



Special Council Agenda

NOTICE OF SPECIAL MEETING

Notice is hereby given in accordance with Section 83 of the *Local Government Act 1999* that a Special Meeting of Council will be held by

Electronic means in a virtual meeting room

An audio recording will be made available as soon as practicable after the meeting.

Tuesday 7 April 2020 at 6.00pm

Roberto Bria
CHIEF EXECUTIVE OFFICER

Special Council Meeting Agenda

1. OPENING

The Mayor will declare the meeting open at 6:00pm.

2. KAURNA ACKNOWLEDGEMENT

We acknowledge Kurna 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.

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. 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.

7. REPORTS BY OFFICERS

7.1 Update to Code of Practice - Meeting Procedures and Code of Practice – Access to Meetings and Documents (Report No: 88/20)

7.2 Relief Measures in Response to Covid-19 (Report No: 89/20)

7.3 Covid -19 Risk Mitigation and Management Plan (Report 90/20)

8. CLOSURE

ROBERTO BRIA
CHIEF EXECUTIVE OFFICER

Item No: **7.1**

Subject: **UPDATE TO CODE OF PRACTICE – MEETING PROCEDURES AND CODE OF PRACTICE – ACCESS TO MEETINGS AND DOCUMENTS**

Date: 7 April 2020

Written By: Team Leader Governance

General Manager: Strategy and Business Services, Ms P Jackson

SUMMARY

The Code of Practice – Meeting Procedures (Meeting Procedures Code) and Code of Practice Access to Meetings and Documents (Access Code) have previously been endorsed by Council.

These codes provide for and encourage appropriate community participation in the affairs of the Council and reflect the various levels of formality appropriate to the nature and scope of responsibilities exercised at Council and Committee meetings.

In light of the recent public health emergency (COVID-19), it is necessary for these Codes to be varied to enable electronic meetings to take place in accordance with recent emergency provisions inserted into the *Local Government Act 1999* (the Act) and the *Local Government (Procedures at Meetings) Regulations 2013*.

It is permitted for Council to meet electronically to amend these Codes of Practices (section 86(8a)) of the Act.

RECOMMENDATION

That Council:

- 1. endorse the variations to the Code of Practice - Meeting Procedures to facilitate participation by Council members in Council meetings by electronic means.**
 - 2. endorse the variations to the Code of Practice - Access to Meeting and Documents to facilitate participation by Council members in Council meetings by electronic means.**
 - 3. Permits from 7 April 2020 meetings of the Council to take place by electronic means in a virtual meeting room with access to live streaming and/ or audio recording available on Council's website.**
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COMMUNITY PLAN

Culture: Supporting excellent, efficient operations.

COUNCIL POLICY

Not Applicable.

STATUTORY PROVISIONS

Electronic Participation in Council Meetings Notice (No 1) 2020
Local Government Act 1999
Local Government (Procedures at Meetings) Regulations 2013
Local Government (Public Health Emergency) Amendment Act 2020

BACKGROUND

Sections 86(8) and 89(1) of the Act prescribe the procedures at Council and Council Committee meetings that are to be observed as prescribed by the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations). These Regulations may be varied in part by Council adopting a Code of Practice for Meeting Procedures.

Council is also required to have a Code of Practice for Access to Meetings and Documents under section 92 of the Act to inform and educate the community about public access to Council and Committee meetings, minutes of Council and Committee meetings and other Council documents.

The *Local Government (Public Health Emergency) Amendment Act 2020* inserted section 302B into the Act, empowering the Minister for Transport, Infrastructure and Local Government to vary or suspend the operation of provisions of the Act, where it is reasonably necessary during a public health emergency. The COVID-19 pandemic has been declared as a public health emergency. The *Electronic Participation in Council Meetings Notice (No 1) 2020* (Notice No 1) is the notice made by the Minister in exercise of the new emergency powers to insert the revised provisions for Councils to operate by electronic means.

REPORT

The Meeting Procedures Code and the Access Code have been varied to enable electronic meetings to take place.

Changes to these Codes to implement the *Electronic Participation in Council Meetings Notice (No 1) 2020* provisions are shown in blue. These additional provisions will remain in operation during the current public health emergency (COVID-19).

Advice on these changes has been provided to Council from the Local Government Association. The required amendments are included for Council endorsement.

Refer Attachment 1 and 2

BUDGET

Not applicable.

LIFE CYCLE COSTS

Not applicable.

Attachment 1





Code of Practice – Meeting Procedures

Adopted by Council xx April 2020
Review by xx April 2021

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Introduction

The City of Holdfast Bay is committed to the principles of honest, open and accountable government and encourages community participation in the business of Council.

The *Local Government Act (Procedures at Meetings) Regulations 2013* (the 'Regulations') stipulate the statutory procedures to be undertaken during the operation of Council and Committee meetings. Under the Regulations, Council may adopt a Code of Practice for its own meetings, which varies the provisions that are capable of variation.

Sections 86(8) and 89(1) of the *Local Government Act 1999* (the Act) provides that where a procedure is not prescribed by regulation, Council (or a Council Committee when Council does not determine the procedures for the Committee) can determine its own procedures, provided it is not inconsistent with the Act or Regulations.

This document is the City of Holdfast Bay's Code of Practice for Procedures at Meetings, which provides for:

- variations to the meeting procedures prescribed in the Regulations which have been adopted by Council (inserted in **red** text to enable them to be read in conjunction with the formal requirements of the Regulations);
- Supplementary City of Holdfast Bay meeting procedures that apply to both Council and Committee meetings (unless stated otherwise)- see grey shaded areas;
- guidelines on how Council and Committee meetings are to be conducted; and
- guidance to the community on how meetings of Council are conducted.

As recommended by legislation, this Code of Practice is reviewed annually and the Council may at any time, by resolution supported by at least two-thirds of members, alter, substitute or revoke the Code of Practice.

Section 302B of the Act empowered the Minister for Transport, Infrastructure and Local Government to vary or suspend the operation of provisions of the Act. Changes to the Regulations have been implemented by the *Electronic Participation in Council Meetings Notice (No 1) 2020* provisions, which have been incorporated into this Code and are shown in **blue**. These additional provisions will remain in operation during the current public health emergency (COVID-19) and whilst the Minister's Notice remains in operation.

Local Government (Procedures at Meetings) Regulations 2013, including Variations

Part 1—Preliminary

Regulation 1—Short title

These regulations may be cited as the *Local Government (Procedures at Meetings) Regulations 2013*.

Regulation 2—Commencement

These regulations will come into operation on 1 January 2014.

Regulation 3—Interpretation

(1) In these regulations, unless the contrary intention appears—

Act means the *Local Government Act 1999*;

clear days - (see subregulations (2) and (3))

deputation means a person or group of persons who wish to appear personally before a council or council committee in order to address the council or committee (as the case may be) on a particular matter;

formal motion means a motion—

(a) that the meeting proceed to the next business; or

(b) that the question be put; or

(c) that the question lie on the table; or

(d) that the question be adjourned; or

(e) that the meeting be adjourned ¹;

Guiding Principles—see regulation 4;

member means a member of the council or council committee (as the case may be);

point of order means a point raised to draw attention to an alleged breach of the Act or these regulations in relation to the proceedings of a meeting;

presiding member means the person who is the presiding member of a council or council committee (as the case may be) and includes any person who is presiding at a particular meeting;

written notice includes a notice given in a manner or form determined by the council;

(2) In the calculation of **clear days** in relation to the giving of notice before a meeting—

(a) the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and

(b) Saturdays, Sundays and public holidays will be taken into account.

