visible.

Refer Attachment 1

Licence Terms

The terms of the licence permits Glenelg Football Club to erect sponsorship signage within the licenced area provided they first obtain Council's prior written consent. The licenced area consists of the entire site including the Edward Rix grandstand and excluding any of the buildings or sheds. A separate lease is held over the clubroom and ACH studio, which is occupied on an exclusive basis, with the commencement and expiry dates aligning with the licence. A map of the licenced area is provided as Attachment 2 of this report.

Refer Attachment 2

User Groups

The licenced area is a shared community space used by multiple user groups.

- Glenelg Football Club – April to September
- Glenelg District Cricket Club – October to March
- Glenelg Primary School – School term time
- General public ad hoc recreational use.

Development Considerations

Advice has been sought as to the likelihood of the Club obtaining Development Approval. The Manager Development Services has advised that:

The proposed signage requires Development Approval pursuant to the Planning, Development and Infrastructure Act 2016. This is on the basis of its scale and that it constitutes 'advertising' on community land. Although the Glenelg Football Club has submitted a Development Application for the installation of the signage, under the terms of its licence approval is required from the landowner prior to construction.

In the event landowner consent is granted, consideration will need to be given to the appropriateness of the signage relative to Glenelg Oval's Local Heritage listing, informed by a referral to Council's Heritage Adviser. The proposal will add to an already cluttered backdrop of advertising at the Oval, exacerbated by one sign that will be greater in scale than the rest. There can be no assurance that the signage will be supported as part of a comprehensive planning assessment, which will have regard to the relevant provisions under the Planning and Design Code that seek to avoid proliferation of advertising on community land and seek design outcomes that enhance the character of heritage listed assets.

Other Locations

Although not inward facing, Holdfast Bay Bowls and Croquet Club shares similarities with that of Glenelg Oval, also having many sponsorship signs. At its meeting held on 27 August 2024 Council resolved to adjourn the report recommending endorsement of a new lease (C270824/7859). This was on the grounds that it was seeking additional information about the management and revenue of advertising signage facing Anzac Highway. The adjourned report which was tabled at the meeting held on 10 September 2024 discussed signage rationalisation and an eventual phasing out, allowing the Club time to explore alternative revenue streams.

It is also worth noting several clubs have made similar requests to that of Glenelg Football Club in recent months. At this stage Council Administration has not been able to support these requests, which is due to several reasons noted below.

Brighton Lacrosse Club	Asked to remove banners around lacrosse field – breach of lease terms
Brighton Rugby club	Request for picket fence with inward facing signage – request yet to be considered, however this has previously been denied
Coastal Districts Little Athletics Centre	Request for sponsorship signage around Bowker Oval
Seacliff Surf Life Saving Club	Balcony sponsorship signage – advised poor likelihood of receiving Development Approval due to open space zone
Somerton Park Tennis Club	Third party advertising on court fencing – advised this would be considered commercialisation of community land and is not in keeping with the permitted use
Somerton Surf Life Saving Club	Outdoor dining sponsorship signage – landowner consent and development approval not obtained, Council Administration currently reviewing.

Complaints about Alcohol Advertising

Council receives frequent complaints from residents and parents of Glenelg Primary School about signage at this site. Of particular concern is the promotion of products or brands affiliated with alcohol and gambling. Attached is one such example, which was recently received from the Legislative Council on 19 November 2025.

Refer Attachment 3

Given the new signage is affiliated with a Licenced Premises, such complaints are topical. A complaint about this very site was brought before the Alcohol Beverage Advertising Code panel last year, which sought to address the legality of advertising from West End, Hahn, XXXX and Threefold Distilling. Although the complaint was ultimately not upheld due to sponsorship falling outside their jurisdiction, the report was quoted as saying:

> *There is a legitimate public debate as to the desirability or otherwise of the sponsorship of sports by alcohol companies and the unusual situation of the school and the stadium being adjacent to each other highlights the issue. Ultimately however, the issue of the sponsorship of sports by alcohol companies is a question of public policy for government.*

It is recommended that as part of the review of the Sporting and Community Leasing Policy a definitive position on sponsorship signage is established to ensure consistency across all sites. A separate recommendation has been included within the motion to this effect.

