



I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Wednesday, 10 May 2023
Time: 5.30pm
Location: Council Chamber
Minlaton Town Hall
57 Main Street
Minlaton

AGENDA

Ordinary Council Meeting

10 May 2023

A handwritten signature in blue ink, appearing to read "A. Cameron", is positioned above the printed name and title.

**Andrew Cameron
CHIEF EXECUTIVE OFFICER**

CONFLICT OF INTEREST

Members are reminded of the requirements for disclosure by Members of direct or indirect pecuniary benefit or detriment and non-pecuniary benefit or detriment in relation to a material conflict of interest in accordance with Section 73, or an actual or perceived conflict of interest in accordance with Section 75 of the Local Government Act in items listed for consideration on the Agenda. Section 74 and 75A of the Local Government Act 1999 requires that Elected Members declare any interest and provide full and accurate details of the relevant interest to the Council. In relation to actual or perceived conflicts of interest a member has an obligation to outline how they propose to deal with the actual or perceived conflict of interest prior to consideration of that item on the Agenda.

This requirement does not apply to Ordinary Business Matters prescribed by regulation 8AAA Local Government Act (General) (Accountability and Governance) Variation Regulations 2016.

Each Member of a Council has a duty to vote at all meetings unless excepted by legislation.

The major exception being where a Member has a material conflict of interest.

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	Wednesday 14 June 2023	
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1 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY BY MAYOR

Meeting declared open

2 OPENING PRAYER

3 PRESENT

4 LEAVE OF ABSENCE

Nil

5 APOLOGIES

Cr Kristin Murdock.

6 CONFLICT OF INTEREST

7 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

Ordinary Council Meeting - 12 April 2023

Confidential Council Meeting - 12 April 2023

27.1 – Community Wastewater Management Schemes

27.2 – Port Rickaby Caravan Park Water Supply Upgrade

27.3 – CEO Key Performance Indicators 2022/2023 – Status Update

8 MOTIONS ON NOTICE

Nil

9 QUESTIONS ON NOTICE

Nil

10 QUESTIONS WITHOUT NOTICE

11 PETITIONS

11.1 PETITION - SUPPORT FOR COMMERCIAL USE OF PORT VINCENT WHARF

Document #: 23/38131

Department: Executive Services

PURPOSE

To provide Elected Members with a copy of a petition received in relation to support for local fisherman, Jordan Judd, docking and unloading his catch and providing locals and visitors with fresh fish from the Port Vincent Wharf.

RECOMMENDATION

That Council receive the petition in relation to support for local fisherman, Jordan Judd, docking and unloading of fish, together with the sale of the catch from the Port Vincent Wharf.

DISCUSSION

A petition has been received from residents and visitors of Port Vincent requesting Council work with local fisherman, Jordan Judd, to enable him to dock and unload his catch and provide locals and visitors with fresh fish from the Port Vincent Wharf.

Whilst not presented under cover of Council's standard form SF188, the intent of the petition is clear and has been accepted by the CEO.

The petition contains 476 signatures.

ATTACHMENTS

1. Petition - Commercial Use of Port Vincent Wharf [↓](#) 

23/36439

RECEIVED
- 5 APR 2023
BY:.....

PETITION TO YP COUNCIL

Jordan Judd is a local young commercial fisherman who has been docking and unloading his catch and providing locals and visitors with fresh fish from the Pt Vincent wharf. YP Council has recently banned him from using the wharf and will impose a fine if he docks there again. We the undersigned request Council to work with Jordan to enable this very popular service to resume in Pt Vincent as soon as possible

NAME	SIGNATURE	SUBURB
PRIER MITCHEL		Pt RICKABY.
Dianne Marshall	D. Marshall	minlaton
Alice Gault		Parsons Beach
Lee Ann Collins	L Collins	MINLATON
Maria Whittaker	MWhittaker	minlaton
Kim Whitehead	KWhitehead	minlaton
LORRAINE DECELI	L. Decelis	MINLATON

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SHAY DEMPSTER	<i>[Signature]</i>	SALISBURY NORTH
Gareth LEE	<i>[Signature]</i>	minlaton
Syde Kilpatrick	<i>[Signature]</i>	Minlaton
Robin K. McLeod	R.K. McLeod	minlaton
De J Hissey	garanssey	Minlaton.
MARG & NORM DART	mg DART	Minlaton
Sandra Thompson	<i>[Signature]</i>	Curramulka
Anne Norton	<i>[Signature]</i>	Pt Turton
Hana George	<i>[Signature]</i>	Manna Bay
Judith Newby	<i>[Signature]</i>	Curramulka.
MICHAEL WANGANEEN	mulanganeeen	MOONTA BAY
Rachlen Treloar	<i>[Signature]</i>	MINLATON
Rym SCHWARZ	Rym Schwarz	MINLATON
TONY PORTER	<i>[Signature]</i>	MINLATON
Skye Groves	<i>[Signature]</i>	Pt Vincent
A. Poole	A Poole	Hardwicke Bay
M. Poole	<i>[Signature]</i>	HARDWICKE BAY
MURIEL BROFATE	<i>[Signature]</i>	Curramulka
BERNARD BROFATE	<i>[Signature]</i>	Curramulka.
Val Rogers	V.P. Rogers	Minlaton
Kayla Thompson	<i>[Signature]</i>	Minlaton.
MAURICE SAINT	<i>[Signature]</i>	PARSONS BEACH
LING WATERS	<i>[Signature]</i>	STRATHALBYN


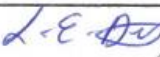


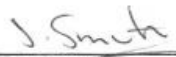
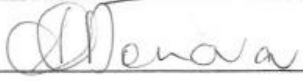

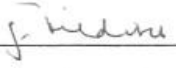
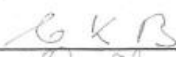

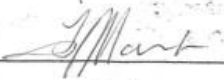
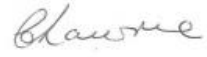
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KAY DOHERTY	Kirshewing	SEAFORD RISE SA
Susan Paton	SJPaton	Blackwood SA
Alex Paton	APaton	" "
Jenny Langford	JLangford	Marion
Judy Olfert	JOlfert	Nth Brighton
Andreas Holter	AHolter	Murray Bridge SA
Phil Waller	PHWaller	MURRAY BRIDGE SA.
Deb Boehm	DBBoehm	OneTreeHill S.A.
KEVIN BOEHM	KBoehm	ONETREE HILL. SA.
CAROL WALLER	C. Waller	ORANGE NSW
Daryl Waller	DWaller	Orange NSW.
Randall Scholz	RScholz	Morphett Vale
NANCY TEMPLER	NTempler	Morphett Vale.
Jean Phillips	JPhillips	Morphett Vale
GARY SAMILLE	GSamille	Swan Hill VIC
Maureen Samille	MSamille	Swan Hill. VIC.
Roslyn Brody	RBrody	Brompton SA.
Julie Donnan	JDonnan	Black Forest SA.
Susan Lope	Slope	NURIOOPTH SA.
David Pope	DPope	NURIOOPTH SA.
Carolyn Rawsthorn	CRawsthorn	Coromandel Valley SA.
KIM RAWSTHORN	KRawsthorn	COROMANDEL VALLEY.
JOHN ALLEN	JAllen	VICTOR HARBOR
Wendy Allen	WAllen	VICTOR HARBOR

23/36439

PETITION TO YP COUNCIL

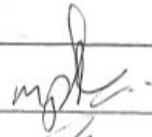

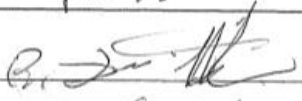
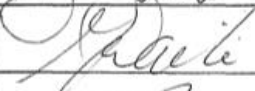

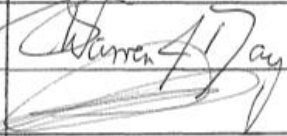


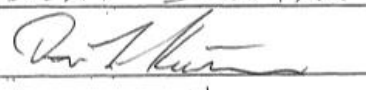


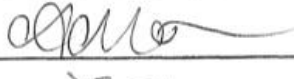
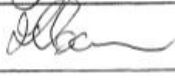

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NAME	SIGNATURE	SUBURB
Rodney Dickson		Pt Vincent
Linda Devany		Pt Vincent
Heather Atkinson		Pt Vincent
N Raschelle		Pt Vincent
I Smith		Pt Vincent
Anne D.		Adelaide
Kym D		Adelaide
Julia n.		Thomson
Chris		Adelaide
Kym Kennell		Pt Vincent
Selena Martin		7 John st, Hal
Chris Lawrie		Pt Vincent/Lo

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Brian Lawrie	B Lawrie	Port Vincent Lockleys
Lynna Pasma	Lynna Pasma	PORT VINCENT
Karla Camp	Karla Camp	Port Vincent
Katrina Daly	Katrina Daly	" "
ADRIAN LAURIE	Adrian Laurie	HERVEY BAY QLD
RONDA HOLLIS	Ronda Hollis	ASCOT PK SA
ROBERT HORE	Robert Hore	Pt Vin
SJ SHERRIFF	SJ Sherriff	STANSBURY
T+C. O'BRIEN	T+C O'Brien	ADELAIDE
Jill Parsons	Jill Parsons	Port Vincent
LES WATTS	Les Watts	GEEKONG VIC
Lesley Wilson	Lesley Wilson	Maitland
Malcolm Dinning	Malcolm Dinning	pt. Vincent S.A.
C. Fitzpatrick	C Fitzpatrick	Pt Vincent
M.J. SANDERSON	M.J. Sanderson	PT VINCENT
LA McGrath	LA McGrath	Port Vincent
Irene Dunn	Irene Dunn	Tennyson Adelaide
Fred	Fred	
SANDRA KROUSH	Sandra Kroush	PT VINCENT
Yvonne Jones	Yvonne Jones	" "
V.V. JONES	V.V. Jones	" "
DAVID DALY	David Daly	Port Vincent
Lynette Kubanyi	Lynette Kubanyi	Pt Vincent
Lucy Barraclough	Lucy Barraclough	Adelaide
Kay & Dick Ellis	Kay Ellis	Pt Vincent

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m, fitzpatrick		LOXTON
Mia, Fitzpatrick		Laxton
Bronte Mumford	BAM.	Minlaton
Jill Mumford	JMM.	Minlaton.
R DEMARIE		PT VINCENT
L. TUCKER.	L. Tucker	WASLEYS / PT. VINCENT
GAYLE WAITE	G. Waite	PT VINCENT
Mick Waite		PT VINCENT
GARY PRIOR		Marryatville
WARREN DAY	Warren Day	Ylleseldg
Lochie Cameron		Corry Point
Christine Prior	C.P.	Marryatville
Victoria Weather		PT Vincent
Ant SUTER.		MT BARKER
	DON SICKERMAN	BURRA SA
JENNIFER HOLMES	J. Holmes	PT VINCENT SA.
Bill Warburton		Echunga Rate payer.
Meredith Warburton	M. Warburton	Echunga/PT Vincent
NORM LAPINS		ADEL - PT VINCENT
Alysha Manson.		Bendigo VIC.
SARAH KROUSE	S. Krouse	TOOT PARK
IAN CAMPBELL		KENT TOWN
LESLEY LONGMAN	Lesley Longman	port Vincent
ROBYN WARD		WILLASTON SA

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PETITION TO YP COUNCIL

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5/23

Mick Skulleher *MS* PT Vincent

NAME	SIGNATURE	SUBURB
David Engel	<i>D Engel</i>	GRANGE S.A.
Ian Langley	<i>I Langley</i>	ANGASTON SA
Marilyn Langley	<i>M Langley</i>	ANGASTON SA
Tim Sandercock	<i>T Sandercock</i>	HERLEY BEACH
ROS SANDERCOCK	<i>R Sandercock</i>	" "
Roy Yates	<i>Roy Yates</i>	HOPE VALLEY SA
Sue Yates	<i>S Yates</i>	" "
Cathy Sandercock	<i>C Sandercock</i>	Marion S.A.
Peter Sandercock	<i>P Sandercock</i>	Marion SA
JOHN BRYANT	<i>JB</i>	BLACKWOOD SA

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Alan Hewish	A Hewish	At Julia
ROB GERTEIN	R Gerstein	Port Vincent
DONALD STONE	D Stone	CUNNAMULKA
Amanda Spruell	A Spruell	CUNNAMULKA
MARK SHELTON	M Shelton	KOOLYWOODIE
MADELAINE SCHULZ	M Schulz	PT VICTORIA
Dee Finlay	D Finlay	MINLATON
Andrew Cameron	A Cameron	FOUL BAY
Lachlan Cameron	L Cameron	Cornny Point
Dan Player	D Player	Stansbury
Julie Page	J Page	Woracka
MAREE LOGAN	M Logan	CRAFERS WEST
KELLY LOGAN	K Logan	CRAFERS WEST
Ben Logan	B Logan	" "
Lachie Logan	L Logan	CRAFERS WEST
ANN COATS	A Coats	STIRLING SA
BOB COATS	B Coats	STIRLING SA
Huong Nguyen	H Nguyen	Adelaide
Christina Laws	C Laws	Adelaide
Exoquiel Sepulveda	E Sepulveda	Adelaide
Tyson Fitzgerald	T Fitzgerald	BARROSSA Valley
Hein Louw	H Louw	Adelaide
Hayley Louw	H Louw	Adelaide
Geradine McASKILL	G McASKILL	Port Vincent

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Maxine Christie	duy	Minlaton
ROS Smitham	R Smitham	MINLATON
Carole Hickman		"
Jeff Matthews		"
Mel Boundy	M Boundy	Brentwood
ANGE HICKMAN		MINLATON
JASON HICKMAN		Minlaton
JEFF MARTIN	Jeff Martin	MINLATON
Damian Louw	Lou w	Adelaide
W. Stochart	W. S	Zobatak
H Spencer		Woodcroft SA
Rachel Marron		Pt. Vincent
S+B MARKS	S+B Marks	PT. VINCENT
Julie Harris		Pt Vincent
Blake RC		" "
Jack Kelaher		Pt Vincent
Kerry Galvin	K Galvin	Yorketown
Genevieve Murray	G Murray	pooraka
Heather Dalla	H Dalla	RAMSAY
KEN HOLDS	K Holds	Pt VINCENT
Desma Morris		Modbury
Shirley Cocks		Murray Bridge
Jayne Borman	J Borman	MANNUM
Jeanie Zeller	J Zeller	Port Vincent
BRUCE TUESDAY	Bruce Tuesday	STANSBURY
Silvia Thompson	S Thompson	Port Vincent

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PETITION TO YP COUNCIL







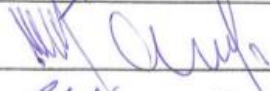
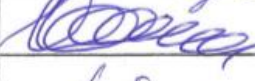


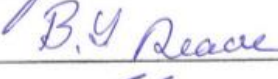



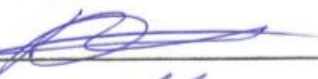


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NAME	SIGNATURE	SUBURBS
Lachlan Hennekam		Yorke town
Russell		MINLATON
Di OSCHMANN		EDITHBOROUGH
Tablia Skailor		Minlaton
Jill Huntley	Jill M. Huntley	minlaton
NEIL CONROY		Minlaton
SON MANNING	S. Manning	PT. MINLACOWIE

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Missalero	M. Lera	Wool Bay
Lisa Robinson	W. Lera	Minlaton.
Adrian Thompson	A. Thompson	Curramulka
Robbie Thompson	Thompson	Curramulka
Shane Conley	Conley	Price
Julie Adams	J. Adams	Pt Vincent
Lauren Barnett	L. Barnett	Ramsey
Rod Readaway	R. Readaway	Brentwood
MARLOW CAMP	M	CURRAMULKA
Phoebe Mepharlin	Phoebe Mepharlin	Minlaton
John Wieser	John Wieser	MINLATON
CHRIS OATMAN	C. Oatman	ADELAIDE
GRAHAM OATMAN	G. Oatman	Adelaide
Jenny Rockley	J. Rockley	Tungkillo
Dennis Rockley	D. Rockley	"
Julia Deafo	J. Deafo	minlaton
John Pillon	J. Pillon	Stansbury
Jeff Anderson	J. Anderson	Minlaton
TOM ANDERSON	T. Anderson	MINLATON
DeJ Hissey	D. Hissey	Minlaton
John M'Queen	J. M'Queen	Stansbury
CHRIS MAHAR	C. Mahar	MINLATON
Merv Oakley	M. Oakley	HARDWICKE BAY.