(3) For the purposes of the calculation of **clear days** under subregulation (2), if a notice is given after 5 p.m. on a day, the notice will be taken to have been given on the next day.

(4) ~~For the purposes of these regulations, a vote on whether **leave of the meeting** is granted may be conducted by a show of hands (but nothing in this subregulation prevents a division from being called in relation to the vote).~~

(4) For the purposes of these regulations, a vote on whether leave of the meeting is granted may be conducted by-

- (a) a show of hands; or
 - (b) where a member is participating in a meeting by electronic means which has audio only, a verbal indication of voting in the affirmative or voting in the negative, (but nothing in this subregulation prevents a division from being called in relation to the vote).
- (5) For the purposes of subregulation (1), a reference to “appear personally” includes to appear by electronic means.
- (6) For the purposes of these regulations, a member participating in a meeting by electronic means is taken to be present at the meeting provided that the member:
- (a) can hear all other members present at the meeting;
 - (b) can be heard by all other members present at the meeting; and
 - (c) can be heard by the person recording the minutes of the meeting.

Note—

- 1 See regulation 12 for specific provisions about formal motions.

City of Holdfast Bay Meeting Procedures

- (7) For the purposes of the definition of ‘written notice’ in Regulation 3 above, the Council has determined that written notice will include a legibly hand written or typed document provided in ~~either hard copy or~~ electronic format.

Regulation 4—Guiding Principles

The following principles (the *Guiding Principles*) should be applied with respect to the procedures to be observed at a meeting of a council or a council committee:

- (a) procedures should be fair and contribute to open, transparent and informed decision-making;
- (b) procedures should encourage appropriate community participation in the affairs of the council;
- (c) procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
- (d) procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

Part 2—Meetings of councils and key committees

Regulation 5—Application of Part

The provisions of this Part apply to or in relation to—

- (a) the meetings of a council; and
- (b) the meetings of a council committee performing regulatory activities; and
- (c) the meetings of any other council committee if the council has, by resolution, determined that this Part should apply to that committee.

City of Holdfast Bay Meeting Procedures

- (d) This Part applies to the Strategic Planning and Development Policy Committee.

Regulation 6—Discretionary procedures

- (1) Subject to the requirements of the Act, if a provision of this Part is expressed to be capable of being varied at the discretion of the council pursuant to this regulation, then a council may, by a resolution supported by at least two-thirds of the members of the council entitled to vote on the resolution, determine that a code of practice prepared or adopted by the council that establishes its own procedures for the relevant matter or matters will apply in substitution for the relevant provision (and such a determination will have effect according to its terms).
- (2) A council should, at least once in every financial year, review the operation of a code of practice under this regulation.
- (3) A council may at any time, by resolution supported by at least two-thirds of the members of the council entitled to vote on the resolution, alter a code of practice, or substitute or revoke a code of practice.
- (3a) Without limiting subregulation (3), a council may at any time, by resolution supported by the prescribed number of members of the council entitled to vote on the resolution, alter a code of practice to facilitate participation by council members in council meetings by electronic means.
- (3b) For the purposes of subregulation (3a), the prescribed number of members of a council is a number ascertained by dividing the total number of members of the council for the time being in office by 2, ignoring any fraction resulting from the division, and adding one.
- (4) A council must, in considering the exercise of a power under this regulation, take into account the Guiding Principles.
- (5) A person is entitled to inspect (without charge) the code of practice of a council under this regulation at the principal office of the council during ordinary office hours.
- (6) A person is entitled, on payment of a fee fixed by the council, to a copy of the code of practice.
- ~~(7) Regulation 12(4) does not apply to a motion under subregulation (3).~~
- (7) Regulation 12(4) does not apply to a motion under subregulation (3) or subregulation (3a).
- (8) This regulation does not limit or derogate from the operation of regulation 20¹.

Note—

- 1 Furthermore, if a matter is not dealt with by the Act or these regulations (including under a code of practice under this regulation), then the relevant procedure will be—
- (a) as determined by the council; or
- (b) in the case of a council committee where a determination has not been made by the council— as determined by the committee.

(See sections 86(8) and 89(1) of the Act.)

Regulation 7—Commencement of meetings and quorums

- (1) A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.
- (2) If the number of apologies received by the chief executive officer indicates that a quorum will not be present at a meeting, the chief executive officer may adjourn the meeting to a specified day and time.
- (3) If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the chief executive officer, will adjourn the meeting to a specified day and time.
- (4) If a meeting is adjourned for want of a quorum, the chief executive officer will record in the minute book the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.
- (5) If a meeting is adjourned to another day, the chief executive officer must—
 - (a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
 - ~~(b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the council.~~
 - (b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be published on a website determined by the chief executive officer.

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- (6) The following will appear at the beginning of all Council and Committee Meetings and will be read by the Presiding Member at the commencement of each meeting:

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.

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.

Council 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.

- (7) At the appropriate place on the Agenda the Presiding Member will draw the attention of members to the Disclosure Statement relating to sections 73, 74 and 75 of the *Local Government Act 1999*. Any disclosure of interest will be recorded in the Minutes.
- (8) The Chair of a Committee or any member of a Committee may provide apologies to the relevant Council officer at a meeting of a section 41 Committee, in which case, the apologies will be recorded in the minutes of the meeting.
- ~~(9) The proceedings of a Council or Committee meeting are not permitted to be photographed or recorded in any way by members of the public unless permission is specifically sought and given by the Mayor and~~

Regulation 8—Minutes

- (1) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.
- (2) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.
- (3) On the confirmation of the minutes, the presiding member will—
 - (a) initial each page of the minutes, which pages are to be consecutively numbered; and
 - (b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.
- (3a) [For the purposes of subregulation \(3\), the presiding member may initial or sign the minutes in hardcopy or electronically.](#)
- (4) The minutes of the proceedings of a meeting must include—
 - (a) the names of the members present at the meeting; and
 - (b) in relation to each member present—
 - (i) the time at which the person entered or left the meeting; and
 - (ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and
 - (iii) [the method of attendance by the person; and](#)

Example—

[The following are examples of methods of attendance:](#)

- (a) [physical attendance;](#)
 - (b) [by an audio-visual link;](#)
 - (c) [by an audio link;](#)
 - (d) [by telephone.](#)
- (c) each motion or amendment, and the names of the mover and seconder; and
 - (d) any variation, alteration or withdrawal of a motion or amendment; and
 - (e) whether a motion or amendment is carried or lost; and
 - (f) any disclosure of interest made by a member ; and
 - (g) an account of any personal explanation given by a member; and
 - (h) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and
 - (i) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section; and
 - (j) details of any adjournment of business; and
 - (k) a record of any request for documents to be tabled at the meeting; and
 - (l) a record of any documents tabled at the meeting; and

- (m) a description of any oral briefing given to the meeting on a matter of council business; and
- (n) any other matter required to be included in the minutes by or under the Act or any regulation.