Options

Council Administration does not support the proposed taller sign. This request is considered the most contentious due to the significant increase in height relative to existing signage. Glenelg Oval is a community reserve already heavily populated with advertising signboards, and nearby residents are subjected to views of their reverse sides. Endorsing this proposal would set an undesirable precedent for further height increases and would undermine efforts to maintain visual consistency and aesthetic cohesion across the site.

The remainder of the proposed signage, while new in design, does not result in an increase in the overall number of signs, as it would necessitate the removal of existing signage from those locations. In considering this proposal, Council may adopt one of the following approaches:

- approve the installation of Signs 2, 3, 4, and 5, subject to assessment through the Development Application process, including consideration of heritage impacts and community feedback, or
- reject the proposal to install any of the signs, using this as an opportunity to reduce the overall number of sponsorship signs around the oval. This would be consistent with the approach recommended during the Holdfast Bay Bowls and Croquet Club lease renewal process, and the management of other community sporting facilities.

Summary

Council is often required to navigate competing priorities when considering the endorsement of sponsorship signage. On one hand, it is acknowledged that local clubs and organisations actively seek alternative revenue streams to support their operational costs, with sponsorship signage being a key component of these efforts. On the other hand, Council continues to receive consistent feedback from members of the community expressing concern about the proliferation of such signage, frequently describing it as visual pollution in public spaces.

It is important that Council approach such sponsorship requests consistently across Council owned facilities. The difficulty with this is that not all leases and licences are created equal, which is further exacerbated by historical legacy arrangements. A stock take of sponsorship signage on Council-owned buildings and facilities, as well as including this issue within the review of the Sporting and Community Leasing Policy, will provide a clearer framework for decision-making, ensure greater equity across lease arrangements, and support a more consistent and transparent approach to managing commercial signage.

Budget

There is no budget impact associated with this decision, as the Club will be responsible for commissioning, installing, maintaining, and replacing the signage at its own cost. As part of the approval process, the Club will also be required to make good any affected areas following the removal, if required.

Life Cycle Costs

There are no lifecycle costs associated with approving the signage. The terms of the licence require Glenelg Football Club to assume full responsibility for maintenance and replacement of any sponsorship signs.

Strategic Plan

Vision – creating a welcoming and healthy place for everyone.