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Ross Philips		Yorke town
Angela Pope		Yorke town
Sam Parsons		Hardwicke Bay
JO Sandrock		Minlaton
BEN COPLEY		MINLATON
RICK VOIGT		MINLATON
Tony Manuel		Adelaide
CHRIS HIGGINS		Pf RICKABY
Crystal Redding		Kodj Kodj
Kathryn Lodge		Adelaide
Heather Sabre		Adelaide
Laura Evans		Adelaide
Soe Martin		Minlaton
ARROW CENSY		Adelaide
BEVAN READE		Currumulla
MICHAEL ERNST		ADLAIDE
Brady Judd		PORT VICTORIA
ELKE WOODS		STANSBURY
G. Gray		Port Julia
Kenny Waters		Minlaton
SHAWN TOFT		STANSBURY
Dave Toft		stansbury
PALL HAWKMAN		DARWIN













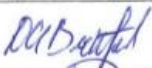

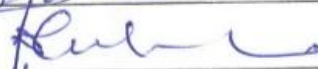
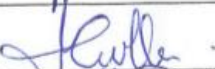





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NAME	SIGNATURE	SUBURB
Michelle Edwards	M Edwards	Warooka
Peter Hennan		Pt Vincent
File		Telowie
Clare	blins	Telowie
BRONTE HANSHED		STANSBURY
LEN EASTWELL		Pt Vincent
Edward Mahar		Pt Rickaby
Chris Key		Pt Vincent
P. Beinson		Pt Vincent
V. B. Ball	VBH	

23/36489

Greg Parsons		Port Vincent Fishing Village
Linda McCole		Port Vincent
CAROL BORROUCHS		Adelaide
Richard Way		Port Vincent
Kirsten Tyler		Port Vincent
Kym Davis		Port Vincent
Eliza Hamdorf		Palm Beach
Sophie Hamdorf		Brighton
Alyssa Dortmund		Port Vincent
Fiona Dortmund		Port Vincent
Faye Gee		Stansbury
Ronni Dow		Adelaide
Nathan W	NW	Adelaide
DAVID BUTTFIELD		CURRAMULKA
Angela Bass		Port Vincent
DAVE TILBROOK		SMERDON PARK, SA
JULIE COLLEN		HYDE PARK,
Neil Dodd		SOMERTON PARK.
JoAnne Frasen		Belair
Jan Seale		Adelaide
		Belair
		Adelaide
ANDREW GUY HINDS		Cradeck

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NAME	SIGNATURE	SUBURB
DAVID MACK		YORKETOWN
Lily Randolph	L. RANDOLPH	SITZBARK FLAT
Alex Shropin		PORT VINCENT.
Cheryl Hayden		ADELAIDE
Ricky Lockwood		PT Julia
ALAN McLANE		PT Julia
SEVE COSMELLI		PT VINCENT
Chris Aluch		Malvern
Felicia Alexandre		Mitcham.
Karen Waller		PT Vincent
MARG GILGEN		PT Vincent
Good Struse		PT Vincent
Peter Dunk		Adelaide
Trent Neighbour		Adelaide
CRAIG POWNEY		PT. JULIA
Doug Nairn		Adelaide.
Chris Todd.		Adelaide
Josh Gomez		Adelaide
Sue Petrick		Grey nomads No fixed address
Sarah Swain		Adelaide 5000
Brim Oldman		Adelaide 5000
David Polkington		Hyde Park 5061

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NAME
Jim Parrinos

SIGNATURE


SUBURB
Port Vincent

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23/36439

PETITION TO YP COUNCIL

Jordan Judd is a local young commercial fisherman who has been docking and unloading his catch and providing locals and visitors with fresh fish from the Pt Vincent wharf. YP Council has recently banned him from using the wharf and will impose a fine if he docks there again. We the undersigned request Council to work with Jordan to enable this very popular service to resume in Pt Vincent as soon as possible

NAME	SIGNATURE	SUBURB
Lee Ann Collins		MINLATON
KAREN GORDON		MINLATON
MIKIE HESSON		BRENTWOOD
Ivy Sommerville		Moonta
Reed Reddaway		Brentwood
Liz Vingt		Minlaton
Mauraen Worden		MINLATON

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Christopher Cook	<i>C Cook</i>	Minlaton
JOE GRIMZBROOK	<i>J Grimzbrook</i>	Minlaton
GWENDA TUCKER	<i>G Tucker</i>	MINLATON
WENDY PETERSON	<i>W Peterson</i>	MINLATON
LANCE MUMFORD	<i>L Mumford</i>	MINLATON
HEATHER MUMFORD		MINLATON
Cathy Fraser	<i>C Fraser</i>	Bluff Beach
PETER PILCEK	<i>P. J. Pilcek</i>	CURRAMULKA
DICK RATTLEY	<i>D Rattleley</i>	MINLATON
Kimberley Hamilton	<i>K Hamilton</i>	Minlaton
Colin	3 Tomney Rd	Minlaton
DICK AND MARG HICKS	<i>D Hicks</i>	CURRAMULKA
Rob + Julie Wade	<i>Wade</i>	MOONTA
ALLISON ROBERTS	<i>A Roberts</i>	PARSONS BEACH
ADRIAN BECKMAN	<i>A Beckman</i>	MINLATON
T. STEWART	<i>T Stewart</i>	MINLATON
BEVERLEY COOK	<i>B Cook</i>	"
Rob de Blavieri	<i>R de Blavieri</i>	Minlaton
Margy Woods	<i>M Woods</i>	MINLATON
David Woods	<i>D Woods</i>	minlaton
Maxine Whiteley	<i>M Whiteley</i>	Minlaton
REGGIE O'BRIEN	<i>R O'Brien</i>	HARDWICKS BAY
GARRY HURST	<i>G Hurst</i>	GAWLER

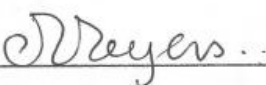

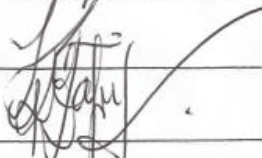
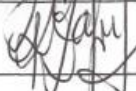

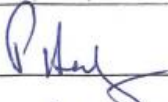
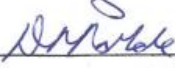


23/36439

Jessie Hume	Jessie (Granny)	Minlaton
Aon Hurst	celhurst	Gawler
Bronte Mumford	BAM	Minlaton.
MAREE ANDERSON	M Anderson	Minlaton
Marg & Norm Dart	m dart	Minlaton
Carl Kilgus	Kilgus	Stansbury
Brenton Nankivell	Nankivell	Seaton
Gavin Liu	Liu	Adelaide
K. Nankivell	Nankivell	Lameroo St
Jane Brandon	Brandon	STANSBURY
Peter Sanderoch	Sanderoch	Marion (Adelaide)
COLIN CLARK	c.c. Clark	MINLATON
RUTH CLARK	R Clark	MINLATON
Vicki Parsons	V Parsons	CURRAMULKA
BRON NANKIVELL	B. Nankivell	MINLATON
Wally Jolly	W. Jolly	MINLATON
Susan Sladek	Sladek	PORT JULIA
K Dinnison	Dinnison	Minlaton
Candy Johnson	Johnson	MINLATON
LYNDA JONES	Jones	MINLATON.
Rhoni Jarbald	R Jarbald	Minlaton
ANITA PENNY	Penny	MINLATON
JOHN HARVEY	Harvey	SEACLIFF 5049






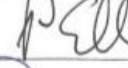



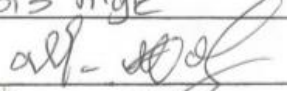
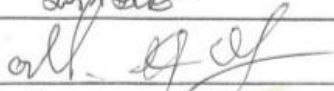

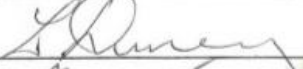

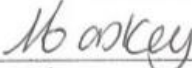




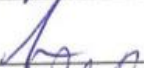

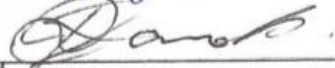
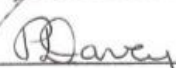
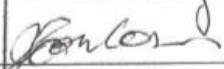
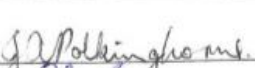

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PETITION TO YP COUNCIL

Jordan Judd is a local young commercial fisherman who has been docking and unloading his catch and providing locals and visitors with fresh fish from the Pt Vincent wharf. YP Council has recently banned him from using the wharf and will impose a fine if he docks there again. We the undersigned request Council to work with Jordan to enable this very popular service to resume in Pt Vincent as soon as possible

NAME	SIGNATURE	SUBURB
MARLENE MEYERS		Tourist - WEST LAKES SA
JOHN MEYERS		TOURIST WEST LAKE SA
PETEL BATES		HARDWICKE BAY
ROS. ZAFRY		HARDWICKE BAY
Heidi Bates	HBates	Hardwicke Bay
CRAIG MATHEWS		BLUFF BEACH
Peter Hodges		PARSONS BEACH
DIANNIE ROHDE		HARDWICKE BAY
Deborah Anderson		Brentwood SA 5515
Alicia Ellis		Hardwicke bay

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	SIGNATURE	SUBVRO
Helen TALBOT		FREQUENT TOURIST
DRAKE DE WIT		BROKEN ARRIVAL
DAVID ELLIS		PORT JULIA. CELESTIAL LIGHT CARDER
Linda Haynes		Park Holme
KATHY ELIS		HARDWICKE BAY
Peter Ellis		HARDWICKE BAY
Sara Wyllie		HARDWICKE BAY
SHAUN HALL		HARDWICKE BAY
Lois Alge		YORKETOWN
all. 	all. 	YORKETOWN
Seen Kempsey		York Point
LEIGH DUMESNY		EDENHOPE VIC
ROSS VOIGT		YORKETOWN
Susan Caskey		Yorketown
JENNY DUMESNY		EDENHOPE VIC.
Candice Lighthhead		Pt Vincent
Debbie Peterson		Darwin - Tourist
Jill Peterson		Darwin - Tourist
CHRIS POLKINGHORNS		HOWARD SPRINGS
PETER POLKINGHORNS		CECUNA
Peter Lands		Port Vincent
Pam Davey		ADELAIDE
Jill Conlon		Adelaide
Judy Polkinghorne		Ceduna
Susanne Lands		Port Vincent

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PETITION TO YP COUNCIL

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NAME	SIGNATURE	SUBURB
Meredith Taylor	<i>M Taylor</i>	Pt Vincent
Pam Howard	<i>Pam Howard</i>	Pt. Vincent
Pam Almond	<i>Pam Almond</i>	Pt Vincent
Charmaine Kimber	<i>Charmaine Kimber</i>	Port Vincent
JAN BLAND	<i>J Bland</i>	WEST. BEACH.
GRAHAM BULL	<i>Graham Bull</i>	STIRLING NORTH
Anne Moore	<i>Anne Moore</i>	Minlaton.
PAULINE SACHSE	<i>Pauline Sachse</i>	FLAGSTAFF HILL 5159
Merridy Roberts	<i>Merridy Roberts</i>	Port Vincent

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Lyn Anderson	L. F. Anderson	West Lakes
Pam Hickman	P. Hickman	Pt Vincent
Julie Adams	J. Adams	Pt Vincent
Jebbie Way	J. Way	PT Vincent
Deb Whissow	D. Whissow	Barossa / PT Vincent
Rob Whissow	R. Whissow	BAROSSA/PT VINCENT.
John Gilgen.	J. Gilgen	H. Vincent.
Jon Swass	J. Swass	Pt. Vincent.
V. Wurdunck	V. Wurdunck	Pt Vincent
Kerry Clift	K. Clift	Pt Vincent / Clare.
M. MacLachlan	M. MacLachlan	Pt Vincent.
M. Mahar.	M. Mahar	Pt Vincent.
Janet Gibson	J. Gibson	Pt Vincent
JUDE CHRYSTON	J. Chryston	Pt Vincent
Rona FARRONS	R. Farrons	Pt Vincent
Tani Farrow	T. Farrow	Pt Vincent
PAUL STURMERFIELD	P. Sturmerfield	Pt Vincent
ROB ANDERSON	R. Anderson	Pt Vincent
Willie	W. Willie	H. Vincent
John Airo	J. Airo	Pt. Vincent.
PERRY WOODWARD	P. Woodward	Pt JULIA
ROBERT HILDITCH	R. Hilditch	ADELAIDE
JUDY DEGIGLIO	J. Degiglio	Pt VINCENT

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ROGER UNDERWOOD	<i>R Underwood</i>	Port Julia
RICHARD ELLIS	<i>R Ellis</i>	PT VINCENT
PAUL CROCKER	<i>P Crocker</i>	PORT VINCENT
TRIL JONES	<i>T Jones</i>	PORT VINCENT
Geoff Wakefield	<i>G Wakefield</i>	PT VINCENT
TREVOR ANDERSON	<i>T Anderson</i>	WEST LAKES
Wayne Proctor	<i>W Proctor</i>	PORT VINCENT
Ted Powell	<i>Ted Powell</i>	PT. VINCENT
Kathy Hansen	<i>K Hansen</i>	Pt Vincent
Bob Blaws	<i>Robert G Blaws</i>	PT. VINCENT
Chris Quinn	<i>C Quinn</i>	PT Vincent
D. Thompson	<i>D Thompson</i>	Pt Vincent
Peter Searle	<i>P Searle</i>	Adelaide
Merrilyn Lovelock	<i>M.L. Lovelock</i>	Pt Vincent
ROBERT ARTHUR	<i>R Arthur</i>	PT VINCENT
MIKE NELSON	<i>M Nelson</i>	Adelaide (Netley)
Kay & Dick ELLIS	<i>Kay Ellis</i>	PT. Vincent
Michael Robran	<i>M Robran</i>	North Adelaide.
RODNEY ROBRAN	<i>R. Robran</i>	NORTH ADELAIDE.
Elizabeth Lehman	<i>E Lehman</i>	Pt. Vincent
JOHN FRANCIS	<i>J Francis</i>	PT VINCENT.
BARBARA THOMAS	<i>B Thomas</i>	PT VINCENT.
Joy Codrington	<i>J Codrington</i>	Pt Vincent

23/36439

NAME	SIGNATURE	SUBURB
Will Eccles		PT. VINCENT
Nick Geyer		PT. JULIA
ANNE PLUNKETT	A. Plunkett	PORT VINCENT.
RICHARD MURD		EVYVADA
Gene HIGHTETT	G. Hightett	Sheoak Flat
Kendy McDonald	K McDonald	Port Vincent
Sharon Quinn.		Sheoak Flat.
Leanne Wlstrup	L Wlstrup	SHEOAK FLAT.
HENRY KING		STRATHALBYN SA
Helly Easter		PT Vincent
Jamie Smith		✓ ✓
JENNIFER BROWN		Kensington Pk SA
Ronda Thomas	R Thomas	Ridgehaven SA.
Tracy Wallace	T Wallace	PT Vincent
M. BARTLEY	M. Bartley	PT VINCENT
M. Smolski	M Smolski.	PT VINCENT
JOHN & RON Symons	R Symons	PT VINCENT
Christina Day		MELIZA, VIC
Ben & Ron Riggs	Riggs	GAWKER EAST
WAYNE HICKMAN		PT. VINCENT
WAYNE PACKER		STAGNES
MALCOLM THOMSON		PT JULIA.
BRIDGET CAMERON		PT JULIA KENT TOWN
IAN CAMERON		KENT TOWN
PAULA HOOD		PT VINCENT
BOSKOP GINS		P. Vincent
SUE HALL		PT VINCENT
TRISH GRANSBURY		P. Vincent.
BILL GRANSBURY		PT Vincent
JOHN FOAT		PT VIN.
LORE FOAT		PT VINCENT
Tom Barker		PT VINCENT
DES CAMERON		PT VINCENT.
DAVID HILL		PT. VINCENT
Jayne Dalley		STRATHALBYN

12 MAYOR**12.1 MAYOR'S MONTHLY REPORT APRIL 2023****Document #:** 23/42285**Department:** Executive Services**PURPOSE**

To keep Elected Members updated on Mayoral activities during the month of April 2023.