City of Holdfast Bay Meeting Procedures

- (5) Minutes will be made available electronically to members and placed on Council's website within 5 days of the meeting.
- (6) Minutes will include any Apologies, Leave of Absences granted and Absences.
- (7) The name(s) of person(s) wishing to appear as a deputation and the subject matter will be recorded in the minutes of a Council or Committee meeting, but the details of the content of the deputation will not be included.
- (8) The minutes of Council and Committee meetings will not include voting patterns, or record the names of individuals voting for and against, other than in the case of a division.
- (9) For the purposes of Regulation 8(4)(f), in the case of a material conflict of interest, the minutes must record the details specified under section 74(5) of the Act, and in the case of an actual or perceived conflict of interest, the details specified under section 75A(4) of the Act.

Regulation 9—Questions

- (1) A member may ask a question on notice by giving the chief executive officer written notice of the question at least 5 clear days before the date of the meeting at which the question is to be asked.
- (2) If notice of a question is given under subregulation (1)—
 - (a) the chief executive officer must ensure that the question is placed on the agenda for the meeting at which the question is to be asked; and
 - (b) the question and the reply must be entered in the minutes of the relevant meeting.
- (3) A member may ask a question without notice at a meeting.
- (4) The presiding member may allow the reply to a question without notice to be given at the next meeting.
- (5) A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.
- (6) The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.

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- (7) Questions on notice are required to be received by the Chief Executive Officer no later than 5.00pm, 5 clear days before the date of the meeting at which the question is to be asked (in this case as the Council meets on a Tuesday, the deadline is 5.00pm the prior Wednesday).
- (8) A question received after the timeframe specified in City of Holdfast Bay provision 7 above will be treated as a question for a subsequent meeting of the Council.
- (9) The answer to a question on notice is to be circulated in writing at the Council Meeting at which the question is asked. If it is not possible for the Administration to compile an answer in the time prior to

the Council Meeting, the reason is to be recorded in the minutes and the answers provided at the next available Council Meeting.

- (10) For the purposes of Regulation 9(6), the Presiding Member must give reasons for ruling that a question with or without notice not be answered at the time the determination is made. The reasons will be communicated to the member who asked the question.
- (11) A member may ask a question prior to the moving of a motion or during debate on a motion (or an amendment) for clarification purposes only, without losing their right to speak to the motion (or the amendment). Questions should be succinct and relevant to the matter and not a statement.
- (12) Questions asked during the course of discussion or debate in a meeting that requires an answer will be directed to the Presiding Member, and will not be asked directly to a member or officer. Answers given in response to such questions will also be directed to the Presiding Member.

Regulation 10—Petitions

- (1) A petition to the council must—
 - (a) be legibly written or typed or printed; and
 - (b) clearly set out the request or submission of the petitioners; and
 - (c) include the name and address of each person who signed or endorsed the petition; and
 - ~~(d) be addressed to the council and delivered to the principal office of the council.~~
 - (d) be addressed to the council and delivered to the council by means determined by the chief executive officer.
- (2) If a petition is received under subregulation (1), the chief executive officer must ensure that the petition or, if the council has so determined as a policy of the council, a statement as to the nature of the request or submission and the number of signatures or the number of persons endorsing the petition, is placed on the agenda for the next ordinary meeting of the council or, if so provided by a policy of the council, a committee of the council.
- (3) Subregulation (2) may be varied at the discretion of the council pursuant to regulation 6.

City of Holdfast Bay Meeting Procedures

- (4) Each page of a petition is to be presented by the head petitioner to Council's Administration and identify the name and contact details of the head petitioner.
- (5) Each page of a petition presented to Council is to restate the whole of the request or submission of the petitioners.
- (6) Where a page of a petition does not comply with City of Holdfast Bay provision 5 above, the signatures on that page are not to be taken into account by the Council when considering the petition.
- (7) A petition to the Council must be received no less than 6 clear days prior to the date of the next ordinary meeting of the Council, or the date at which the head petitioner requests that the petition be presented to the Council.
- (8) On receipt of a petition, a summary providing the statement as to the nature of the request or submission of the petitioners, and the number of signatures the petition contains, will be placed on the

agenda for the next ordinary council meeting, subject to provision 6 above. A full copy of the petition is available for viewing upon request, but will not be placed on the agenda.

- (9) Online petitions will be dealt with as above and must meet the following requirements to be presented to Council:
- the petition must clearly set out the request or submission of the petitioners
 - the names and addresses of each signatory must be clearly identified (in the case of an address, this must be by reference to at least a street and suburb)
 - the petition must be provided to Council either by mail (including email) or in person.

Regulation 11—Deputations

- (1) ~~A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the council) a written request to the council.~~
- (1) A person or persons wishing to appear as a deputation at a meeting must deliver (to the council by means determined by the chief executive officer) a written request to the council.
- (2) The chief executive officer must transmit a request received under subregulation (1) to the presiding member.
- (3) The presiding member may refuse to allow the deputation to appear at a meeting.
- (4) The chief executive officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.
- (5) If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council or council committee (as the case may be).
- (6) The council or council committee may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.
- (7) A council may refer the hearing of a deputation to a council committee.

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- (8) Any person(s) wishing to appear as a deputation on behalf of an organisation, must, prior to the Council or Committee meeting at which they wish to appear, advise the Chief Executive Officer in writing of the date of formation and/or incorporation of their organisation, provide a copy of the Constitution and/or Rules of the organisation, a list of members, and evidence in the form of a minute that the organisation and/or body has approved the deputation.
- (9) Where an organisation has provided its incorporation details as outlined in provision 8 above, it will not be required to provide this information again for the term of the current Council.
- (10) A deputation may not exceed 3 people, and will not exceed 5 minutes in total, not including questions from members, except with the consent of the Presiding Member.

Regulation 12—Motions

- (1) A member may bring forward any business in the form of a written notice of motion.
- (2) The notice of motion must be given to the chief executive officer at least 5 clear days before the date of the meeting at which the motion is to be moved.
- (3) A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the council must be brought by written notice of motion.
- (4) If a motion under subregulation (3) is lost, a motion to the same effect cannot be brought—
 - (a) until after the expiration of 12 months; or
 - (b) until after the next general election, whichever is the sooner.
- (5) Subject to the Act and these regulations, a member may also bring forward any business by way of a motion without notice.
- (6) The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.
- (7) The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council or council committee (as the case may be).
- (8) A motion will lapse if it is not seconded at the appropriate time.
- (9) A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion, **unless the seconder reserves their right to speak to the motion at a later stage of the debate, in which case the seconder will not be considered to have spoken to the motion.**
- (10) A member may only speak once to a motion (**which includes speaking to an amendment to a motion**) except—
 - (a) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or
 - (b) with leave of the meeting; or
 - (c) as the mover in reply.
- (11) A member who has spoken to a motion **or has reserved their right to speak to the motion at a later stage pursuant to sub-regulation (9)** may not at a later stage of the debate move or second an amendment to the motion.
- (12) A member who has not spoken in the debate on a question may move a formal motion.
- (13) A formal motion must be in the form of a motion set out in subregulation (14) (and no other formal motion to a different effect will be recognised).
- (14) If the formal motion is—
 - (a) that ***the meeting proceed to the next business***, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or

- (b) that ***the question be put***, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further debate; or
 - (c) that ***the question lie on the table***, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption); or
 - (d) that ***the question be adjourned***, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or
 - (e) that ***the meeting be adjourned***, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.
- (15) If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).
- (16) A formal motion does not constitute an amendment to a substantive motion.
- (17) If a formal motion is lost—
- (a) the meeting will be resumed at the point at which it was interrupted; and
 - (b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (ie a motion to the same effect) cannot be put until at least 1 member has spoken on the question.
- (18) A formal motion for adjournment must include the reason for the adjournment and the details for resumption.
- (19) Any question that lies on the table as a result of a successful formal motion under subregulation (14)(c) lapses at the next general election.
- (20) The chief executive officer must report on each question that lapses under subregulation (19) to the council at the first ordinary meeting of the council after the general election.
- (21) Subregulations (9), (10) and (11) may be varied at the discretion of the council pursuant to regulation 6.