Council Policy

Sporting and Community Leasing Policy

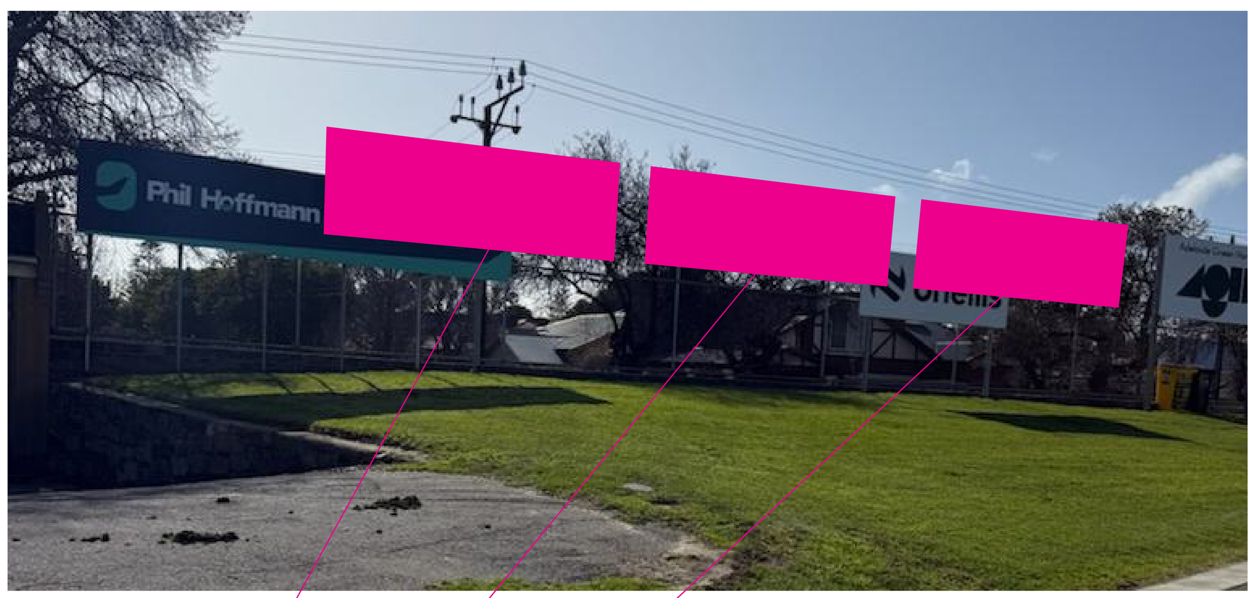
Statutory Provisions

Planning, Development and Infrastructure Act 2016, section 101

Written By: Property Manager

General Manager: Assets and Delivery, Ms C Hughes

Attachment 1

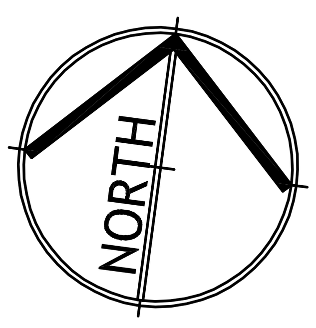


Sign 3, 4 & 5:
x3 new boundary signs built to the
Marion Hotel sign specifications (see note below)
Existing smaller signs to be removed

Sign 1:
Higher standing boundry sign built
to engineer specifications attached

Sign 2:
Premier Panel replacement
boundry sign built to specification
used for the Marion Hotel sign.
Old sign to be removed with new
sign being located further forward
away from tree.

Note: Holdfast Bay Council were responsible for building the Marion Hotel sign. Glenelg Football Club have asked if the original eningeering for this sign can be provided from file for use on signs 2,3,4 & 5.



0 10m 20m 30m

Regal Display
SIGNAGE & SPECIAL PROJECTS

Glenelg Oval

T 8277 1473 www.regaldisplay.com.au F 8374 0964

Attachment 2

ANNEXURE A

PLAN OF PREMISES

EXCLUDED AREAS

INCLUDED AREAS

Attachment 3

LEGISLATIVE COUNCIL
PARLIAMENT HOUSE
ADELAIDE, S.A. 5000

Mayor Amanda Wilson
City of Holdfast Bay
PO Box 19
City of Holdfast Bay
BRIGHTON SA 5048

BY EMAIL: awilson@holdfast.sa.gov.au

Dear Mayor Wilson,

RE: Alcohol advertising near schools

I write regarding the prominence of alcohol advertising on the Glenelg Oval, connected to Glenelg Primary School. I have been contacted by a parent who is concerned about her child being exposed to such advertising on a daily basis.

I understand that this oval is connected to the school grounds and is regularly used for PE, Sports Day, recess and lunch and that some of the advertising can be seen from some classroom windows during school times. There is a 'beer garden' also connected to the oval.

Research shows that seeing alcohol advertising at a young age can encourage alcohol use earlier in life and at more dangerous levels.

I have also written to the Minister for Education, Skills and Trades, Blair Boyer MP regarding this matter.

I am alarmed by the proximity of alcohol advertising to this primary school. I request that Council investigate the matter and consider removing this signage.

Thank you for your consideration.

Yours sincerely,

The Hon Robert Simms MLC
Member of the South Australian Legislative Council

17 / 11 / 2025

Item No: 15.6

Subject: **AGED CARE ACT 2024 - ELECTED MEMBERS AS RESPONSIBLE PERSONS - SUITABILITY CHECKLIST AND DECLARATION**

Summary

The *Aged Care Act 2024* (the Act) came into effect on 1 November 2025. One of the changes to the governance requirements in this Act is the introduction of *Responsible Persons.* All Elected Members in their role as Trustee of the Dorothy Cheater Trust have been identified as *Responsible Persons.*

As a Registered Provider, Alwyndor is required to ensure the suitability of its Responsible Persons. It is a requirement of all Responsible Persons to declare their suitability to ensure compliance with regulatory obligations.

Recommendation

That Council notes that all Elected Members (as Trustee of the Dorothy Trust) are *Responsible Persons* under the *Aged Care Act 2024* and will be required to complete the *Responsible Persons Suitability Checklist and Declaration.*

Background

The *Aged Care Act 2024* (the Act) came into effect on 1 November 2025. There is a series of changes to governance requirements in this Act which includes the introduction of Responsible Persons, ie replacing the former Key Personnel. Elected Members are identified as Responsible Persons and so have increased obligations to Alwyndor in their role as Trustees of the Dorothy Cheater Trust.

As a Registered Provider, Alwyndor is required to ensure the suitability of its Responsible Persons.