RECOMMENDATION

That the report be received.

DISCUSSION

- | | |
|----------|---|
| 5 April | Meeting with Jan and Noel Polkinghorne, Liz and Peter Lehmann, Jan Thompson re Port Vincent Wharf Petition – Maitland. |
| 12 April | Monthly Council Meeting – Minlaton. |
| 14 April | Local Government Association – Ordinary General Meeting – Adelaide. |
| 19 April | Information and Briefing Session – Minlaton. |
| 24 April | Meeting with Deputy Premier The Hon. Susan Close MP in relation to a proposed indigenous ranger program (following Community Cabinet) – Adelaide. |
| 25 April | Attend Edithburgh Anzac Day Dawn Service – Edithburgh. |
| 26 April | Information and Briefing Session – Minlaton. |
| 28 April | South Australia Coastal Councils Alliance - Strategic Planning Meeting (via Teams). |

ATTACHMENTS

Nil

13 COUNCILLORS' REPORT

Nil

INFORMATION AGENDA

INFORMATION AGENDA

14 ITEMS FOR EXCLUSION

15 RECEIPT OF INFORMATION REPORTS

16 CHIEF EXECUTIVE OFFICER**16.1 ACTION LIST REPORT****Document #:** 23/44179**Department:** Executive Services**PURPOSE**

To keep Elected Members updated on the status of the Action List.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN**Goal:** 5 Responsible Governance and Leadership**Strategy:** 5.5 Undertake effective risk and emergency management**BACKGROUND**

The Action List is implemented to keep Council informed regarding the current status and outcomes of Council decisions.

DISCUSSION

The Action Lists included in the Council Agenda each month will incorporate action items from Council along with their current status.

ATTACHMENTS

1. **Action List - May 2023** [!\[\]\(2810827b83541c0dce997fe5e3a41ea5_img.jpg\) !\[\]\(9b38fd330684f8274547a99fb73352cf_img.jpg\)](#)
2. **Completed Action List - May 2023** [!\[\]\(0e0f5523781a9e5967475c3609d00882_img.jpg\) !\[\]\(b70288cd2671ab1c9d6c7c30be7a476b_img.jpg\)](#)

Council Meeting Action List

Meeting	Responsible Department	Agenda Item	Minute Number	Task	Due Date
12/04/2023	Assets and Infrastructure Services	24.5	087/2023	That Council endorse to name a portion of an unmade, ungazetted, unmaintained Council road reserve known as Coonarie East Road, Foul Bay.	13/12/2023

Council Meeting Completed Action List

Meeting	Responsible Department	Agenda Item	Minute Number	Task	Due Date
12/10/2022	Development Services	25.2	211/2022	The Mayor and CEO signed and affixed Council's Common Seal to execute the lease documents for the Port Vincent Sailing Club Incorporated with a lease period of five (5) years with two (2) by five (5) year rights of renewal.	10/05/2023
12/04/2023	Executive Services	22.1	073/2023	Council received and noted the Legatus Group Draft Annual Business Plan and Budget for 2023/2024. The Legatus Group have been advised of same.	26/04/2023
12/04/2023	Executive Services	22.2	074/2023	Council considered and endorsed the draft Legatus Group Strategic Plan 2023-2027 and associated Long Term Financial Plan 2023-2027. The Legatus Group have been advised of same.	26/04/2023
12/04/2023	Corporate and Community Services	22.3	075/2023	Council received and accepted the Long Term Financial Plan 2024-2033.	26/04/2023
12/04/2023	Executive Services	22.4	076/2023	Council received the notes of the Reconciliation Action Plan Working Party meeting held on 8 March 2023 and endorsed the Terms of Reference for the Party.	26/04/2023
12/04/2023	Executive Services	22.5	077/2023	The Minister for Climate, Environment and Water was notified that Council did not endorse Council assuming care, control and management of various Crown land parcels.	26/04/2023
12/04/2023	Corporate and Community Services	23.1	078/2023	Council endorsed the expression of interest process to commence for an independent member on the Audit and Risk Committee. Advertisement to commence Wednesday, 26 April 2023 appearing in the Yorke Peninsula Country Times, on Councils website, SEEK and the Australian Local Government Job Directory. Expression of Interest process to close on Wednesday 24 May 2023.	26/04/2023
12/04/2023	Corporate and Community Services	23.2	079/2023	Yorke Peninsula Art Festival proposed dates. Council endorsed the Yorke Peninsula Art Festival to be held 11 to 20 August 2023, to coincide with the South Australian Living Artists' Festival. The Art and Culture Working Group has been advised.	26/04/2023

Meeting	Responsible Department	Agenda Item	Minute Number	Task	Due Date
12/04/2023	Corporate and Community Services	23.3	080/2023	Council endorsed the progress report along with proposed strategic revisions of the Yorke Peninsula Economic Development and Tourism Strategy 2022-2026.	26/04/2023
12/04/2023	Corporate and Community Services	23.4	081/2023	Council received the financial report and capital projects update report as at 31 March 2023.	26/04/2023
12/04/2023	Corporate and Community Services	23.5	082/2023	Southern Yorke Peninsula Community Childcare Centre and Maitland Childcare Facility - Proposed Lease Agreement. The Mayor and CEO have signed and affixed Council's Common Seal in order to execute the lease documents for both the SYP Community Childcare Centre for a period of two (2) years, with an additional four (4) by five (5) year rights of renewal resulting in an overall lease term of twenty two (22) years and the Maitland Childcare Facility for an ongoing annual lease agreement with reviews to be conducted biannually.	26/04/2023
12/04/2023	Assets and Infrastructure Services	24.1	083/2023	Council received and noted the notes of the Roads Working Party held on 22 March 2023. The endorsed and updated Terms of Reference have been uploaded to Council's website.	26/04/2023
12/04/2023	Assets and Infrastructure Services	24.2	084/2023	The application for funding through the Special Local Roads Program 2023-24 for Stage Two of the North Coast Road upgrade has been submitted.	26/04/2023
12/04/2023	Assets and Infrastructure Services	24.3	085/2023	Council endorsed the installation of the currently budgeted for solar light at the Port Rickaby boat ramp on Coringle Drive.	26/04/2023
12/04/2023	Development Services	25.1	088/2023	Staff commenced the community engagement process for a proposed new lease to the Edithburgh RSL & Bowling Club Inc. for facilities located at 8 Anstey Terrace, Edithburgh. for a period of five (5) years with one (1) by five (5) year right of renewal.	26/04/2023
12/04/2023	Development Services	25.2	089/2023	Council adopted the fee schedule in relation to dog registrations to commence 1 July 2023.	26/04/2023

16.2 CEO ACTIVITIES - APRIL 2023**Document #:** 23/41313**Department:** Executive Services**PURPOSE**

To keep Elected Members informed of meetings during the month of April 2023.

RECOMMENDATION

That the report be received.

DISCUSSION

- | | |
|----------|--|
| 3 April | Executive Services Team Meeting – Maitland. |
| 4 April | Meeting with David Field, Maitland Lutheran School – Maitland. |
| 5 April | Meeting with Jan and Noel Polkinghorne, Liz and Peter Lehmann, Jan Thompson re Port Vincent Wharf Petition – Maitland. |
| 6 April | Meeting with Mike Roberts and Jason Schell – Rex Minerals – Maitland.
Meeting with Sam Woghiren RAA re proposed locations for electric vehicle chargers – Maitland. |
| 11 April | Meeting with Tony Fox, Coast Protection Board (via Teams). |
| 12 April | Monthly Council Meeting – Minlaton. |
| 14 April | Local Government Association – Ordinary General Meeting – Adelaide. |
| 17 April | Legatus Group – Regional Management Group Meeting (via Zoom). |
| 18 April | Maitland Child Care Licensing Meeting – Maitland. |
| 19 April | Information and Briefing Session – Minlaton. |
| 20 April | Meeting SYP Childcare Centre – RLB / Romaldi / Provider – Adelaide. |
| 20 April | Interview Panel – Director Development Role – Adelaide. |
| 26 April | Information and Briefing Session – Minlaton. |
| 27 April | Site Meeting – Southern Yorke Peninsula Childcare Centre – Minlaton.
Corporate Management Team Meeting – Maitland. |

ATTACHMENTS**Nil**

16.3 CORRESPONDENCE RECEIVED FROM NORTHERN AND YORKE LANDSCAPE BOARD**Document #:** 23/39053**Department:** Executive Services**PURPOSE**

To provide Elected Members with correspondence received from the Northern and Yorke Landscape Board.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN**Goal:** 5 Responsible Governance and Leadership**Strategy:** 5.2 Effective leadership and informed decision making**BACKGROUND**

The Landscape South Australia Act 2019 commenced on 1 July 2020 and repealed the Natural Resources Management Act 2004. The NRM Board was renamed the Northern and Yorke Landscape Board and the NRM levy is now named the landscape levy. The Northern and Yorke Landscape Board is responsible for sustainably managing the region's landscapes.

The landscape levy is paid by ratepayers across South Australia and collected by local councils on behalf of the State Government. The landscape levy supports the delivery of programs and projects within the priorities of Communities, Biodiversity, Water, Sustainable Agriculture and Pest Plants and Animals.

DISCUSSION

The Levy Transition Scheme and Landscape South Australia Act 2019 requires that the Board apply a common rate across the region from the 2023-24 financial year and beyond. The 2022-23 levy has been redistributed across all councils in the region, using the basis of total capital value of rateable properties per council, resulting in a common rate throughout the region. The total levy income has been increased by 8.4% in accordance with the September CPI movement.

The Board has attached a table indicating individual council contributions, including the percentage of total region capital value per council and the amount of fees councils may collect for the administrative costs involved in the collection of this levy fee. The Levy income has not increased as a result of levy equalisation. The equalisation process maintains the 2022-23 levy plus CPI only.

The Board acknowledges that in equalising to a common rate, some ratepayers will experience an increase in their levy contributions, whilst others may see a small reduction. To assist ratepayers in understanding the equalisation process a levy flyer with frequently asked questions will be provided for inclusion in the first quarter rates notices. Information on the equalisation is currently available on the Northern and Yorke Landscape Board website, with additional information to be provided to council Customer Service Officers prior to 30 June 2023.

The equalisation to a common rate has seen Yorke Peninsula Council's contribution reducing by \$43,224 compared to 22/23, with four councils who have transitioned into the region seeing a significant increase (see below table). Please note Council's reduction was offset by the significant primary production increase in property value last year, resulting in a greater percentage of total capital value.

	2022/2023 Council Contribution	2023/2024 Council Contribution	Variation
Yorke Peninsula Council	\$1,193,852	\$1,150,628	- \$43,224
Barossa Council	\$560,509	\$821,926	+ \$261,417
Gawler Council	\$378,016	\$619,649	+ \$241,633
Light Regional Council	\$349,177	\$546,729	+ \$197,552

The Northern and Yorke Landscape Board have also announced the new board membership:

Mr Geoff White (Kapunda) (reappointed) – Presiding Member

Mr Peter Angus (Mallala) & Mr Sam Germein (Rogues Point) (reappointed)

Erika Lawley – Alma, Jenny Loftes – Burra, Bruce Michael – Snowtown, Suzanne Scarman – Beetaloo Valley, Adrian Shackley – Gawler, Russell Johnstone – Williamstown all appointed.

ATTACHMENTS

1. Correspondence from Landscape SA [↓](#) 



31 March 2023

Mr. Andrew Cameron
Chief Executive Officer
Yorke Peninsula Council
PO Box 57
Maitland SA 5573

Via email: Andrew.cameron@yorke.sa.gov.au

**Northern and Yorke
Landscape Board**

151 Main North Road
Clare SA 5453
Tel 08 8841 3444

ABN 83 450 552 896
ny.landscapeboard@sa.gov
www.landscape.sa.gov.au/ny

Dear Andrew,

In accordance with the *Landscape South Australia Act 2019* (the Act) the Northern and Yorke Landscape Board (the Board) write to advise the details of the landscape levy arrangements for the 2023-24 year, including the landscape levy equalisation process.

The Act outlines that the Board must publish in their annual business plans the amounts to be collected by Councils on behalf of the Board, through the regional landscape levy. The landscape levy supports the delivery of the programs and projects in the annual business plan, within the priorities of Communities, Biodiversity, Water, Sustainable Agriculture and Pest Plants and Animals.

For the 2023-24 year, the basis of the levy remains unchanged (capital value basis), however equalisation has been applied. The Levy Transition Scheme and *Landscape South Australia Act 2019* requires that the Board apply a common rate across the region from the 2023-24 financial year and beyond. The 2022-23 levy has been redistributed across all councils in the region, using the basis of total capital value of rateable properties per council, resulting in a common rate throughout the region.

The total levy income to be received by the Board has been increased by 8.4% in accordance with the September CPI movement (All groups index, Adelaide, September 2022). Individual council contributions, including the percentage of total region capital value per council is outlined in Attachment A.

Landscape levy income has not increased as a result of levy equalisation. The equalisation process maintains the 2022-23 levy plus CPI only.

Councils may also collect a fee from the Landscape Board for the administrative costs of collecting the regional landscape levy. For 2023-24, the fee has been calculated using a fixed fee of \$2,836 plus \$0.28 per rateable assessment. Each Northern & Yorke region council estimated collection fee is also shown in Attachment A.

It is acknowledged that in equalising to a common rate, some ratepayers will experience an increase in their levy contributions, whilst others may see a small reduction. To assist ratepayers understanding of the equalisation process a levy flyer with frequently asked questions can be provided for inclusion in the first quarter rates notices. Information on the equalisation is currently available on the Northern and Yorke Landscape Board website, with additional information to be provided to council Customer Service Officers prior to 30 June 2023.

www.landscape.sa.gov.au/ny



In considering the levy equalisation impact on ratepayers, the Board commissioned BDO Econsearch to undertake an economic analysis. The results of the economic analysis indicate that the impact of equalisation will introduce a common rate across the region that will continue to be lower than the rate currently paid in several other landscape regions.

We thank you and your staff for the work undertaken in collecting the landscape levy, and we look forward to continued partnerships between the Board and Council in delivering the objectives of the Regional Landscape Plan. The 2023-24 Annual Business Plan has been approved by the Minister for Climate, Environment and Water and will shortly be published on the Board website.

I also take this opportunity to update you on the Ministers appointments to the Northern and Yorke Landscape Board, and extend an invitation to hear more from the Board at an upcoming council meeting.