City of Holdfast Bay Meeting Procedures

- (22) All notices of motion are required to be received by the Chief Executive Officer no later than 5.00pm 5 clear days before the date of the meeting at which the motion is to be moved (in this case as the Council meets on a Tuesday, the deadline is 5.00pm the prior Wednesday).
- (23) A notice of motion received after the time specified in City of Holdfast Bay provision 22 above will be treated as a notice of motion for a subsequent meeting of the Council.
- (24) When placing a motion with notice in an Agenda, the Chief Executive Officer may take the opportunity to provide written comments to assist the Council to make an informed decision in relation to the item.
- (25) A member may ask a question prior to the moving of a motion, or during debate on a motion (including debate on an amendment to the motion), for clarification purposes only, without losing their right to speak to the motion. Questions should be succinct and relevant to the matter and not a statement.

- (26) A motion without notice (unrelated to an agenda item of business) will not be accepted for debate at the meeting at which it is brought forward unless:
- the Presiding Member determines that the matter is one of urgency; and
 - in the opinion of the Presiding Member, the motion relates to an issue that does not require additional information in order to make an informed decision on the motion.
- (27) A member wishing to move a motion that is different from that recommended in a Council report is encouraged to make available a written copy of their proposed motion to assist the Presiding Member in the conduct of the meeting.
- (28) Where a member who has given notice of motion in accordance with Regulation 12(2) is absent from the meeting at which the motion is to be considered, the motion will be adjourned to the next meeting, unless the Presiding Member has received written authority from the member in advance of the meeting for a different member to move the notice of motion.
- (29) For the purposes of Regulation 12(8), the Presiding Member is to ask for a seconder before declaring that an amendment has lapsed.
- (30) For the purposes of Regulation 12(10), an amendment to a motion is an alteration to the wording of a motion. It is a procedural device for the purposes of refining the motion, it is not a motion in its own right. As such, a member speaking to an amendment will be taken to have spoken to the motion. Similarly, a member that has spoken to a motion prior to the proposed amendment is not permitted to speak to the amendment, in the absence of leave of the meeting.

Regulation 13—Amendments to motions

- (1) A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.
- (2) An amendment will lapse if it is not seconded at the appropriate time.
- (3) A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates, **unless at the time of moving or seconding the amendment, the mover or seconder reserves their right to speak to later in the debate, in which case the mover or seconder will not be taken to have spoken to the amendment, or the motion to which the amendment relates.**
- (4) If an amendment is lost, only 1 further amendment may be moved to the original motion.
- (5) If an amendment is carried, only 1 further amendment may be moved to the original motion.
- (6) Subregulations (1), (3), (4) and (5) may be varied at the discretion of the council pursuant to regulation 6.

City of Holdfast Bay Meeting Procedures

- (7) Where possible, amendments are to be provided to the minute taker in writing to ensure accuracy of recording in the minutes.
- (8) For the purposes of Regulation 13(2), the Presiding Member is to ask for a seconder before declaring that an amendment has lapsed.

Regulation 14—Variations etc

- (1) The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.
- (2) The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.

Regulation 15—Addresses by members etc

- (1) A member must not speak for longer than **3 minutes** at any 1 time without leave of the meeting.
- (2) A member may, with leave of the meeting, raise a matter of urgency.
- (3) A member may, with leave of the meeting, make a personal explanation. The subject matter of a personal explanation may not be debated.
- (4) The contribution of a member must be relevant to the subject matter of the debate.
- (5) Subregulations (1) and (2) may be varied at the discretion of the council pursuant to regulation 6.

City of Holdfast Bay Meeting Procedures

- ~~(6) A member at a Council meeting is to stand when speaking to a matter being considered at the meeting unless:~~
- ~~(7.1) that person is prevented from doing so by a physical disability;~~
- ~~or (7.2) the Presiding Member determines otherwise.~~
- ~~(7) A member who is unable to stand due to injury, illness, infirmity, disability or other cause, must advise the Presiding Member that they require special arrangements to be made in order for their vote to be adequately signaled to those persons present, and it is accurately recorded in the minutes. The Presiding Member may, in consultation with the member concerned, determine the manner in which the member is to signal their vote **and will communicate this to the chamber.**~~
- (6) A member who wishes to speak is asked to raise their hand **electronically** to indicate to the Presiding Member that they wish to speak, who will then call upon them in turn.
- (7) The Presiding Member shall reserve their contribution to the end of the debate (but before the mover speaks in reply) so as to avoid any suggestion of 'leading' the meeting. Noting that the role of the Presiding Member is to enhance the debate and that they can ask questions and add valuable information to the debate that the meeting may not be fully aware of.

Regulation 16—Voting

- (1) The presiding member, or any other member, may ask the chief executive officer to read out a motion before a vote is taken.
- (2) The presiding member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.
- (3) A person who is not in his or her seat is not permitted to vote.

~~(4) Subregulation (3)—~~

~~(a) may be varied at the discretion of the council pursuant to regulation 6; and~~

~~(b) does not apply in relation to a member participating in a council committee meeting by telephone or electronic means approved in accordance with procedures determined by the council or council committee for the purposes of section 89 of the Act.~~

(4) Subregulation (3)—

(a) may be varied at the discretion of the council pursuant to regulation 6;

(b) does not apply in relation to a member participating in a council committee meeting by telephone or electronic means approved in accordance with procedures determined by the council or council committee for the purposes of section 89 of the Act; and

(c) is varied in relation to a member participating in a council meeting by electronic means such that the reference to “not in his or her seat” is taken to include a disconnection of the electronic means.

(5) In this regulation—

disconnection of the electronic means includes—

(a) ending a telephone connection such that the discussion and voting at the meeting cannot be heard;

(b) ending a video conferencing connection such that the discussion and voting at the meeting cannot be seen or heard;

(c) logging out of a virtual meeting room or space such that the discussion and voting at the meeting cannot be seen or heard;

(d) signing out of a virtual meeting room or space such that the discussion and voting at the meeting cannot be seen or heard; or

disconnecting any other electronic means such that the discussion and voting at the meeting cannot be seen or heard.

City of Holdfast Bay Meeting Procedures

(6) Each item of business on the agenda is to be voted on separately.

Regulation 17—Divisions

(1) A division will be taken at the request of a member.

(2) If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost is set aside.