A Suitability Checklist and Declaration has been prepared that all Responsible Persons are required to complete**.**

The legislation requires that records be kept, that the Commission are advised of any changes to an individual's (Responsible Persons) circumstances and all are reviewed annually.

Report

Under the requirements of the Act *Responsible Persons* a person's suitability is assessed by the following criteria:

To be a suitable responsible person, we will look to see if the person:

- has experience in providing aged care services or similar
- has, or has had in the past, a banning order, or NDIS banning order against them
- has been convicted of an indictable offence (a serious criminal charge)
- has had a civil penalty order made against them (a penalty of money imposed by a civil court)
- is or has been an insolvent under administration (bankrupt)
- is or has been the subject of negative findings or enforcement actions
- is or has been the subject of any findings or judgment of fraud, misrepresentation or dishonesty in any administrative, civil or criminal proceedings
- is currently part of any proceedings that may mean they are the subject of such findings or judgment
- is or has been disqualified from managing corporations
- meets any worker screening requirements.

Providers need to assess the suitability of Responsible Persons at least once a year. They then need to let the Commission know if there have been any changes to someone's suitability.

To assist in meeting our legislated requirements, a '*Responsible Persons Suitability Checklist and Declaration'* has been developed that is to be completed by all identified as Responsible Persons under the Act.

Refer Attachment 1

Budget

The 2025-26 Alwyndor budget includes funds for legal advice regarding the *Aged Care Act 2024* and the associated Aged Care Reform Agenda.

Life Cycle Costs

Not applicable

Strategic Plan

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

Council Policy

Not applicable

Statutory Provisions

Aged Care Act 2024
Aged Care Rules 2025

Written By: General Manager Alwyndor

General Manager: Alwyndor, Ms B Davidson-Park

Attachment 1

SUPPORT AT HOME | THERAPY & WELLNESS | RESIDENTIAL

Responsible Persons suitability checklist and declaration

Section 13 of the Aged Care Act 2024, sets out the suitability matters required to ensure compliance with regulatory obligations.

Each of the following matters is a ***suitability matter*** in relation to an individual who is a **Responsible Person** under the Act.

As a Registered Provider, Alwyndor is required to ensure the suitability of its responsible persons.

Please provide details of your experience in providing, at any time, funded aged care services or other similar services ____ ____ ____ ____

I confirm that I do not currently have, and at no time have had:

☐ a banning order under the National Disability Insurance Scheme in force against me **or**

☐ a banning order under the Aged Care Act

☐ a conviction for an indictable offence or serious criminal charge

☐ a civil penalty order against me **or**

☐ an adverse finding or enforcement action under any Commonwealth, State or Territory law or body such as:

- Australian Securities and Investments Commission
- Australian Charities and Not for profits Commission
- Australian Competition and Consumer Commission
- Australian Prudential Regulation Authority
- Australian Crime Commission
- AUSTRAC (within the meaning of the Anti Money Laundering and Counter Terrorism Financing Act 2006)
- Australian Health Practitioner Regulation Agency
- another body established for a public purpose by or under a law of the Commonwealth
- local government authority.

I confirm that I am not currently and have never been:

☐ an insolvent under administration **or**

☐ subject to any findings or judgement of fraud, misinterpretation or dishonesty in any administrative, civil or criminal proceedings or involved in any proceedings that may result in these **or**

☐ disqualified from managing a corporation under the Corporations Act 2001.

Declaration

I understand that as a responsible person at Alwyndor

- I will need to provide evidence to confirm my suitability such as obtaining a Police Certificate or NDIS Worker Screening Clearance. I also understand that Alwyndor may conduct checks by searching the Bankruptcy Register, NDIS Provider Register, Aged Care Banning Register and any other applicable professional registration site may be undertaken, and I give my consent to this occurring **and**
- my suitability will be reviewed annually **and**
- I must notify the organisation immediately if I become aware of any changes to the above or my circumstances in any other way that may affect my suitability to perform my duties
- my details will be provided to the Aged Care Quality and Safety Commission **and**
- failure to meet suitability criteria or disclose information that may affect my suitability is a breach of my responsibilities which may result in enforcement or compliance action against myself or Alwyndor.
- A statutory declaration will be required if I have been a citizen or permanent resident of another country after turning 16. The declaration must state that you have never been convicted of murder or sexual assault, convicted of and sentenced to imprisonment of any other form of assault.

Name			
Signature		**Date**	
Witnessed by (name)			
Signature		**Date**	