Board Appointments

As you are likely aware, a statewide recruitment process for board membership was undertaken in late 2022. The Minister, through engagement with stakeholders and regions, announced the new board memberships in late January. The board is pleased to announce that existing board member, Mr Geoff White (Kapunda) has been reappointed to the Board, and has accepted the position of Presiding Member. Mr Peter Angus (Mallala) and Mr Sam Germein (Rogues Point) have also been reappointed to the Board, along with six new members, who were officially welcomed in early February and have held their first Board meeting earlier this month.

Erika Lawley – Alma

Suzanne Scarman – Beetaloo Valley

Jenny Loftes – Burra

Adrian Shackley – Gawler

Bruce Michael – Snowtown

Russell Johnstone - Williamstown

Although exciting to introduce new board members, it is with regret that we bid farewell to our long time Presiding Member, Caroline Schaefer and previous board members, Sarah Barrett, Phil Heaslip and Maree Wauchope. They have all provided outstanding representation for our communities and their contributions to the board cannot be underestimated. Our sincere thank you to each of them, and we wish them the best in their new endeavours.

Meetings with Councils

Since the establishment of the Landscape Boards in 2020, I have sought regular meetings with the regions council CE's and Mayors, often attended by our Presiding Member or a board member. From my perspective, these meetings have helped immensely to establish a better understanding of the work of both our organisations, help to identify and prioritise areas of common interest and build our relationships. I have greatly valued the opportunity to get to know our council partners, and for the willingness to meet and have open dialogue. These meetings, along with the quarterly Legatus meetings have been very beneficial for our organisations, and I seek your support to continue.

In addition, some council CE's and Mayors have expressed a desire for Board representatives to attend a council meeting, providing information about the landscape boards work to the elected members directly. The board has previously presented to council meetings and found the opportunity invaluable. I encourage you to consider adding the landscape board to a future council meeting or workshop agenda, and invite you to contact Rosemary McDowell, Executive Assistant on 8841 3444 or rosemary.mcdowell@sa.gov.au to coordinate a suitable date.



I look forward to continuing to meet with councils, either through personal meetings or through invitations to council meetings, and to build on the collaborative relationship that is already established.

If you have any queries regarding the landscape levy or collection fees, please contact Mr Chris Martin on 8841 3444 or at Chris.Martin3@sa.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Tony Fox'.

Tony Fox
General Manager
Northern and Yorke Landscape Board





Attachment A - **Regional Landscape Levy to be collected by Councils on behalf of the Northern and Yorke Landscape Board for 2023-24, including collection fees claimable by Councils.**

COUNCIL	% OF TOTAL CAPITAL VALUE	NO. OF RATEABLE PROPERTIES	COUNCIL CONTRIBUTION	COUNCIL COLLECTION FEE
ADELAIDE PLAINS	5.15	5,867	319,213	4,479
BAROSSA	13.26	13,675	821,926	6,665
BARUNGA WEST	4.07	2,812	252,447	3,623
CLARE & GILBERT VALLEYS	7.26	7,567	449,773	4,955
COPPER COAST	9.17	12,717	568,319	6,397
GAWLER	10.00	12,718	619,649	6,397
GOYDER	3.78	5,111	234,302	4,267
LIGHT	8.82	8,654	546,729	5,259
MOUNT REMARKABLE	2.31	3,710	143,379	3,875
NORTHERN AREAS	4.39	4,803	272,312	4,181
ORROROO CARRIETON	0.69	1,671	42,687	3,304
PETERBOROUGH	0.48	1,930	29,931	3,376
PORT PIRIE	5.68	11,330	352,124	6,008
WAKEFIELD	6.37	6,070	394,553	4,536
YORKE PENINSULA	18.56	15,368	1,150,628	7,139
TOTAL	100	108,136	6,197,973	74,461

16.4 NHARANGGA CULTURAL DAY - SUPPORT - NORTHERN AND YORKE LANDSCAPE BOARD**Document #:** 23/39994**Department:** Executive Services**PURPOSE**

To provide Elected Members with a copy of correspondence sent to the Northern and Yorke Landscape Board (Board) dated 6 March 2023, requesting ongoing annual sponsorship of the Nharangga Cultural Day, together with the response received from the Board dated 30 March 2023.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN**Goal:** 5 Responsible Governance and Leadership**Strategy:** 5.2 Effective leadership and informed decision making**BACKGROUND**

Council coordinated the delivery of the Nharangga Cultural Day in May 2022 in partnership with Narungga Nation Aboriginal Corporation and the Nharangga Aboriginal Progress Association. The Board provided support for the day via its Grassroots Grants program. Council subsequently applied for funding support of its Nharangga Cultural Day to be held on Sunday, 7 May 2023. This support was granted.

DISCUSSION

Council wrote to the Board by letter dated 6 March 2023, asking for their consideration of incorporating the event as an annual budgeted item, this way, the event is not reliant on grant funding. Council has committed to allocating \$5,000 per year to the event and is seeking a \$5,000 contribution commitment from the Board (for a combined budgeted amount of \$10,000 per financial year). (Attachment 1).

The Board responded to Council by letter dated 30 March 2023 acknowledging the event aligns to their priorities and is delighted to confirm they will provide annual funding of \$5,000 to the event with the agreement to be reviewed in three years. (Attachment 2).

ATTACHMENTS

1. **Request for Support - Nharangga Cultural Day** [↓](#) 
2. **Confirmation of Ongoing Support - Northern and Yorke Landscape Board** [↓](#) 

YORKE PENINSULA COUNCIL

PRINCIPAL OFFICE:
8 Elizabeth Street, Maitland
ALL CORRESPONDENCE TO:
PO Box 57, MAITLAND, SA 5573
Telephone (08) 8832 0000
Email: admin@yorke.sa.gov.au
Website: www.yorke.sa.gov.au



6 March 2023

Record No: 23/25161

Chair Geoff While
Northern and Yorke Landscape Board
155 Main North Road
Clare SA 5453

By Email: Anthony.Fox@sa.gov.au

Dear Geoff

Narungga (Nharangga) Cultural Day

In May 2022, Yorke Peninsula Council (Council) coordinated the delivery of the Nharungga Cultural Day in partnership with Narungga Nation Aboriginal Corporation and Nharungga Aboriginal Progress Association. Funding support was provided by the Northern and Yorke Landscape Board (the Board) via the Board's Grassroots Grants program. The event was a huge triumph; well-attended; survey feedback highlighted how successful the event was for educating about Nharungga culture and connection to Country; all aspects were hosted by Nharungga dhura (Narungga people); Nharungga dhura returned to Country; and importantly, it brought the Nharungga and non-Aboriginal community together.

Subsequently Council applied for another round of funding support from the Board's 2022-2023 Grassroots Grants program, to deliver a follow-up event this upcoming May (Sunday 7th).

During planning for this event, it has become apparent how keen the Nharungga community are to be involved; to share and celebrate culture and Caring for Country. It has flagged the importance of the event, and the need to ensure it becomes an annual addition to the event calendar.

As such, Council asks the Board consider incorporating the event as an annual budgeted item, so the event is not reliant on grant funding. Council will do the same, allocating \$5,000, and asks the Board match this amount (\$5,000), for a combined budgeted amount of \$10,000 per financial year.

Council will continue to seek out other contributions as required, for example, via Country Arts SA to support the artists market, and via Red Cross for supply of fruit and water.

If you require more information about the purpose and outcomes of the event, and how they align to the goals of the Board, please do not hesitate to contact me.

I appreciate your consideration of this request, and look forward to a response.

Yours sincerely

Andrew Cameron
Chief Executive Officer

BRANCH OFFICE
MINLATON



Government of South Australia
Northern and Yorke
Landscape Board

Reference: rm:20230330

Mr Andrew Cameron
Chief Executive Officer
Yorke Peninsula Council
By email: andrew.cameron@yorke.sa.gov.au

Northern and Yorke
Landscape Board
155 Main North Road
Clare SA 5453
Tel 08 8841 3444
ABN 83 450 52 896
ny.landscapeboard@sa.gov.au
landscape.sa.gov.au/

Dear Andrew

Thank you for your recent letter requesting the Northern and Yorke Landscape Board (the Board) provide ongoing annual sponsorship of the Narungga (Nharangga) Cultural Day. The Board is aware of the enormous contribution by the Yorke Peninsula Council working with the Narungga Nation Aboriginal Corporation and the Nharangga Aboriginal Progress Association.

At a recent meeting the Board acknowledged the event aligns to their priorities and I am delighted to confirm that your request was approved for annual funding of \$5,000 be allocated to the event. A proviso that the agreement be reviewed in three years (i.e. year ending 30 June 2025) was an addition to the motion.

This letter serves as your Sponsorship Agreement and seeks your confirmation of the following terms and conditions.

- To recognise the Board's support of the event, please ensure that the sponsorship is acknowledged and that the Board's logo is displayed on all media and promotional materials. Please contact Sarah Johnson, Communications Coordinator, on 0419 299 423 to discuss this or to organise the provision of logos.
- To enable payment of funds, can you please forward a tax invoice for \$5,000 (plus GST) to ny.landscapeboard@sa.gov.au being attributed to our funding contribution for the 2022-23 financial year. An invoice for the following two financial years will be paid on their receipt and then a review of the sponsorship will proceed. Payment will be made on the return of a signed agreement and invoice.

I am certain that board and board staff members will be in attendance at the 7 May 2023 event and look forward to its growth and ongoing success.

Yours sincerely

A handwritten signature in black ink that reads 'Geoff White'.

Geoff White
Presiding Member, Northern and Yorke Landscape Board

30/03/2023

Please complete the details below, sign and return an entire copy of this Agreement via email to ny.landscapeboard@sa.gov.au.

SIGNED for and on behalf of the Yorke Peninsula Council	
Name	_____
Position	_____
Date	___/___/___
Signature	_____

16.5 SOUTH AUSTRALIAN TOURISM COMMISSION - REGIONAL VISITOR STRATEGY 2025 PROGRESS SNAPSHOT**Document #:** 23/45009**Department:** Executive Services**PURPOSE**

To provide Elected Members with the South Australian Regional Visitor Strategy 2025 (RVS) Progress Snapshot released by the South Australian Tourism Commission.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN**Goal:** 5 Responsible Governance and Leadership**Strategy:** 5.2 Effective leadership and informed decision making**BACKGROUND**

The South Australian Tourism Commission is managing the implementation of the 2025 RVS on behalf of the South Australian Regional Visitor Strategy Steering Committee.

The South Australian Tourism Commission has provided an update on the outcomes to date against the priorities identified in the RVS.

DISCUSSION

The RVS Progress Snapshot has been provided identifying the success to date on our region's 2025 RVS target.

The RVS Progress Snapshot has been developed to capture data from 1 January 2022 to 31 December 2022 demonstrating the importance of regional contribution to the state's overall visitor economy.

ATTACHMENTS

1. Progress Snapshot [↓](#) 



18 April 2023

Dear Mayor and CEO

I am writing in my capacity as the Minister for Tourism to update you on the outcomes to-date against the priorities identified in the **2025 South Australian Regional Visitor Strategy (RVS)**.

On behalf of the South Australian Regional Visitor Strategy Steering Committee, the South Australian Tourism Commission (SATC) is managing the implementation of the 2025 RVS.

Together with RVS Steering Committee Chairperson, Helen Edwards, I am pleased to provide you with a **RVS Progress Snapshot** which identifies success to date on your region's 2025 RVS target.

In collaboration with the SATC, the **RVS Progress Snapshot** has been developed to capture data from 1 January 2022 to 31 December 2022 which demonstrates the importance of regional contribution to the state's overall visitor economy.

There has been a range of initiatives over the past year which have proven to successfully support our sector as it continues to recover from the impacts of the pandemic. These include the \$2 million Experience Nature Tourism Fund which is supporting businesses to maintain and grow their tourism offerings to attract more visitors, and the almost \$500,000 distributed across the state's 11 tourism regions in the 2022/23 State Budget to help the sector return to its pre-COVID record high.

The information for each 11 regions can be found at <https://tourism.sa.gov.au/regions>

The next **RVS Progress Snapshot** will be available in early 2024 to capture the 12 months of results for 2023.

Thank you for your continued support of our sector as we recover and rebuild this fantastic economic contributor to our state.

A handwritten signature in blue ink that reads "Zoe Bettison".

Hon Zoe Bettison, MP
Minister for Tourism

A handwritten signature in blue ink that reads "H Edwards".

Ms Helen Germein Edwards,
Chairperson, RVS Steering Committee



YORKE PENINSULA

Yorke Peninsula's priority is to increase visitor expenditure and dispersal from intrastate and interstate self-drive markets. Developing new and promoting existing experiences that showcase the region's coastal lifestyle, wildlife and nature will be key. For more details refer to 2025 RVS at tourism.sa.gov.au.



2022 ACTUAL



SATC EXPERIENCE NATURE TOURISM FUND



REGIONAL HIGHLIGHT



Assisted in creating awareness of Yorke Peninsula's Aboriginal experiences by conducting a specific photo and film shoot in region.

SOURCES: INTERNATIONAL AND NATIONAL VISITOR SURVEY; TOURISM RESEARCH AUSTRALIA; RVS; SOUTH AUSTRALIAN REGIONAL VISITOR STRATEGY; SOUTH AUSTRALIAN TOURISM; SOUTH AUSTRALIAN REGIONAL VISITOR STRATEGY; SOUTH AUSTRALIAN BUREAU OF STATISTICS; DATA CAPTURED FOR VISITS, NIGHTS AND EXPENDITURE TO YORKE DEC 2022 - INCLUDES PROJECTS WHICH ENTER MULTIPLE REGIONS INCLUDING EXHIBITIONS - *EVENTS ON AVERAGE OVER 12 MONTH PERIOD ON AVERAGE. **ESTIMATED.



STATE PRIORITY

Regional tourism is critical to South Australia's visitor economy. To reach the 2025 potential, the eleven regions have collectively supported key priorities that will contribute to jobs and expenditure. Raising awareness of the South Australia's regional tourism value and its contribution to the State's visitor economy is vital. Through working better together we will continue to achieve positive outcomes across the regions.

DAY TRIPS
8.8M

OVERNIGHT VISITORS
4.6M

NIGHTS
16.7M

NEW PRODUCTS / EXPERIENCES
119

ATDW LEADS TO BUSINESSES
700,012
VIA SOUTH AUSTRALIA.COM

CRUISE SHIP ARRIVALS
33³

30,050 PASSENGERS**

13,700 CREW**

EMPLOYMENT
21,300 DIRECT JOBS
8,200 INDIRECT JOBS
1 IN 10⁴ DIRECT JOBS SUPPORTED BY TOURISM

5,700 TOURISM BUSINESSES



2022 ACTUAL

\$3.98B*

PERCENTAGE OF 2025 TARGET MET

99.5%

2025 TARGET

\$4B

SATC EXPERIENCE NATURE TOURISM FUND

18¹ SUCCESSFUL PROJECTS

\$485,800 FUNDING AMOUNT

\$824,160 TOTAL PROJECT VALUE

REGIONAL EVENTS

3949⁴ NUMBER OF EVENTS

56 SATC FUNDED EVENTS

REGIONAL HIGHLIGHT



SA Road Trips featured as an all-year round marketing feature in the SATC campaign. For Those Who Want a Little More.