~~(3) The division will be taken as follows:~~

~~(a) the members voting in the affirmative will, until the vote is recorded, stand in their places;~~

~~(b) the members voting in the negative will, until the vote is recorded, sit in their seats;~~

~~(c) the presiding member will count the number of votes and then declare the outcome.~~

(3) The division will be taken as follows:

(a) subject to subregulation (3a), the members voting in the affirmative will, until the vote is recorded, stand in their places;

(b) subject to subregulation (3a), the members voting in the negative will, until the vote is recorded, sit in their seats;

- (c) the presiding member will count the number of votes and then declare the outcome.
- (3a) Where a member is participating in a meeting by electronic means which has audio only, the member will provide a verbal indication of voting in the affirmative or voting in the negative.
- (4) The chief executive officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).
- (5) Subregulation (3) may be varied at the discretion of the council pursuant to regulation 6.

Regulation 18—Tabling of information

- (1) A member may require the chief executive officer to table any documents of the council relating to a motion that is before a meeting (and the chief executive officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).
- (2) The chief executive officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.

Regulation 19—Adjourned business

- (1) If a formal motion for a substantive motion to be adjourned is carried—
 - (a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and
 - (b) the debate will, on resumption, continue from the point at which it was adjourned.
- (2) If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.
- (3) Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.
- (4) The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

Regulation 20—Short-term suspension of proceedings

- (1) If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the presiding member may, with the approval of at least two-thirds of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the presiding member.
- (2) The Guiding Principles must be taken into account when considering whether to act under subregulation (1).
- (3) If a suspension occurs under subregulation (1)—
 - (a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and

- (b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension—
 - (i) the provisions of the Act must continue to be observed¹; and
 - (ii) no act or discussion will have any status or significance under the provisions which have been suspended; and
 - (iii) no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and
- (c) the period of suspension should be limited to achieving the purpose for which it was declared; and
- (d) the period of suspension will come to an end if—
 - (i) the presiding member determines that the period should be brought to an end; or
 - (ii) at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.

Note—

1 See particularly Part 4 of Chapter 5, and Chapter 6, of the Act.

Regulation 21—Chief executive officer may submit report recommending revocation or amendment of council decision

- (1) The chief executive officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council.
- (2) The chief executive officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.
- (3) The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

Part 3—Meetings of other committees

Regulation 22—Application of Part

The provisions of this Part apply to or in relation to the meetings of any council committee that is not subject to the operation of Part 2.

City of Holdfast Bay Meeting Procedures

- (1) A member at a Council Committee meeting may remain seated when speaking to a matter being considered at a Committee meeting.
- (2) This Part applies to the Alwyndor Management Committee, Audit Committee, Executive Committee and the Jetty Road Mainstreet Committee.

Regulation 23—Notice of meetings for members

Pursuant to section 87(15) of the Act, section 87 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (4) and (7) to (10) of that section provided as follows:

- (a) that notice of a meeting of the committee may be given in a form determined by the committee after taking into account the nature and purpose of the committee;
- (b) that notice need not be given for each meeting separately;
- (c) that if ordinary meetings of the committee have a set agenda then notice of such a meeting need not contain, or be accompanied by, the agenda for the meeting;
- (d) that it is not necessary for the chief executive officer to ensure that each member of the committee at the time that notice of a meeting is given is supplied with a copy of any documents or reports that are to be considered at the meeting.

Regulation 24—Public notice of committee meetings

Pursuant to section 88(7) of the Act, section 88 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (2), (3) and (4) provided as follows:

- (a) that public notice need not be given for each meeting separately; and
- (b) that public notice may be given by displaying a notice and agenda in a place or places determined by the chief executive officer after taking into account the nature and purpose of the committee.

Regulation 25—Minutes

- (1) The minutes of the proceedings of a meeting must include—
 - (a) the names of the members present at the meeting; and
 - (b) each motion carried at the meeting; and
 - (c) any disclosure of interest made by a member; and
 - (d) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section.
- (2) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

Part 4—Miscellaneous

Regulation 26—Quorum for committees

- (1) The prescribed number of members of a council committee constitutes a quorum of the committee and no business can be transacted at a meeting unless a quorum is present.
- (2) For the purposes of this regulation, the ***prescribed number*** of members of a council committee is—
 - (a) unless paragraph (b) applies—a number ascertained by dividing the total number of members of the committee by 2, ignoring any fraction resulting from the division, and adding 1; or
 - (b) a number determined by the council.

Note—

See also section 41(6) of the Act.

Regulation 27—Voting at committee meetings

- (1) Subject to the Act and these regulations, a question arising for decision at a meeting of a council committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.
- (2) Each member of a council who is a member of a council committee and who is present at a meeting of the committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.
- (3) The presiding member of a council committee has a deliberative vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.

City of Holdfast Bay Meeting Procedures

- (4) Each member of a Council Committee who is present at a meeting of the Committee, must, subject to a provision of the Act to the contrary, vote on a question for decision at that meeting.
- (5) If a vote is tied and cannot be resolved by the Committee the matter is to be considered as lost.

Regulation 28—Points of order

- (1) The presiding member may call to order a member who is in breach of the Act or these regulations.
- (2) A member may draw to the attention of the presiding member a breach of the Act or these regulations, and must state briefly the nature of the alleged breach.
- (3) A point of order takes precedence over all other business until determined.
- (4) The presiding member will rule on a point of order.
- (5) If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately.
- (6) The presiding member is entitled to make a statement in support of the ruling before a motion under subregulation (5) is put.
- (7) A resolution under subregulation (5) binds the meeting and, if a ruling is not agreed with—
 - (a) the ruling has no effect; and
 - (b) the point of order is annulled.

Regulation 29—Interruption of meetings by members

- (1) A member of a council or council committee must not, while at a meeting—
 - (a) behave in an improper or disorderly manner; or
 - (b) cause an interruption or interrupt another member who is speaking.
- (2) Subregulation (1)(b) does not apply to a member who is—
 - (a) objecting to words used by a member who is speaking; or
 - (b) calling attention to a point of order; or

- (c) calling attention to want of a quorum.
- (3) If the presiding member considers that a member may have acted in contravention of subregulation (1), the member must be allowed to make a personal explanation.
- (4) Subject to complying with subregulation (3), the relevant member must leave the meeting while the matter is considered by the meeting.
- (5) If the remaining members resolve that a contravention of subregulation (1) has occurred, those members may, by resolution—
 - (a) censure the member; or
 - (b) suspend the member for a part, or for the remainder, of the meeting.
- (6) A member who—
 - (a) refuses to leave a meeting in contravention of subregulation (4); or
 - (b) enters a meeting in contravention of a suspension under subregulation (5), is guilty of an offence.

Maximum penalty: \$1 250.

City of Holdfast Bay Meeting Procedures

- (7) Mobile telephones may not be used during a Council or Committee meeting by members or Council officers.
- (8) Mobile telephones, ~~if brought into the Council chamber, or Committee room,~~ must be switched off or turned to silent mode before the meeting commences.

Regulation 30—Interruption of meetings by others

A member of the public who is present at a meeting of a council or council committee must not—

- (a) behave in a disorderly manner; or
- (b) cause an interruption.

Maximum penalty: \$500.