ACCOMMODATION

19,720 TOTAL ROOMS ATDW LISTED

64% OCCUPANCY STR DATA

SOURCES: INTERNATIONAL AND NATIONAL VISITOR SURVEY, TOURISM RESEARCH AUSTRALIA (2022); VISITOR ECONOMY REPORT (2022); SOUTH AUSTRALIAN REGIONAL VISITOR ECONOMY REPORT (2022); AUSTRALIAN TOURISM DATA WATCH (2022); SOUTH AUSTRALIA BUREAU OF STATISTICS DATA CAPTURED FOR VISITS, NIGHTS AND EXPENDITURE 15 NOV DEC 2022. INCLUDES PROJECTS WHICH ENTER MULTIPLE REGIONS INCLUDING EXHIBITIONS. *EVENTS ON AVERAGE OVER 12 MONTH PERIOD ON AVERAGE. **PERIODIC.

16.6 UPDATE - SOUTHERN YORKE PENINSULA COMMUNITY AND MAITLAND CHILDCARE CENTRES**Document #:** 23/40067**Department:** Executive Services**PURPOSE**

To provide Elected Members with a progress report in relation to the construction of the Southern Yorke Peninsula Community Childcare Centre (Centre) in Minlaton, and to also provide Elected Members with a progress report in relation to enrolments and staffing at the Centre and the Maitland Childcare Facility.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN**Goal:** 1 Economically Prosperous Peninsula

2 Community Connected through Infrastructure

4 Community Engaged and Supported

5 Responsible Governance and Leadership

Strategy: 1.5 Partner and build positive relationships with key stakeholders to progress tourism and business growth

1.7 Explore opportunities for 'missing or sub-standard' infrastructure (e.g. freight movement, function centre, large accommodation etc.)

1.9 Seek out, develop and deliver on economic development opportunities

4.9 Engage and advocate for improvements to community health and social outcomes

5.2 Effective leadership and informed decision making

BACKGROUND

The Centre is the outcome of co-efforts between Council and the community across several years. Council successfully secured \$2,250,000 to construct the Centre through the Black Summer Bushfire Recovery Grants Program.

A tender for the construction of the Centre at 11 North Terrace, Minlaton, opened via the Tenders SA website on 2 September 2022 and closed on 10 October 2022, with Romaldi Constructions being successful. The project includes demolition of the old tennis courts and clubrooms, the construction of the new 730 square-metre Centre, carpark, external service yard, landscaping, septic soakage area and stormwater management. The Centre will have the capacity for 80 long-day care places for children aged zero to five and will require approximately 20 full-time equivalent employees. Construction began on Monday, 9 January 2023.

Following a period of public consultation, Elected Members at the 12 April Ordinary Council Meeting endorsed the terms and conditions of the proposed lease agreement between Council and Jawbem Group for the Centre. The lease includes an initial period of two years, with an additional four by five year rights of renewal resulting in an overall lease term of 22 years. At the same meeting, Elected Members also endorsed the terms and conditions of the proposed lease agreement between Council

and Jawbem Group for the Maitland Childcare Facility. This included an ongoing annual lease agreement with reviews to be conducted biannually.

DISCUSSION

Jawbem Group, operating under the business name Yorke Peninsula Learning and Care, have had a steady number of expressions of interest for enrolments of children at both locations (Minlaton & Maitland) and employment opportunities (staff) since being announced as the operator on 10 March 2023.

Jawbem Group are hopeful that the Maitland facility will be able to open in May, subject to receiving licencing approvals and the ability to recruit sufficient staff numbers.

For Maitland, the organisation has had 57 enrolment enquiries (41 last month) and 28 staff enquiries (11 last month). It has completed about 20 interviews so far. James Wagner has been appointed as Manager of both facilities commencing in his capacity in early April. An assistant director/educational leader has also been inducted and began working onsite (Maitland facility) on Thursday, 20 April. Other staff have been hired for when the facility is ready to open. In addition, six applicants have also enrolled and commenced either Certificate III or Diploma qualification training.

For Minlaton, the organisation has had 70 enrolment enquiries (55 last month) and 30 staff enquiries (11 last month). Some have had initial interviews and will be part of Maitland team until they can be transferred to Minlaton. The organisation is working on a staged hiring plan for the coming months. Jawbem Group also plans to engage the community for input about add-on family focused services that could utilise the Centre.

Romaldi Constructions have provided the following build progress update (past month, as of 12 April 2023):

- Retaining walls installed
- Roof cover commence with all roof structure complete
- Brickwork complete
- Earthworks to commence Monday, 17 April
- Possibly start to see windows installed externally

ATTACHMENTS

1. **SYP and Maitland Childcare Centres Photos** [↓](#) 



Southern YP Community Childcare Centre - April 4 2023







James Wagner has been appointed as the overall manager for Yorke Peninsula Learning and Care and began working onsite in Maitland on Tuesday, 5 April.



Maitland Childcare Facility



Maitland Childcare Facility



Maitland Childcare Facility

17 CORPORATE AND COMMUNITY SERVICES

17.1 HILLSIDE MINE COMMUNITY CONSULTATIVE COMMITTEE MINUTES - 3 APRIL 2023

Document #: 23/38768

Department: Corporate and Community Services

PURPOSE

To keep Council informed with regard to regular Hillside Mine Community Consultative Committee (HMCCC) Meetings.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Goal: 5 Responsible Governance

Strategy: 5.1 Openness and transparency of reporting Council's performance

5.2 Effective leadership and informed decision making

5.3 Meet all legislative requirements and compliance with Council's internal controls

5.5 Undertake effective risk management

5.8 Continuous improvement of Council processes

BACKGROUND

The HMCCC was established to ensure an effective and ongoing relationship between Hillside Mine developer Rex and the Yorke Peninsula community. A copy of the minutes from the meeting held on 3 April 2023 are attached for Elected Members' information.

DISCUSSION

Business discussed at the meeting centred around:

- Business arising from previous minutes
- The chair report
- A presentation from Department for Energy and Mining (DEM)
- Report update from REX

ATTACHMENTS

1. Minutes - Hillside Mine Community Consultative Committee - 3 April 2023 [↓](#) 

Hillside Mine Community Consultative Committee Minutes (HMCCC)

3rd April 2023

Chairperson P Tyler

HMCC Members Kim Russell (Rex Minerals), Jo Buchanan (via phone), Shane Kennedy, Peter Koulizos (via phone), Don Hosking, Rikki Parkinson, Margaret Roads, Tim Walsh

Visitors Mark Stewart, Team Leader Mining Compliance, Department for Energy and Mining (DEM), Anna Hamer, Senior Investigator, Department for Energy and Mining (DEM)

Apologies Ben Thompson (YPC)

Minute Taker K Thompson (Rex Minerals)

AGENDA ITEM	Notes	ASSIGNED TO/DATE DUE
Welcome & Introductions	<p>Meeting opened at 6.30pm P Tyler welcomed everybody to the meeting.</p> <p>Record keeper for this meeting /recording – K Thompson Apologies – noted above</p>	
Conflicts of Interest	<p>The Chair tabled emails received from - Jo Buchanan and Ben Thompson advising that they will not be claiming the travel and meeting sitting fees due to their employment. P Tyler noted that he also will not be claiming the sitting fee as he has a separate arrangement with Rex as the independent Chair but he will be claiming travel expenses. K Russell advised he will not be claiming the travel and meeting sitting fee due to his employment with Rex</p> <p>No other conflicts of interest notified</p>	
Minutes	<p>Endorsement of Meeting Minutes from 6th February 2023 Moved: Shane Kennedy Seconded: Rikki Parkinson Chair thanked Don Hocking for checking the February minutes HMCCC member to check minutes for this meeting: Shane Kennedy</p>	
Business arising from the minutes	<p>Email ratified copy of TOR to members</p> <p>Further details around timing/locations of community meetings to be provided when known</p> <p>Email a copy of the Consentium report to members</p> <p>Provide a link to DEM PEPR document website</p> <p>Website framework – P Tyler to have follow up discussions with J Barrie and K Thompson. P Tyler provided basic menu options to YPC for framework. P Tyler to follow up with YPC</p> <p>Email information from Rex February presentation</p> <p>Email a copy of February ASX release</p> <p>Email Admin arrangements to members. K Thompson provided a copy of the administration form to members. K Thompson to email this form with appropriate instructions to eligible members.</p> <p>Feedback on draft Media release (establishment of the HMCCC) to P Tyler by Thursday 9th February 2023. Article was published in the YP Country Times on 21/3/23</p>	<p>Complete</p> <p>TBA</p> <p>Complete</p> <p>Complete</p> <p>Complete</p> <p>Complete</p> <p>Complete</p> <p>Complete</p> <p>Ongoing</p> <p>Complete</p>

Minutes

Hillside Mine Community Consultative Committee – 3rd April 2023

AGENDA ITEM	Notes	ASSIGNED TO/DATE DUE
Chair Report	<p>P Tyler met with DEM. Provided an update on the establishment of HMCCC, HMCCC members and TOR. Provided feedback on frequency of Rex public meetings.</p> <p>P Tyler and K Thompson met with YPC. YPC will be assisting HMCCC with the framework for a webpage.</p> <p>P Tyler also advised he would be meeting with the Mayor YPC tomorrow 4th April.</p>	
Presentation from DEM	<p>P Tyler introduced Mark Stewart, Team Leader Mining Compliance, and Anna Hammer from the Department for Energy and Mining (DEM). Mark then provided a presentation and took questions. A copy of the presentation will be attached to these minutes.</p> <p>M Stewart noted:</p> <ul style="list-style-type: none"> - DEM want to see that community feedback is genuinely being sought by the Company (Rex) and; - Rex to ensure specific processes are set up to provide information to the community. <p>DEM are happy to address any specific concerns or questions going forward.</p> <p>P Tyler noted that M Stewart was welcome to attend any HMCCC meeting.</p>	
Rex Report	<p>K Russell provided an overview of the Rex Minerals Corporate Presentation (published on the Company website 13th February 2023).</p> <p>K Russell took questions specifically around Rex’s Community Engagement Plan (CEP) & Social Management Plan (SMP) incl employment opportunities, education and opportunities for local business and the current review being undertaken of these documents. K Thompson to send the current versions of CEP & SMP to all members. K Russell to provide reviewed CEP for comment within 2 weeks.</p>	<p>K Thompson to send currently copies of CEP & SMP to members</p> <p>K Russell to provide reviewed CEP to members for comment within 2 weeks.</p>
AOB	<p>HMCCC members asked what the resolution/outcome was to the Davey email sent to the YPC with regards to McMahon Contractors. P Tyler to follow this up with B Thompson.</p>	<p>P Tyler to follow up with B Thompson</p>
Confirmation of Actions	<ul style="list-style-type: none"> • P Tyler to follow up with YPC progress on website framework • K Thompson to email administration form to eligible members with appropriate instructions • K Thompson to send out current versions of CEP & SMP to HMCCC members • K Russell to provide reviewed CEP for comment within 2 weeks • P Tyler to follow up with B Thompson resolution/outcome to Davey email re McMahon contractors 	<p>PT</p> <p>KT</p> <p>KT</p> <p>KR</p> <p>PT</p>
<p>Meeting Close Meeting was closed 8.18pm</p> <p>Next HMCCC Meeting Date: 5th June 2023 @ 6.30pm</p>		

18 ASSETS AND INFRASTRUCTURE SERVICES**18.1 CONSTRUCTION AND MAINTENANCE WORKS REPORT****Document #:** 23/42677**Department:** Assets and Infrastructure Services**PURPOSE**

To provide a summary of the capital and maintenance works undertaken within Assets and Infrastructure Services throughout the month preceding the May 2023 meeting of Council.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN**Goal:** 2 Community Connected through Infrastructure**Strategy:** 2.4 Explore provision of new infrastructure

2.5 Install and upgrade appropriate traffic control device management

2.6 Upgrade and beautification of open (recreation) spaces (e.g. playgrounds, water parks, BBQ areas etc.)

BACKGROUND

This report provides Council with a summary of the capital and maintenance works undertaken within Assets and Infrastructure Services throughout the month preceding the Council meeting.

DISCUSSION

- Gardner Road/ Fowler Terrace upgrade Price near completion awaiting the last sealing works and some asphalt.
- North Coast Road 1.82km Stage 1 should be sealed by end of May.
- Roadside vegetation maintenance activities undertaken by Council are detailed in the table below:

Road Name	Start Point	End Point	Status
South			
Coringle Rd	Oaklands Road	Wool Bay township	Completed
Cudoorowie	Cutline Road	Pookawarowie Rd	Completed
Ford	Harry Butler	Minlaton/Stansbury Bitumen	Completed
Treloar	Minlaton/Stansbury Bitumen	Bowden Rd	Ongoing
North			
Operator is on long term sick leave and tree trimmer is being utilised only when there is a construction operator available.			

- Attention to parks, gardens and reserves is ongoing, in accordance with available resources and programming.

- Approximately 47 Customer Service Requests (CSRs) have been attended to by staff throughout March, with activities including:
 - Cemetery maintenance
 - Coastal infrastructure maintenance
 - Maintenance to public buildings
 - Maintenance to public conveniences
 - Repairs and maintenance to footpaths
 - Response to acts of illegal dumping
 - Repairs to footpaths
 - Repairs to and replacement of signage
 - Repairs to ticket machines
 - Sealed and unsealed road maintenance
 - Tree trimming
- Staff from Operations Central replaced 65 m of handrail to the Port Vincent Wharf.
- Staff from Operations Central have been mowing and manicuring lawns and preparing War Memorials prior to school holidays and Anzac Day.
- Staff from Operations North completed the installation of a new enviro toilet to The Bamboos camping ground.
- Staff from Operations South installed a new Hot house for Leisure Options in Yorketown.
- Staff from Operations Central attended to minor slashing at the Minlaton Airstrip and Ramsey Transfer Station.
- Staff from Operations South attended to material spreading around new camp toilets at Swincers Rocks, Len Barker Reserve and Gravel Bay.
- The status of road construction and maintenance requirements is summarised in the table below, complementing 2022/2023 budget allocations and 2021/2022 carry forwards:

Road	Description of Works	Status / Comments	Estimated Start Date	Estimated Completion Date
Reconstructing and Resheeting				
Dowlingville Slant Road	Reconstruct and resheet a 4.3km section from Mason Road to Cook Road.	Completed		
Dump Road	Reconstruct and resheet a 6.7km section from Minlaton Road to Sundown Lake Road.	Completed		
Melton South Road	Reconstruct and resheet a 4.8km section from Westbrooke Road to Wayside Road.	Completed		

Road	Description of Works	Status / Comments	Estimated Start Date	Estimated Completion Date
Micky Flat Road	Reconstruct and resheet 8.7km section from the end of the bitumen seal to Powerline Road.	Ongoing	November 2022	May 2023
Nalyappa Road	Reconstruct and resheet a 5.5km section from Spencer Highway to Coopers Beach Road	Completed		
New Honiton Road	Reconstruct and resheet a 4.5km section from West Street, Edithburgh to Goldsmith Beach Road.	Ongoing	April 2023	May 2023
Sandy Church Road	Reconstruct and resheet a 4.4km section from Piggery Corner Road to North South Road.	Completed		
Sandy Church Road	Reconstruct and resheet a 4.4km section from North South Road to Yorke Valley Road.	Completed		

- Patrol Grading is ongoing throughout the district aligned with the current circuit, technique, and available resources. The following matrix provides percentage output over the 24 day period for respective areas (sectors):

Area	Output (%)	Factors influencing Productivity
North	93	Operators – 1 day Personal Leave
Maitland	70	Operators – 3 days Annual Leave/ 1 day Personal Leave / ¾ day Maintenance / 3 days Work Cover
Minlaton	81	Operators – 1 day Annual Leave / ½ day Personal Leave / 1 day TOIL / 1 day Machinery Maintenance / 1 day Other Projects
South	71	Operators – 2 days Annual Leave / 3 days Long Service Leave / 1 day Personal Leave Machinery – 1 day maintenance

Patrol Grading productivity in the North, Maitland, Minlaton and South sectors has been impacted by the following factors:

North

- Personal Leave – during this reporting period one Patrol Grader Operator had one day of personal leave.

Maitland

- Annual Leave – during this reporting period one Patrol Grader Operator had three days of personal leave.
- Personal Leave – during this reporting period one Patrol Grader Operator had one day of personal leave.
- Machinery – during this reporting period one Patrol Grader Operator spent ¾ of a day on maintenance to the Grader.
- Work Cover – during this reporting period one Patrol Grader Operator spent 3 days under work cover.

Minlaton

- Annual Leave – during this reporting period one Patrol Grader Operator had one day of annual leave
- Personal Leave – during this reporting period one Patrol Grader Operator had half a day of personal leave
- TOIL – during this reporting period one Patrol Grader Operator took one day of TOIL.
- Machinery – during this reporting period one Patrol Grader Operator spent one day servicing the Grader.
- Other Projects – during this reporting period one Patrol Grader Operator one day using the magnet in their area.

South

- Annual Leave – during this reporting period two Patrol Grader Operators had one day of annual leave each.
 - Long Service Leave – during this reporting period one Patrol Grader Operators had three days of Long Service Leave.
 - Personal Leave – during this reporting period one Patrol Grader Operator had one day of personal leave.
 - Other Projects – during this reporting period one Patrol Grader Operator spent one day servicing a vehicle.
- Jetpatching activities were undertaken in the northern sector of the Council area and street sweeping in the southern sector of the Council area.
 - Eleven projects funded under Local Roads and Community Infrastructure Program Phase Three (due 30 June 2024) are completed with the remaining in progress. It is expected all projects will be completed by July 2023, other than five, which may be shortly after. Further details are below:
 - Funding agreement executed:
 - Yorketown Area School Entrance Upgrade (**NB**: this project is managed by the school).
 - In progress:
 - Arthurton Main Street Beautification.
 - Maitland West Terrace Dam.
 - Minlaton Rest Centre Exterior Upgrades.
 - Walking Trail Upgrades.
 - Bush Camp Toilets.
 - Salt Lake Tourist Trail Upgrades.

- Lookout and Shelter – Hardwicke Bay.
 - Port Victoria Barbecues.
 - Port Victoria Boat Ramp Car Park Extension.
 - Campground Road Upgrade (Port Julia).
 - Beach Shelters Port Moorowie.
 - Coastal Management Strategy Projects.
 - Marion Bay Desalination Plant User Pays System.
 - SYP Water Tower Upgrades.
 - Ardrossan Town Hall Salt Damp Repairs.
 - Disability Access to Port Vincent Institute.
 - Completed:
 - Corny Point Township Walking Trail.
 - Balgowan Playground Shelters.
 - Ardrossan Clifftop Playground Equipment Upgrade.
 - Edithburgh Jetty Stone Seawall Repairs.
 - SYP Water Tower Extension Project.
 - Maitland Town Hall Upgrades.
 - Stansbury Cemetery Fence Replacement.
 - Stansbury Grandstand Repairs.
 - Minlaton Town Hall Fire Panel.
 - Corny Point Hall Ceiling and Window Repairs.
 - Township Road Reseals.
 - The following works/upgrades have been applied to Council's Community Wastewater Management Systems (CWMS) and Water Schemes.
 - **CWMS**
 - **Water Schemes**
 - Installation of new user pays water dispenser system continuing
 - Replacement of leaking calcite tank
- Desalination Plant**
Desalination Plant

ATTACHMENTS

Nil

19 DEVELOPMENT SERVICES

19.1 CORRESPONDENCE RECEIVED FROM DEPARTMENT OF PRIMARY INDUSTRIES AND REGIONS - SMOKE MANAGEMENT BURNING POLICY AND BROADACRE BURNING SMOKE MANAGEMENT GUIDELINES

Document #: 23/41116

Department: Development Services

PURPOSE

To provide Elected Members with a copy of correspondence from the Department of Primary Industries and Regions (PIRSA) regarding the recently published Smoke Management Burning Policy and Broadacre Burning Smoke Management Guidelines.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Goal: 1 Economically Prosperous Peninsula

Strategy: 1.2 Deliver strategic and responsible land use planning

BACKGROUND

Correspondence dated 17 April 2023 from PIRSA (refer Attachment 1) advises they have published the Smoke Management Burning Policy (the Policy) (refer Attachment 2) and the Broadacre Burning Smoke Management Guidelines (the Guidelines) (refer Attachment 3).

DISCUSSION

The Policy and the Guidelines have been created in collaboration with the winegrape and grains industries to minimise the risk of smoke impacting on people, places, and horticulture and viticulture crops.

PIRSA has requested that the Policy and the Guidelines be provided to landholders when Council is issuing burn permits, or the provision of verbal advice be given to landholders planning a burn, as a means of ensuring that all burns are conducted in a responsible and safe manner.

The Yorke Peninsula Council's burning season commenced 1 March and concludes 30 April 2023.

A PIRSA website link to access the Policy and the Guidelines will be made available on Council's website.

ATTACHMENTS

1. Correspondence - Department of Primary Industries and Regions [↓](#) 
2. Smoke Management Burning Policy [↓](#) 
3. Broadacre Burning Smoke Management Guidelines [↓](#) 



Government of South Australia
Department of Primary Industries
and Regions

A5831728

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Dear Andrew

I am writing to you as the Chief Executive of the Department of Primary Industries and Regions (PIRSA) supported by my colleague Brett Loughlin, Chief Officer of the South Australian Country Fire Service (CFS) to bring to your attention the recently published Smoke Management Policy and Broadacre Burning Smoke Management Guidelines - both are included with this letter and available through the PIRSA website at:
(https://www.pir.sa.gov.au/primary_industry/grains/reducing_smoke_taint).

These documents have been created in collaboration with the winegrape and grains industries to minimise the risk of smoke impacting on people, places, and horticulture and viticulture crops. The policy and associated guidelines provide a useful list of considerations for grain growers to consider when planning stubble burn. They also encourage grape growers to actively report on the progress of their harvest. The joint consideration of these measures will help to minimise the risk of smoke impact on wine grapes across growing areas that are experiencing unseasonably late harvests.

We are writing to request that these documents be provided to landholders when issuing burn permits, or provision of verbal advice be given to landholders planning a burn, as a means of ensuring that all burns are conducted in a responsible and safe manner. By providing clear guidelines on smoke management and stubble burning, we can help to minimise the impact of burns on the community and the environment.

Thank you for your attention to this matter.

Yours sincerely

Prof Mehdi Doroudi PSM
CHIEF EXECUTIVE

17 / 04 / 2023

Brett Loughlin AFSM
CHIEF OFFICER, SA COUNTRY FIRE SERVICE

17 / 04 / 2023

Attachment: Smoke Management Policy and Broadacre Burn Smoke Management Guidelines



Smoke Management Policy

Management of smoke resulting from prescribed burning of vegetation

This is a statement of policy intent endorsed by the South Australian Country Fire Service. It is not enforceable at law.

Introduction

Prescribed burning is “the controlled application of fire under specified environmental conditions to a predetermined area and at the time, intensity, and rate of spread required to attain planned resource management objectives”^{1,2}. In South Australia prescribed burning is also known as ‘burning off’. For the purpose of this policy this definition includes broadacre, windrow stubble, stubble dump and pile burning, as well as native vegetation.

Prescribed burning is an important tool for bushfire risk reduction and land management in South Australia and the production of smoke is an unavoidable and a natural process from all vegetation fire. However, smoke from prescribed burning may cause harm to surrounding smoke sensitive sites.

Smoke sensitive areas are defined for the purposes of this policy as any site or location that may experience adverse impacts from smoke exposure, including:

- affects the health of individuals,
- damage to crops,
- reduced visibility with the potential to cause unsafe vehicle movement, and
- cause general nuisance.

The initial focus area of this Policy is the management of the risk of smoke taint on grapevines. This is supported through the facilitation of communication between stakeholders to effectively manage stubble around vineyard growth and harvest stages. This Policy will be reviewed on a needs basis in consultation with stakeholders to encompass the range of smoke sensitive sites to reflect the unique requirements of industries.

Risk Reduction

Public and private land managers have statutory obligations to inhibit the outbreak, spread and threat of bushfire. Prescribed burning is an important tool in the management of these obligations and widely used for a range of purposes such as pasture and crop management, ecological

¹ <https://www.afac.com.au/docs/default-source/doctrine/bushfire-terminology.pdf>

² <https://knowledge.aidr.org.au/glossary/>

management, forest management, habitat protection and hazard reduction for life and property protection. Prescribed burning, also known in South Australia as burning off, is undertaken in accordance with statutory and best practice frameworks, including the permit to burn issuing process under the *Fire and Emergency Services Act 2005 (SA)* (FES Act) and the South Australian Country Fire Service 'Broad Acre Burning Code of Practice'. The intent of these frameworks is to support the safe and controlled application of fire in the landscape by landholders and managers.

This Policy provides additional guidance for the reduction of likelihood and severity of adverse effects of smoke from prescribed burning on sensitive areas.

Weather Conditions and Forecasts

The issuing of a permit to burn under the provisions of the FES Act supports the management of burning in weather conditions suitable for the effective control of a burn. However, additional considerations may be required for effective smoke management. Conditions such as fuel moisture levels should be considered to reduce production of smoke, forecast wind direction should be favourable as to carry smoke away from sensitive areas, and conditions such as a surface temperature inversion should be avoided to prevent smoke becoming trapped close to the ground. Supporting Guidelines will provide additional information on weather conditions appropriate for effective smoke management.

Impacts of Smoke from Burning Vegetation on Sensitive Areas

Smoke has a range of effects on human and animal health, visibility, and economic impacts. Areas and sites that may be sensitive to smoke include, but are not limited to, educational, health and aged care facilities, vineyards, residential areas, scenic areas, roads and airports.

Sensitivity to smoke generated by vegetation fires takes a number of forms, including:

- Health risk to the community from smoke exposure may aggravate respiratory conditions and cause eye irritations. Sites where health risks from smoke may be of concern include residential areas, aged care, hospitals, childcare facilities and schools.
- Safety risks may result from the reduction of visibility impacting on use of roads, airports and railways.
- Economic impacts may result from the inability to use sites (eg. tourist attractions, outdoor entertainment or recreation venues) or damage wine grapes from smoke taint.

Legislative Framework

Public and private land managers have statutory obligations under the FES Act to take reasonable steps to inhibit the outbreak, spread and threat of fire.

The basis for issuing permits to burn during the Fire Danger Season under the FES Act is confined to the management of bushfire risk.

Prescribed burning may also be subject to air quality controls in areas where local government

regulations have been linked to the *Environment Protection (Air Quality) Policy 2016 (SA)* within the *Environment Protection Act 1993 (SA)*.

Policy

The objective of this Policy is to reduce the risk of adverse impacts of smoke on the community and economic activities. With careful planning and effective engagement, prescribed burning can be undertaken alongside community and industry activities by applying the following principles:

- Acting in **good faith** to avoid or reduce the impact of smoke on the economic and community activities in the area where the burn is conducted.
- Utilising **best available information** to conduct burning under forecast favourable weather conditions that encourage the dispersion of smoke and wind directions do not carry smoke to sensitive sites. For further guidance refer to the appropriate guidelines.
- Encouraging **communication** between stakeholders to consider and plan to avoid or manage impacts of burning on sensitive sites.
- Supporting the **continuous improvement** of guidance and processes to facilitate access to and understanding of the impact of smoke on economic and community activities reflecting current research and community practice.

Implementation Practices

When planning a prescribed burn the following implementation practices should be considered.

1. All parties undertaking prescribed burning are asked to adhere to the principles of this Policy to minimise the adverse impacts of smoke on sensitive sites. When planning a prescribed burn the appropriate supporting guidelines should also be consulted prior to undertaking prescribed burning.
2. Areas sensitive to smoke, as defined in this policy and supporting guidelines, should be identified in the appropriate burn plans.
3. Where practical, alternative fuel management strategies (e.g. slashing, selective shrub removal, construction of radiation barriers, chipping, mulching and composting etc) should be considered where a high risk of adverse smoke impacts is likely.
4. Burning prescriptions appropriate for the time of day, fuel moisture content, forecast wind speed and direction should be applied to reduce the risk of bushfire smoke impacts on smoke sensitive areas.
5. To reduce the risk of bushfire smoke impacts on smoke sensitive areas forecast atmospheric stability should be included within operational burn plans.
6. To avoid excessive smoke generation, fuel moisture content should be considered in line with the appropriate guidelines.
7. Where safe to do so, lighting techniques and patterns that reduce the smouldering phase of combustion should be used to reduce the occurrence of smouldering.

Smoke Taint and Grapevines

Smoke exposure during sensitive growing periods could negatively impact the quality of grapes used in wine production resulting in significant economic impact. Ongoing research outcomes will

inform updates to the policy and smoke management guidance.

To reduce the threat of smoke affecting unharvested grapevine crops and identify risk periods, a formalised communication protocol has been established (facilitated by the Department of Primary Industries and Regions South Australia) where the status of harvested and unharvested grapevine crops is regularly shared.

This will enable landholders to consider knowledge of unharvested grapes when determining whether to undertake a prescribed burn (or burn off).

It is therefore recommended that to reduce the risk of unharvested grapevine crops being potentially affected by smoke generated from prescribed burning (or burn offs):

- A regularly updated status of unharvested grapevine crops is made available.
- Any broadacre burning is conducted at appropriate times (and when inversion conditions are not forecast) as specified in the supporting guidelines in grain growing districts.
- Before any burning is carried out, best available forecasting is utilised to verify that prevailing winds that will not carry the smoke towards nearby unharvested grapevines.

For recommended communication protocols please refer to the supporting guidelines.

Supporting Guidelines

Given the initial focus area of this Policy is the management of the risk of smoke taint on grapevines, it is presently supported by the following Guideline document produced by agreement between the relevant stakeholders to define appropriate operating procedures and conditions for the effective management of smoke appropriate for the protection of wine grape production.

These documents are listed below:

- Broadacre burn-off smoke management guideline, published by the Department of Primary Industries and Regions.

Authorisation

Title: Management of Smoke resulting from Prescribed Burning of Vegetation

Date: 15 February 2023

Authorised by: Chief Officer, South Australian Country Fire Service

<p>Name</p> <p><i>Mr Brett Loughlin AFSM</i></p>	<p>Signature</p> 	<p>Date</p> <p>15 / 02 / 2023</p>
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Document control

Contact Officer	Alison May, Director Community Risk and Resilience	
Document Type	Policy	
Status	Approved	
Objective Reference	A2007491	
Rescinds	None	
Revision History		
Version	Date	Detail
1.0	March 2023	New document





Broadacre burn-off smoke management guideline

A guideline on management of smoke for the grain and winegrape industries

Broadacre burn-off smoke management guideline

Information current as of 7 March 2023

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Disclaimer

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Acknowledgement

Front cover photograph kindly provided by Professor Kerry Wilkinson, University of Adelaide.

Enquiries

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Purpose

The purpose of this smoke management guideline is to capture the agreed winegrape and grain industry approach to the best possible management of smoke from broadacre stubble burns to mitigate risk of damage to smoke sensitive unharvested winegrapes. This approach has been developed within the context of existing legislative frameworks, available resources and the policy position as set out in SA Country Fire Service (SACFS) Smoke Management Policy document.

This guideline has been developed by the Department of Primary Industries and Regions (PIRSA) in collaboration with industry representative organisations Grain Producers SA, Wine Grape Council of South Australia, South Australian Wine Industry Association Inc and various regional grape and wine associations and their respective grain and winegrape grower members and in consultation with the State Bushfire Coordination Committee (SBCC) and South Australian Country Fire Service (SACFS).