City of Holdfast Bay - Miscellaneous Meeting Procedures

1. Pre-Meeting

- 1.1 Members are required to submit their activity reports in writing to the Chief Executive Officer no later than 5.00pm the Tuesday prior to the Council meeting.
- 1.2 A member's activity report received after the time specified in paragraph 1.1 above will be treated as an item for a subsequent meeting of the Council.

2. Agenda

- 2.2 There will be no item of "Other business" on the agenda for meetings. Sufficient opportunity is afforded to members to raise any issue in accordance with this Code of Practice, the Act and the Regulations.
- 2.3 The Presiding Member may alter the order of the agenda, subject to the leave of the Council or Committee, where it is expedient to do so.

3. Fire Evacuation Process

A copy of the Fire Evacuation process will be displayed in the Council chamber.

4. Meeting Protocols

Council and Committee meetings will conclude no later than 10.30pm, unless the meeting formally resolves on each specific occasion to continue beyond that time. When a meeting is likely to continue beyond 10.30pm a motion is to be put to the meeting whether to continue or adjourn to another date and time.

5. Appointment to External Bodies

- 5.1 The Presiding Member is to call for nominations before debate on a motion to appoint members to Committees and/or organisations (Council and external) can occur. If there are more nominations than positions a ballot is conducted.
- 5.2 All elected members (including the Presiding Member) indicate which member(s) they wish to vote for on the ballot paper or by show of hands (including by electronic voting methods).
- 5.3 A senior officer ~~Ania Karzek <AKarzek@holdfast.sa.gov.au>~~ conducts the count.
- 5.4 The Chief Executive Officer is to report the numbers to the Presiding Member and confirms the vote count.
- 5.5 In the case of a tied ballot, elected members are to cast a further vote for their preferred candidate from the candidates who are tied (repeat paragraph 5.2 and 5.3 above). In the event that a revote cannot determine a clear winner (there is a continuing tie), then lots must be drawn to determine which candidate(s) will be excluded.
- 5.6 The Presiding Member will then announce the successful candidate.
- 5.7 The meeting will then make the appointment by resolution.

Attachment 2





Code of Practice – Access to Meetings and Documents

Adopted by Council xx April 2020
Review by 1 November 2022

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 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 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 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 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 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.*

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 Public access to minutes

- 2.5.1 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.
- 2.5.2 [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.](#)

2.6 Use of confidentiality provisions

- 2.6.1 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.
- 2.6.2 The policy approach of the City of Holdfast Bay is:
- 2.6.2.1 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.
- 2.6.2.2 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.
- 2.6.2.3 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.
- 2.6.2.4 The Council will determine the matter of confidentiality on each item

separately, determining the relevant grounds for confidentiality for each item.

2.6.2.5 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).

2.6.2.6 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.

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

2.7 Public access to documents

2.7.1 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

2.7.2 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.

2.7.3 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).

2.7.4 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.

2.8 *Review of confidentiality orders*

2.8.1 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.

2.8.2 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.

2.8.3 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.

2.8.4 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.

2.9 *Accountability and reporting to the community*

2.9.1 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 each of the provisions of sections 90(2) and 90(3) were utilised;

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.

2.10 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.

2.11 Grievance

2.11.1 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

2.11.2 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: **7.2**

Subject: **RELIEF MEASURES IN RESPONSE TO COVID-19**

Date: 14 April 2020

Written By: General Manager, Strategy and Business Services

General Manager: Strategy and Business Services, Ms P Jackson

SUMMARY

This report presents recommendations for Council to provide ratepayer relief, as well as community and business support, in response to impacts arising from COVID-19. These measures outline the first stage of relief to be provided by Council. Further measures will be considered as part of the 2020/21 Annual Business Plan process.

RECOMMENDATION

That Council:

- 1. note the measure for a longer period of time for eligible ratepayers and businesses to pay fourth quarter rates instalments without incurring penalties until 31 August 2020;**
 - 2. note the waiving of lease costs for community and sporting clubs using Council facilities of three months between 1 April and 30 June 2020;**
 - 3. approve the deferment of sporting club loans for six (6) months;**
 - 4. note the waiving of lease costs for commercial leaseholders with Council for a period of three months between 1 April to 30 June 2020;**
 - 5. approve the waiving of fees and charges for reserve hire, outdoor dining permits and encroachment fees for a period of three months between 1 April to 30 June 2020, and delegate authority to the Chief Executive to review this arrangement in three months' time and extend for a further three months if required;**
 - 6. approve the reduction by 25% the fees for food inspection and auditing (as regulated under the *Food Regulations 2002*) for a period of three months between 1 April to 30 June 2020, and delegate authority to the Chief Executive to review this arrangement in three months' time and extend for a further three months if required; and**
 - 7. note further relief measures be considered as part of the 2020/21 Annual Business Plan.**
-

COMMUNITY PLAN

Community: Building a healthy, active and resilient community
Economy: Supporting and growing local business

Culture: Being financially accountable

COUNCIL POLICY

Not Applicable.

STATUTORY PROVISIONS

Not Applicable.

BACKGROUND

In an attempt to slow the spread of the coronavirus (COVID-19) throughout the community, the Federal Government has enacted number of social distancing and restrictions that ban non-essential gatherings and maintenance of at least 1.5m of space between people and/or 4m² per person. This has had the effect of reducing accessibility to Council facilities and businesses.

Effective from 23 March 2020, Federal Government restrictions were put in place including for, but not limited to, the following:

- clubs, bars, pubs, casinos and other licenced entertainment venues
- hotels except for accommodation
- cafes and restaurants, including those within hotels, could only serve takeaway meals
- places of worship
- gyms and indoor sporting venues

Effective from 26 March 2020, further restrictions were put in place to include, but not limited to, the following:

- community facilities such as community halls, libraries and youth centres and RSL
- amusement parks, arcades and play centres (indoor and outdoor)
- personal services (beauty, nail, tanning, waxing and tattoo salons)
- auction houses, real estate auctions and open houses
- galleries, national institutions, historic sites and museums

From 3 April 2020, further restrictions were placed on the number of people that could gather for weddings and funerals. Weddings can be conducted with no more than 5 people, and funerals must be limited to no more than 10 people with the 4m² per person rule to be observed.

The above restrictions have resulted in the cessation of a number of services offered by business within the City of Holdfast Bay. In addition, a number of sporting clubs and community facilities have been closed to comply with the restrictions.

The duration of these restrictions is currently unknown and will be dependent on the containment of the COVID-19 virus. A further stage of measures are to be considered.

REPORT

In order to provide some financial relief to ratepayers, businesses and residents, as well as sporting and community clubs, the following are recommended as the first stage of measures.

Sporting/Community Club Leases

Sporting clubs have had to cancel their activities due to restrictions. This has directly affected the cash-flow and short-term financial sustainability of many clubs. It is estimated that organised sporting activities will be suspended for at least three months. The level of support to be provided by peak governing bodies is yet to be known.

It is therefore proposed that in order to provide financial relief Council waive lease fees for sporting/community clubs initially for three months effective from 1 April 2020. Further waiving of lease fees for sporting clubs are proposed in the situation where the suspension period is extended by the State and Federal Governments.

The initial cost to Council in providing this relief for the three-month period effective from 1 April 2020 is \$18,800.

Sporting Club Loans

Four (4) sporting clubs (excluding Glenelg Football Club) have loans due to be repaid to Council within the next six (6) months. The total amount of principal is \$9,000 and interest of \$4,300. It is proposed to defer these repayments for six (6) months and extend the loan repayment terms. Interest will still be accrued on the deferred amounts.

Sporting Club Utility Costs

An option exists for further financial relief to be provided by Council through costs incurred by the clubs in the form of utilities subsidies, which would cover water, electricity and gas.

It is currently unknown whether there may be subsidies offered to the broader community through utility providers or Government agencies. On this basis, it is proposed to postpone this option.

Commercial Leases

The City of Holdfast Bay has a number of commercial leases with businesses impacted by the restrictions. A consistent approach is recommended for financial relief for commercial lease holders of Council buildings and facilities. Accordingly, it is recommended that Council waive lease fees for commercial leases initially for three months effective from 1 April 2020. Further waiving of lease fees for these lease holders are proposed in the situation where the suspension period is extended by the State and Federal Governments.

The initial cost to Council in providing this relief for the three-month period effective from 1 April 2020 is \$65,700.

Permits/Food Regulation Fees

Council receives annually revenue for permits issued under its Fees and Charges including:

- Reserve hire by regular users
- Outdoor dining permits
- Encroachment fees

These fees are invoiced quarterly. As the businesses which apply for these permits have been directly affected by Government restrictions, an opportunity exists to provide relief and not invoice businesses for these fees for the three-month period commencing 1 April 2020.

The cost to Council in providing this relief is \$67,100.

Council receives revenue for inspections and audits to assess compliance with the *Food Act 2001 (SA)* for food businesses. These businesses are also directly affected by the significant economic impact of the pandemic and Government restrictions.

Food inspection fees are regulated under the *Food Regulations 2002* and are up to a maximum of \$80 for a small business and \$200 for large business. It is expected that there will be decreased inspections, however it is recommended that the food inspection and auditing fees be reduced by 25% for three-months from 1 April to provide further assistance to these businesses.

It is estimated the cost of this initiative to be \$2,500.

Deferred Payment of Rates and Debt Collection

Rates are levied annually, as prescribed by the *Local Government Act 1999*, and ratepayers are given the option to either pay in full or instalments. Section 181(8) stipulates fines and interest conditions and methodology. The interest rate is currently 2%. Section 181(9) permits Council to remit in whole or part the amounts under Section 181(8).

Council's Rating Policy details the treatment of late payment of rates including consideration of remission requests due to extenuating circumstances.

Delegations are in place for the waiving of fines and or interest incurred under Section 181 (9) by the Chief Executive Officer, General Manager Strategy and Business Services and Manager Financial Services.

It is proposed that given the impact of COVID-19 on the economy, and the likelihood of financial hardship for residents and ratepayers, fines and interest raised on outstanding rates be waived under delegation effective from month ended 31 March 2020 until 31 August 2020. It is also

proposed that external legal action and debt collection processes be suspended for the same period.

The financial impact of this initiative for Council would be approximately \$20,000.

It is also proposed that ratepayers can postpone payment of their fourth rates instalment for 2019/20 to 31 August 2020 without incurring fines or paying interest.

Other Rate Relief

As per Council's Rating Policy, ratepayers who may be experiencing financial difficulty are able to contact Council's administration to discuss other support to alleviate hardship.

Each application is considered on its individual merits with total confidentiality. Assistance includes the acceptance of periodic payments in lieu of the standard quarterly payment system, as well as promoting free financial counselling with a specialist service provider.

Rates are also able to be postponed on a long-term basis for seniors on application. The deferred amount is subject to monthly interest charges, with the accrued debt being payable on the disposal or sale of the property. The debt may be paid at any earlier time at the ratepayer's discretion.

Delegations

Current delegations exist for the Chief Executive Officer to implement the following:

- waive lease fees for sporting/community clubs;
- waive lease fees for commercial leases; and
- waive fines and interest on outstanding rates.

The remaining initiatives to waive or rebate permits, food regulation fees and reduce food inspection fees require approval by Council.

BUDGET

In summary, the impact of the relief measures on the 2019/2020 budget comprise the following:

Waive lease fees for sporting/community clubs	\$18,800
Defer loan repayments for sporting clubs	\$13,300
Waive lease fees for commercial leases	\$65,700
Waive or rebate permits/Food Regulation fees	\$67,100
Reduce food inspection fees	\$2,500
Waive fines and interest raised on outstanding rates	\$20,000
TOTAL	\$187,400

Costs associated with the response to COVID-19 will be reported back to Council as part of the budget reporting process.

Further relief measures will be considered as part of the 2020/21 Annual Business Plan process.

LIFE CYCLE COSTS

N/A

Item No: **7.3**

Subject: **COVID-19 RISK MITIGATION AND MANAGEMENT PLAN**

Date: 14 April 2020

Written By: General Manager, Community Services

General Manager: Community Services, Ms M Lock

SUMMARY

This report is to provide Council an update on the measures Council Administration and Alwyndor have implemented in response to the unprecedented pandemic outbreak of the Corona Virus (COVID-19). These measures are to meet both Federal and State Government restrictions while maintaining as our priority to the health and safety of Staff, Elected Members and the broader community.

RECOMMENDATION

- 1. That Council note this report.**
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COMMUNITY PLAN

Community: Building a healthy, active and resilient community

COUNCIL POLICY

Not Applicable.

STATUTORY PROVISIONS

Not Applicable.

BACKGROUND

This report is to provide Council an overview of the measures Council Administration and Alywndor have implemented in response to the unprecedented pandemic outbreak of COVID-19. These measures are to meet the latest advice and restrictions from Federal and State Governments, while maintaining as our priority the health, safety and wellbeing of staff, Elected Members and the broader community.

At the time of writing this report the content is accurate, however as the Federal and State Governments are continually reviewing the impacts of the situation, Council Administration and Alwyndor have been required to respond swiftly to advice to ensure compliance with State Government declarations and relevant legislation thereafter localized risk assessments have been completed.

REPORT

In response to COVID-19, the following measures have been implemented:

COVID-19 Taskforce

An internal working group has been established to work through the issues and implications of COVID-19 to the organisation. The group consisted of key members from across Administration, inclusive of the General Manager, Alwyndor, in order to provide recommendations to Senior Leadership in response to the government recommendations and declarations. This group operated for an approximate 3 week duration as part of the initial immediate response to the pandemic. This Taskforce has now concluded and replaced with the formation of the Crisis Management Team.

COVID-19 Crisis Management Team (CMT)

The CMT team are an internal group of specialists who represent the different areas of Council Administration. The CMT meet daily (via virtual meeting) to provide rapid response/emergency decisions based on current issues and implications of COVID-19 to the organisation and broader community and review processes to align with Federal and State Government announcements. This group determine a view of the crisis and gather expert input, implementing strategies to ensure the health and wellbeing of our staff, while at the same time, managing this ever-changing situation and continuing to provide services to the community. All communication is coordinated through this group and any recommendations and actions are then escalated to the Senior Leadership Team for decisions if required.

Business Recovery Team

With the CMT instated and working through the issues, the Business Recovery Team has been established to review how processes and mitigation steps can be implemented now in order to return the organisation to normal operations once restrictions are lifted. Their role is to develop a recovery response plan, restore services, minimise cost of restoration of services, measure the cost of impacts and apply learning and improvements. This team are an internal group of specialists who represent a broad cross section of the business and will provide recommendations to Senior Leadership for decisions.