Relevant documents

- Broad Acre Burning Code of Practice (April 2015)
- SACFS Smoke Management Policy 2023

Scope

This guideline applies to grain and winegrape growers in South Australia.

Objectives

This guideline will:

- Provide information on smoke management to ensure that grain and winegrape growers are well informed of the benefits and risks being managed in broadacre burning.
- Provide clear information on planning considerations to manage a burn-off, who may be affected and how potential impacts can be mitigated.
- Contribute to increased levels of efficiency and productivity in both sectors.
- Improve communication between the sectors and provide an environment where grain and winegrape sectors can work together.

Details

Background

These guidelines have been prepared in support of the South Australian Country Fire Service (SACFS) document, Smoke Management Policy (the policy). The SACFS Broad Acre Stubble Burning Code of Practice (the code) serves as a guide to the South Australian farming community to assist safe broadacre stubble burning practice to manage risk of fires escaping into unburnt neighboring land.

This guideline should be read in conjunction with both the policy and the code.

Why grain growers burn stubble

Grain growers are increasingly recognising the value of retaining stubble to protect soil from erosion. Retaining stubble also increases soil organic carbon, which improves soil structure, moisture retention and fertility. Broad acre burning refers to the complete (blanket) burning of standing stubble and may still be necessary:

- as part of paddock preparation, removing excessive stubble volumes that can cause seeding machinery blockages that slows progress of crop seeding
- to reduce disease and weed seed banks (particularly for weed populations with herbicide resistance)
- to reduce populations of pests, particularly snails as a part of a producer's snail management program for reducing this serious contamination threat to grain export markets.

A combination of weather parameters is required to produce a burn that is consistent and doesn't leave patchy or unburnt areas, which is particularly important for pest snail control. Broadacre burning is a farm management practice that can produce significant fire risk every summer and autumn if not carefully planned and implemented with caution.

Many grain growers are now opting to avoid blanket burns on paddocks where possible. Grain growers now often slash stubble into windrows for burning or only burn header waste rows, retaining some standing stubble in between. The same principles of smoke management of this guideline apply for these grain paddock burning practices.

Smoke taint and grapevines

Smoke taint is an important issue to the wine industry. When winegrapes are exposed to smoke, the smoke binds to compounds in the grapes, giving the wine a smoky and undesirable characteristic that can make the wine unsaleable.

South Australia has 18 wine regions spread across the state. Clare Valley and Barossa Valley, and Riverland regions are closest to grain cropping districts and may be at increased risk of smoke incursions.

Grapevines exposed to smoke during sensitive growing periods could negatively impact the quality of grapes used in wine production. The extent to which a grapevine is susceptible to smoke exposure is related to the growth stage. The period up to flowering has the lowest potential for smoke taint of grapes. The risk of smoke uptake increases significantly from pea size berries to the highest risk when the grapes soften and ripen through to harvest.

Research conducted by the University of Adelaide on the impact of stubble burn smoke on winegrape quality reports that development of smoke taint in grapes depends on smoke intensity and length of exposure. Heavy smoke exposure for a period of up to 30 minutes during susceptible growth phases could be sufficient to result in smoke taint, particularly with higher density fresh smoke.

Strategies to reduce smoke impacts

Seasonal conditions and timing of vintage

Most years, grape harvest is completed before grain growers begin stubble burning. However, when cooler summer weather delays the ripening of winegrapes, the grape harvest and start of stubble burning may overlap.

A large grain harvest in the previous season leaving a large stubble residue, or a wet winter increasing snail breeding, increase the likelihood of stubble burning operations. The highest risk of potential smoke impacts on unharvested grapes is when a large stubble burning program coincides or overlaps with a delayed grape harvest.

The table below highlights the normal grape harvest period for each wine region. The grape processing period may extend beyond these times.

Region	January	February	March	April	May	June
Riverland						
Adelaide Plains						
Barossa Valley and Eden Valley						
Clare Valley						
McLaren Vale and Southern Fleurieu						
Langhorne Creek						
Adelaide Hills						
Limestone Coast						
Kangaroo Island						

Consider weather, stubble fuel conditions and surface temperature inversions

Burn only after the fuel has sufficiently dried out and do not burn too early in the day to reduce smoke production. Large amounts of green fuels do not combust readily and will cause a smoke management problem.

Before conducting a broadacre burn, identify wind direction and proximity of unharvested vineyards. Ensure the forecast wind direction is such that it will not cause smoke to carry over the vineyard.

Another contributing factor to smoke causing adverse effects is surface temperature inversion layers trapping smoke in lower layers of the atmosphere. Inversions are caused by a layer of cool, still air trapped below warm air and are generally more prevalent from late afternoon (after 4:00 pm) until several hours after sunrise.

Conducting burns between 10 am and 4 pm allows for fuel moisture to decrease sufficiently resulting in less smoke during burning, and generally avoids the period when atmospheric inversion conditions are more likely to cause smoke to settle and affect sensitive sites.

Best times for burning

Conduct burns between 10:00 am and 4:00 pm when fuel moisture has decreased sufficiently, therefore producing less smoke. This also avoids the period when atmospheric inversion conditions are more likely to cause smoke to settle.

Weather: forecast and observation tools

The Bureau of Meteorology (BOM) provides a forecast service for predicting surface temperature inversions at individual locations. This can be accessed via the [BOM MetEye](#) website, under the Wind Forecast, select the Mixing Height search tool from the menu. Mixing Heights below 500m are an indication of elevated risk of inversions forming. This information may assist in planning and managing the risk of smoke affecting sensitive sites when conducting broadacre burning.

Signs of temperature inversions

- mist, fog, dew or a frost
- smoke or dust hangs in the air and moves sideways, just above the ground surface
- cumulus clouds built up during the day collapse towards evening
- wind speed is constantly less than 11 kilometres per hour in the evening and overnight
- cool off-slope breezes develop during the evening and overnight
- distant sounds become clearer and easier to hear
- aromas become more distinct during the evening than during the day.

For further Information see [Hazardous surface temperature inversion](#).

Grain growers should also use weather observations prior to starting a burn to check that conditions align with the forecast and remain suitable for the burn.

Many grain growers have private on-farm weather stations or may have access to several publicly available weather station networks, such as the Mid North, Riverland and Mallee Mesonet networks. These provide growers with key information on current conditions for burning including wind direction and presence or risk of temperature inversions. A subscription may be required to access some public mesonet information, which assists operators to meet ongoing maintenance costs for these systems.

Check for signs of an increased risk of temperature inversion (listed in the above box) before lighting a burn. For further Information on inversions see [Hazardous surface temperature Inversion](#). September 2022, available from Grain Research Development Corporation website www.grdc.com.au.

Unharvested grapevine crops

To help avoid the threat of smoke affecting unharvested grapevines, communications strategy are provided below where local grape and wine organisations provide regular updates on the status of harvested and unharvested grapevine crops in their region. Grain growers should use this information to understand the potential for smoke to impact unharvested grapes as part of their planning for a broadacre stubble burn and the final decision to proceed with a burn.

Practices to reduce the risk of unharvested grapevine crops being affected by smoke from broadacre burning include:

- vineyard owners/managers providing regular updates on the status of unharvested grapevine crops and notifying the regional wine grape association when harvest is complete
- grain growers planning a burn should ensure prevailing winds (current and forecast) will not carry the smoke towards nearby unharvested grapevines before lighting a broadacre burn
- conducting the broadacre burn between 10:00 am and 4:00 pm (or when inversion conditions are not forecast).

Communications strategies

Communication between grain and winegrape growers at a personal level and more broadly through websites and media will minimise the risk of winegrapes being exposed to smoke from broadacre burning of stubbles.

Information that should be shared includes the harvest status of grapevines, made available through various communication systems for example, websites and media, that are easy for grain growers to access.

Grain growers should use this information in planning a broadacre stubble burn, so they are aware of the location of unharvested grapes and using the above smoke management strategies to avoid smoke impacts on unharvested vineyards.

Grain growers have a responsibility to seek information on the grape harvest in their region before burning, just as winegrape growers should be providing regular updates on the status of their grape harvest.

Owners of neighbouring properties producing wine grapes and grains are encouraged to establish direct relationships permitting easy communication for sharing grape harvest and stubble burning information.

Progress of grape harvest in a region should be made readily available through media such as websites or promoted through local media channels. Information sources should be widely promoted through grain grower networks, and the need for regularly updated grape harvest status information promoted through wine grape grower networks.

Where an arrangement exists between grain growers and the local council especially at times where burn permits are required during the fire danger season, council officers may make growers aware of the availability of this information and suggest checking the wine grape association for grape harvest information updates before lighting the burn.

Examples of best practice communications include:

- local grape and wine organisations publishing regular updates on the status of grape harvest across their region, most importantly reporting when harvest is complete
- some local government Authorised Officers may provide copies of the policy and guidelines when issuing burn permits. They may also suggest to a grain grower issued a permit that they should consider contacting nearby grape growers or their local wine association for information of grape harvest status before proceeding with a burn.
- local councils may consider mapping permitted stubble burns to avoid excessive concentrations of fires at one location.

Smoke hazard signage warning for road users

If the area to be burnt is adjacent to a regularly used road and smoke is likely to blow over the road, impairing the vision and safety of drivers, you must place approved smoke hazard signs on both sides of the road. These signs should be placed on the shoulder of the road so they can be seen by drivers before they encounter smoke. They may be temporarily fixed to a rigid guidepost but should not be fixed to other road signs or displayed in such a way as to impact traffic. If stands are used, they need to be capable of remaining upright and in place under windy conditions.

When placing signs on roads maintained by the Department for Infrastructure and Transport, you should notify the Traffic Management Centre on 1800 018 313 of the times they are going to be displayed as per requirements under the *Road Traffic Act 1961*, Section 17 (Installation of traffic control devices).

Refer to the Broad Acre Burning Code of Practice and the Department for Infrastructure and Transport for further information on traffic management requirements.

Checklist for a paddock broadacre burn

1. Planning for a burn (grain grower)

- Check the policy and guideline for guidance on smoke management as part of planning a stubble burn in areas with grapevines that could be impacted by the smoke plume.
- Ensure your broadacre burn is compliant with the Broad Acre Burning Code of Practice, such as checking Fire Danger Season dates, ensuring any required permits are obtained if the burn is planned before the end of the Fire Danger Season and meeting road signage requirements.
- Identify heightened risk of smoke taint in the region from seasonal conditions. Heightened risk occurs when grape harvest has been delayed due to a cool summer in the region. A large grain crop will produce more stubble residue following harvest, increasing potential stubble burn activity.
- As part of planning a burn routinely check the weather forecast for wind speed and direction, and for the risk of inversions.
- Check with your local wine industry association and your local grape growers for presence of unharvested grapes in the region. Assistance with who to contact may be available from industry bodies listed at the end of this document.
- Identify vineyards where, according to forecast conditions, the smoke plume is likely to move and communicate your intention to burn to those grape growers, giving them opportunity to update the grain grower on their grape harvest.

2. Planning grape harvest (grape grower and local association)

- When monitoring the stage of grape development and possible vintage date, check in with local grape and wine associations and keep them updated on the progress of your grape harvest.
- Once vintage is finished let your local association know so they have up-to-date information on progress in their region. This can be posted on their website and provided to grain growers as part of their planning for stubble burning operations.
- The grower association and state associations provide regularly updated information on their website on the progress of vintage across the grape growing regions.

3. On the day of a burn

- Check weather observations verify the forecast conditions and understand likely smoke behaviour.
- Check whether smoke is likely to be carried over nearby unharvested grapes.
- Check for signs of increased risk of temperature inversion development.
- Check that fuel loads are dry and not heaped to reduce the production of smoke volume and persistent smoldering after the burn.

Attachment A: Contact details

Grain Producers SA

T: 1300 734 884

E: info@grainproducerssa.com.au

W: grainproducerssa.com.au

South Australian Wine Industry Association Inc

T: (08) 8222 9277

E: admin@winesa.asn.au

W: winesa.asn.au

Wine Grape Council of South Australia

T: 0419 039 508

E: admin@wgcsa.com.au

W: wgcsa.com.au

19.2 INSPECTORIAL REPORT

Document #: 23/41299

Department: Development Services

PURPOSE

To inform Elected Members of the activities of the Inspectorial Team.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Goal: 4 Community Engaged and Supported

Strategy: 4.4 Continue delivering compliance and environmental health services and inspections

BACKGROUND

This report provides Elected Members with information relating to the activities of Inspectorial staff.

DISCUSSION

During the past month, Council's Rangers have dealt with many routine matters including By-law compliance, abandoned vehicles, nuisance complaints and dog and cat management issues.

Dog Attacks/Harassment

A child visiting a friend's home in Edithburgh was attacked at the home by the owner's dog. As a result of the attack, the child required medical treatment with bite marks to the jaw and cheek area. The owner of the offending dog has been advised of Council's intention to place a Dangerous Dog Control Order on the dog.

Investigations continue following a dog attack in Warooka. CCTV footage obtained through the investigation showed a dog which was tied up out the front of the supermarket while its owner was shopping. The dog bit four people as they walked past. The owner has been identified, however is believed to be of no fixed address and Council's Ranger has been unable to make contact with them. The dog has an active Menacing Dog Order against it placed in 2022 by a metropolitan Council. Investigations will continue to try and locate the owner and the dog to discuss further compliance action.

A complaint was received regarding a dog in Port Victoria harassing people walking past the yard he was contained in. A Council Ranger attended however the owners and dog had left the area as it is believed they were just visiting for the weekend.

Wandering and Nuisance Dogs

Rangers have made contact with approximately 60 owners who have not renewed their dog registration from last year. After receiving a call or message many have contacted Council to renew their dog/s registration.

Bush Camping

Rangers conducted regular patrols of the bush camping reserves. Over the Easter weekend several popular bush camping locations reached capacity however the majority of bush camping grounds had availability. The two busiest days over the Easter weekend were Friday and Saturday nights with over 500 permits purchased for each night. Generally the campers in the campgrounds were

compliant with only ten show-cause notices issued. Campers however are regularly setting up in undesignated areas. Expiation Notices for camping in an undesignated area have been issued to persons at various locations including Wool Bay Jetty carpark, Edithburgh foreshore, Hickeys Drive, Coobowie and Lighthouse Road, Corny Point.

Boat Ramps

Routine patrols of boat ramps were undertaken to ensure that users are paying for the use of the facilities. 28 show-cause notices were issued where the launch permit/ticket could not be observed or confirmed on the EasyPark system. Users who produced a valid permit/ticket and a reason as to why the ticket was not displayed are generally cautioned for failing to display the ticket.

Eight Expiation Notices have been recently issued in relation to boat ramp usage.

Traffic Management

Rangers routinely patrol all townships for traffic management, including foot patrols, paying particular attention to disabled parking bays and vehicles parking on yellow lines and footpaths.

Two Expiation Notices have been issued in Minlaton. One to a vehicle which was parallel parked in a designated angle parking area, and another which was parked in a disability access park without the necessary permit.

Local Nuisance and Litter Control

Pigeon control works have been undertaken in Edithburgh, Yorketown and Minlaton. Due to high tides no pigeon control has taken place in the cliff face at Ardrossan.

Evidence was submitted to Council regarding a large deposit of litter (more than 50 litres) illegally dumped on Ulonga Road, Price. After investigation the offender, a contractor engaged by a builder, was found and issued an expiation with a fee of \$1,000 for illegally depositing 50 litres or more of general litter. Council staff removed the rubbish.