Senior Leadership Team

The Senior Leadership Team meet daily (via virtual meeting), supported by the Communications Advisor and CMT Administrator. The purpose of this meeting is to make decisions on organisational changes as recommended by the CMT. This team ensures all legal requirements are met whilst making decisions to prioritise the health of our staff and community.

SLT also attend regular meetings facilitated by the Local Government Association with different stakeholder groups across Councils to bring collaboration and support if needed across Councils, ensuring a unified approach where possible.

Closure of Council Facilities

In line with the Federal Government restrictions, the following facilities were closed on 26 March 2020 until further notice: Bay Discovery Centre, Gallery & Museum and the Visitor Information Centre at the Glenelg Town Hall, Community Centres and Libraries.

In addition playgrounds and exercise equipment has also been closed, which includes briefing our Personal Trainer permit holders based on the revised Government ruling of social distancing, declaring a maximum gathering of 10 persons needing to be 1.5 meters away from one another, impacting attendee numbers.

Also suspended are the face to face programs for children and adults at our libraries and Community Centres. Where possible the priority is to maintain services in order to stay connected with the community.

All planned events have been postponed or cancelled due to government advice regarding mass gatherings.

Libraries

The Glenelg and Brighton libraries will closed to the public until further notice. All loans have been extended, and borrowers do not need to return their items. The range of online resources available via <https://www.holdfast.sa.gov.au/libraries/eresources> will be actively promoted.

Brighton Civic Centre

On Friday 27 March the Brighton Civic Centre closed to the public. However, the customer service team are still servicing the community via 08 8229 9999, and the community can access information and services, such as making payments and reporting issues via holdfast.sa.gov.au or the new My Holdfast mobile phone app. There is also a process implemented for planning enquires, and to access plans and information on Development Applications currently on public notification.

Brighton Caravan Park

From Thursday 26 March 2020, the Brighton Caravan Park will remain closed until further notice except for current guests or those customers that have no other place of permanent residence and essential travellers.

For guests who remain on site, service provisions are being reviewed daily and decisions are based on the latest health advice. A range of additional measures have been established including increased cleaning, practicing of safe social distancing, restricted access to common areas and cancellation of group activities. Guests with bookings up to 31 May 2020 have been contacted to be advised of the closure and provided with a range of options to postpone their booking, re-book for Easter 2021, or receive a full refund.

Partridge House

There are currently no private events scheduled to take place at Partridge House. Partridge House could accommodate weddings and funerals if requests are received, but they would need to comply with the new Government restrictions.

Our Workforce

We have taken a multi-phased approach to supporting our workforce, with many working from home while others are dispersed and separated across our buildings to mitigate risk and enable continuity of service.

Keeping our Community Connected

To ensure our vulnerable residents are considered during this challenging time, our Community Wellbeing team have revised operations in order to continue to support these residents while maintaining safe social distancing practices.

Some of the changes include:

- The Community Wellbeing team, volunteers, Mayor and Council staff phoned 1000 of our most vulnerable residents to assess needs and risks associated with isolation.
- Temporarily postponing Community Wellbeing group activities
- The delivery of essential home maintenance services which include light globe replacement for low vision residents and replacing smoke alarm batteries
- Cash handling has ceased and a direct debit payment system has been set up for domestic assistance residents
- Personal grocery shopping on behalf of our most vulnerable residents by staff members
- A letter sent to residents who use the Commonwealth Home Support Program and the Home and Community Care program to inform of the changes
- Although access to our Community Wellbeing support services usually require a MyAgedCare referral, all vulnerable or elderly Holdfast Bay residents that require support are encouraged to contact the Community Wellbeing team on 8229 9828.
- As at Monday 30 March 20, Community Bus operations have been suspended however staff are providing personal shopping with shopping lists.

Council Meeting

Under Section 7(2) of the *Local Government (Procedures at Meetings) Regulations 2013*, the 24 March meeting was adjourned until Tuesday 14 April 2020 at 7.00pm.

The SA Government Gazette No 21, 23 March 2020 and No 22, 26 March 2020 afforded the Minister emergency delegation and provisions to the various Acts to enable Local Government Authorities to continue to perform their duties and obligations under the Act. Importantly these amendments allow for Council meetings and workshops to be conducted electronically.

Business Support Services

Via the City of Holdfast Bay website and App commercial businesses are being supported, with regular communications via social media providing accurate and timely COVID-19 information on where to access advice and State and Federal support. Council endeavoring to connect to over

800 locally listed businesses to encourage the community to shop local and support innovative responses to these challenging times.

My Holdfast App

Our new mobile phone app, My Holdfast, is now available to download from the Apple and Google Play stores for the iPhone and Android mobile phones. The free app draws information directly from Council's website to give people access to council information and essential services in a quick and simple way via their mobile phones. This includes the latest news, the ability to report an issue, bin collection reminders and details of park, reserves, Council facilities and nearby businesses.

Alwyndor response to COVID 19

Alwyndor have taken a client centred approach to the COVID-19 response and actions in all areas of the business. Alwyndor has moved rapidly but thoughtfully through each stage of the past four weeks, ensuring clear and consistent communication with all clients, volunteers, contractors and employees.

COVID 19 response plans are in place for all services and activities and outbreak emergency management plans are ready to enact should an outbreak of the virus occur.

Service responses and actions

Consistent with the Federal Department of Human Services, the Aged Care Quality Commission and SA Health information requirements, in addition to sector practices, advice of peak bodies and Alwyndor risk assessments, the following has been implemented:

Residential:

- reduction in entry points to Dunrobin Rd i.e. two public entrances now in use and one staff entrance, all people entering the building are screened i.e. for recent travel and/or connection with anyone who has tested positive for COVID-19, have their temperature taken and directed to use hand sanitiser prior to entering. Staff have temperatures taken prior to each shift.
- family/loved ones visits to residents are accommodated if a resident has commenced end of life care consistent with new regulations
- resident segregation within the building i.e. encouraging minimal interaction between areas
- kitchen: segregation in food production & distribution
- outbreak trolleys prepared
- appropriate staff PPE and practices
- new residents, both permanent and short stay, are being accepted with new protocols in place to ensure infection risk is minimised. Currently hospital transfers continue, again with new and strict protocols.

Therapy:

- all classes suspended, same entry requirements as above for essential therapy 1:1 consults
- face time / skype consultations
- exercise & activity programs provided in home, phone / face time check ins in place

- appropriate staff PPE and practices.

Home Care:

- one entry point is open to Cheater House with the same protocols in place as above.
- Adjustment of services to accommodate segregation and safety, facilitating online shopping options etc.
- mobile 'outbreak packs' as well as home Infection Control kits are prepared
- welfare phone check ins in place
- appropriate staff PPE and practices.

Employee responses and actions

Both Alwyndor and Council employees have, like most, have expressed some degree of concern throughout this time however they have responded to the impacts of the virus in a very positive manner, working to meet and anticipate the needs of our communities in every way possible. Communication mechanisms are in place in all areas to ensure monitoring of health and wellbeing continues to be a focus.

BUDGET

Costs associated with the response to COVID-19 are being accounted for and will be reported back through budget review processes.

LIFE CYCLE COSTS

N/A