Three smoke complaints have been addressed this month. A Yorketown resident has been issued a caution after burning a small pile of dry tree debris. A caution was also issued to the Maitland Sporting Club following complaints received due to smoke from burning of tree debris at the sporting ground. An ongoing smoke complaint is also being addressed in Price.

General

A complaint was received regarding illegal clearance of native vegetation on Council land at Marion Bay. Investigations indicated that a property owner had removed box thorns from the land in front of his property. The land owner was advised of the necessity to obtain Council approval prior to removal of any vegetation on Council land and was issued a caution.

Fire Prevention

Council's Fire Prevention Officers (FPO) continues to monitor the fuel loads in the district. Section 105 Bushfire Prevention Notices are being issued to properties that require fuel reduction. The burning off season for farmers to prepare their land for the coming season commenced on 1 March 2023. Council's FPO randomly inspects the burn offs to ensure compliance with the permit conditions.

ATTACHMENTS

Nil

19.3 DEVELOPMENT APPLICATION DECISIONS**Document #:** 23/43803**Department:** Development Services**PURPOSE**

To inform the Elected Members of Development Application decisions for the period 1 April to 28 April 2023.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN**Goal:** 1 Economically Prosperous Peninsula**Strategy:** 1.1 Provide easier, streamlined development approval application process**BACKGROUND**

To keep Elected Members informed of Development Application decisions under delegated authority.

DISCUSSION

There were 36 Development Applications processed on the SA Planning Portal for the period 1 April to 28 April 2023 (refer Attachment 1).

ATTACHMENTS

1. **Council Report Attachment - Development Application Decisions - 01/04/2023 - 28/04/2023** [↓](#) 

DEVELOPMENT APPROVALS – DEVELOPMENT ASSESSMENT PORTAL – 1 APRIL TO 28 APRIL 2023

ID	Owner	Location	Nature of Development	Relevant Authority	Lodged	Status
23011236	Y and Decks	56 NEWBOLD RD WAURALTEE SA 5573	Verandah	Yorke Peninsula Council	19 Apr 2023	Development Approval Granted
23009186	G Germein	2 YARAROO DR CLINTON SA 5570	Verandah	Yorke Peninsula Council	29 Mar 2023	Development Approval Granted
23006517	M WHITE DAVIDGE	58 HOSKING RD TIDDY WIDDY BEACH SA 5571	COLORBOND 6.0 X 4.0 X 3.0 CARPORT	Yorke Peninsula Council	14 Mar 2023	Development Approval Granted
23005741	CNJ Holdings SA Pty Ltd	2103 PORT VICTORIA RD PORT VICTORIA SA 5573	Garage	Yorke Peninsula Council	21 Mar 2023	Development Approval Granted
23005709	D Murphy	24 HICKEYS DR COOBOWIE SA 5583	Verandahs and carport.	Yorke Peninsula Council	8 Mar 2023	Development Approval Granted
23005561	A Clift	418 ST VINCENT HWY PINE POINT SA 5571	Agricultural building for storage of fertiliser (120 tonne capacity)	Yorke Peninsula Council	14 Mar 2023	Development Approval Granted
23005236	C Gloyn	7 BELMONT CR MAITLAND SA 5573	Verandah	Yorke Peninsula Council	3 Mar 2023	Development Approval Granted
23005002	V Antoniou, P Antoniou	17 MARINE PDE PORT MOOROWIE SA 5576	Outbuilding - Garage	Yorke Peninsula Council	1 Mar 2023	Development Approval Granted
23004804	L McMahon, K Rudduck	6 CLAN RANALD AV EDITHBURGH SA 5583	Outbuilding (shed)	Yorke Peninsula Council	24 Feb 2023	Development Approval Granted
23004581	E Cook	5 ESPLANADE BLUFF BEACH SA 5575	Carport	Yorke Peninsula Council	22 Feb 2023	Development Approval Granted

ID	Owner	Location	Nature of Development	Relevant Authority	Lodged	Status
23004492	M James	24 TEMPLETONIA CR MARION BAY SA 5575	Garage	Yorke Peninsula Council	4 Apr 2023	Development Approval Granted
23002216	P Long, J Slater	20 DEVON ST CLINTON SA 5570	Single story detached dwelling.	Yorke Peninsula Council	17 Feb 2023	Development Approval Granted
23002113	R McInerney	42 BRIDGE RD ARDROSSAN SA 5571	Carport and garage extension	Yorke Peninsula Council	3 Feb 2023	Development Approval Granted
23001498	Aussie Farm Direct Pty Ltd	LOT 3 ROBERTS HWY MINLATON SA 5575	Agricultural building	Yorke Peninsula Council	2 Feb 2023	Development Approval Granted
23001166	T Woods, Z Woods	LOT 50 GRAIN STACK RD STANSBURY SA 5582	Outbuilding (shed) & attached verandah	Yorke Peninsula Council	25 Jan 2023	Development Approval Granted
23000926	Harward Properties Pty Ltd	608 CANT RD WAROOKA SA 5577	Land Division - 1 allotment in to 2	Yorke Peninsula Council	20 Jan 2023	Development Approval Granted
23000774	The RK & SA Mumford Family Trust (Rob Mumford)	406 MOUNT RAT RD KOOLYWURTIE SA 5575	Agricultural Building for grain storage (36m x 52m x 8.95m)	Yorke Peninsula Council	18 Jan 2023	Development Approval Granted
23000312	S Palecek	72 HOSKING RD TIDY WIDDY BEACH SA 5571	Dwelling addition, front & rear verandahs & carport.	Yorke Peninsula Council	19 Jan 2023	Development Approval Granted
22042712	J Blanchard	19 WHIPBIRD WAY MARION BAY SA 5575	Dwelling Additions - Upper Deck and Ground level Dwelling Addition under footprint of existing upp..	Yorke Peninsula Council	3 Jan 2023	Development Approval Granted
22042100	J Ceravolo	15 REEF CR POINT TURTON SA 5575	Proposed Single Storey Detached Dwelling and Outbuilding - Shed	Yorke Peninsula Council	15 Dec 2022	Development Approval Granted

ID	Owner	Location	Nature of Development	Relevant Authority	Lodged	Status
22041396	J KANE	5 LANTANA CT STANSBURY SA 5582	Outbuilding (garage)	Yorke Peninsula Council	20 Dec 2022	Development Approval Granted
22038951	A Castree	68 MAIN ST PORT VINCENT SA 5581	Outbuilding (12.0m x 7.0m x 3.05m), attached carport (outbuilding), rear verandah.	Yorke Peninsula Council	21 Dec 2022	Development Approval Granted
22038422	AYB Nominees Pty Ltd	35 MAITLAND RD MINLATON SA 5575	Land Division 1 into 2.	Yorke Peninsula Council	16 Nov 2022	Development Approval Granted
22037106	C Roenfeldt	1905 BALGOWAN RD MAITLAND SA 5573	Demolish portion of existing shed, replace with building for use as an office associated with prim..	Yorke Peninsula Council	8 Nov 2022	Development Approval Granted
22034719	REDDING TRADING	LOT 54 GUN CLUB RD KOOLYWURTIE SA 5575	Agricultural Building (60m x 30m x 8m)	Yorke Peninsula Council	27 Oct 2022	Development Approval Granted
22034419	P Zacchigna	23 SCARLET RUNNER RD THE PINES SA 5577	Verandah	Yorke Peninsula Council	18 Oct 2022	Development Approval Granted
22029298	K JACOB	7 LIME KILN RD PORT VINCENT SA 5581	2 outbuildings, retaining walls and associated earthworks.	Yorke Peninsula Council	15 Sep 2022	Refused
22027734	A MANUEL	LOT 61 BOWDEN ST COOBOWIE SA 5583	Single Storey Detached Dwelling & Outbuilding (Garage)	Yorke Peninsula Council	17 Aug 2022	Development Approval Granted
22020848	S Humphries, V Humphries	7 KULPARA ST CLINTON SA 5570	Single storey dwelling	Yorke Peninsula Council	26 Sep 2022	Development Approval Granted
22019984	PFSchulz Pty Ltd	120 PEBBLE BEACH RD PORT VICTORIA SA 5573	Land division, creating 51 additional allotments for residential purposes, together with a reserve..	Yorke Peninsula Council	16 Jun 2022	Development Approval Granted

ID	Owner	Location	Nature of Development	Relevant Authority	Lodged	Status
22018241	B Hosking	8 MAIN COAST RD PINE POINT SA 5571	Dwelling extension and verandahs	Yorke Peninsula Council	6 Jul 2022	Development Approval Granted
22014930	k Ruxton	LOT 100 PONDER PDE PORT VINCENT SA 5581	Detached dwelling	Yorke Peninsula Council	9 May 2022	Development Approval Granted
22012428	R Turnbull, P Turnbull	11 EDITH ST EDITHBURGH SA 5583. 11 EDITH ST EDITHBURGH SA 5583. 11 EDITH ST EDITHBURGH SA 5583	Renovations and additions to existing retail premises including, signage, garage and dwelling	Yorke Peninsula Council	9 May 2022	Development Approval Granted
22008599	T Gunning	6-8 BELMONT CR MAITLAND SA 5573, 6-8 BELMONT CR MAITLAND SA 5573	Two-storey detached dwelling (replacement), swimming pool (inground) and associated earthworks.	Yorke Peninsula Council	22 Mar 2022	Development Approval Granted
21038334	C Wilkey, G Wilkey	7494 ST VINCENT HWY HONITON SA 5576	Agricultural Building - Implement Shed	Yorke Peninsula Council	12 Dec 2021	Development Approval Granted
20000439	B Ryan	45 EDWARDES TCE PORT VICTORIA SA 5573	Freestanding Carport	Yorke Peninsula Council	21 Sep 2020	Development Approval Granted

19.4 WASTEWATER SYSTEM APPLICATION DECISIONS

Document #: 23/43868

Department: Development Services

PURPOSE

To inform the Elected Members of Wastewater Application decisions for the period 1 April to 28 April 2023.

RECOMMENDATION
That the report be received.

LINK TO STRATEGIC PLAN

Goal: 1 Economically Prosperous Peninsula

Strategy: 1.1 Provide easier, streamlined development approval application process

BACKGROUND

To keep Elected Members informed of Wastewater Application Decisions under delegated authority.

DISCUSSION

The following is a list of all Wastewater System applications processed for the period 1 April to 28 April 2023.

050/128/2022	050/153/2022	050/204/2022
050/212/2022	050/219/2022	050/232/2022
050/235/2022	050/237/2022	050/005/2023
050/013/2023	050/014/2023	050/019/2023
050/020/2023	050/026/2023	050/035/2023
050/038/20203	050/050/2023	

ATTACHMENTS

- Approval Listing - Wastewater System Applications - 01/04/2023 - 28/04/2023** [↓](#) 

**LIST OF WASTE CONTROL APPLICATIONS & DECISIONS ISSUED BY THE ENVIRONMENTAL HEALTH OFFICERS
UNDER DELEGATION FOR THE PERIOD 1 APRIL TO 28 APRIL 2023**

Septic App. No.	Owner	Location	Proposal	Conditions	Assess. No	Decision Date	Applicant
050/128/2022	J Peel 15 Sanders Way WILLASTON	(Lot 999) 27 Yararoo Drive PORT CLINTON	Septic & Soakage	19	427138	5 April 2023	J Peel
050/153/2022	M Amos 43 Mud Alley FOUL BAY	(Sec 225) 43 Mud Alley FOUL BAY	Septic & Holding Tank	19	108548	6 April 2023	M Amos
050/204/2022	V Pantelic 67 Wilpena Terrace KILKENNY	(Lot 10) 17388 Yorke Highway MARION BAY	Septic & Soakage	18	409896	13 April 2023	V Pantelic
050/212/2022	AM & EK Black 10 Blue Crab Court ARDROSSAN	(Lot 38) 8 Henderson Court ARDROSSAN	Septic & Soakage	15	430660	27 April 2023	S Palecek
050/219/2022	RV & BL Hosking PO Box 67 PINE POINT	(Lot 1) 8 Main Coast Road PINE POINT	Septic & Soakage	16	20636	12 April 2023	S Palecek
050/232/2022	D & S Andrews 22 Newlyn Terrace PARAFIELD GARDENS	(Lot 102) 35 Main Coast Road PINE POINT	Septic & Soakage	20	432203	19 April 2023	Selecta Homes & Building Services
050/235/2022	A Piotrowski 1 Domain Commons HIGHBURY	(Lot 47) 12-16 Second Street PORT MOOROWIE	Septic & Soakage	16	227983	28 April 2023	A Piotrowski
050/237/2022	KJ Johnson 15 Ceres Street STANSBURY	(Lot 10) 26 Brentwood Road STANSBURY	Aerobic System	18	209114	19 April 2023	A Johnson
050/005/2023	A & D Manov 3 Hoyle Court FLAGSTAFF HILL	(Sec 264) Beegoodye Wells Road BRENTWOOD	Septic & Soakage	16	438531	6 April 2023	A & D Manov
050/013/2023	MM Bobridge 4 Kable Court GOLDEN GROVE	(Lot 4) 8 Hickeys Drive COOBOWIE	Aerobic System	16	213959	6 April 2023	Longridge Group
050/014/2023	NC & RS Gogoll 21 Roenfeldt Drive TANUNDA	(Sec 293) 9 Yandra Drive PORT RICKABY	Aerobic System	18	317784	5 April 2023	Longridge Group

050/019/2023	SJ & V Humphries 10 Hannan Street ELIZABETH SOUTH	(Lot 68) 7 Kulpura Street PORT CLINTON	Aerobic System	19	38885	20 April 2023	Toby Simmons Plumbing Pty Ltd
050/020/2023	DJ & AJ Jones 65 Bower Street WOODVILLE	(Lot 39) 68 Bridge Road ARDROSSAN	Septic & Soakage	15	436071	20 April 2023	Toby Simmons Plumbing Pty Ltd
050/026/2023	P Long & J Slater 15 Bikila Court MORPHETT VALE	(Lot 218) 20 Devon Street PORT CLINTON	Septic & Soakage	18	423434	18 April 2023	Selecta Homes & Building Solutions
050/035/2023	SM Davey PMB MAITLAND	(Lot 62) 3 Investigator Way MARION BAY	CWMS Connection	15	43155	17 April 2023	E Hanna
050/038/2023	SM & M Baker 2B Redcraze Street ABERFOYLE PARK	(Lot 31) 9 Henderson Court ARDROSSAN	CWMS Connection	14	430652	27 April 2023	Selecta Homes & Building Solutions
050/050/2023	TA Goldsworthy & TL Young 10 First Street MINLATON	(Lot 64) 24 West Terrace MINLATON	Aerobic System	17	300954	11 April 2023	Construction Services Australia

20 VISITORS TO THE MEETING

Nil

DEBATE AGENDA

DEBATE AGENDA

21 MAYOR

Nil

22 CHIEF EXECUTIVE OFFICER**22.1 POLICY UPDATE - PO015 ACCESS TO COUNCIL AND COMMITTEE MEETINGS AND DOCUMENTS CODE OF PRACTICE****Document #:** 22/114383**Department:** Executive Services**PURPOSE**

To seek endorsement for the proposed update of PO015 Access to Council and Committee Meetings and Documents Code of Practice.

RECOMMENDATION

That Council endorse and adopt the updated PO015 Access to Council and Committee Meetings and Documents Code of Practice for inclusion in Council's Policy Manual and on Council's website.

LINK TO STRATEGIC PLAN**Goal:** 5 Responsible Governance and Leadership**Strategy:** 5.3 Meet all legislative requirements and compliance with Council's internal controls
5.6 Continuous improvement of Council processes**BACKGROUND**

Section 92 of the Local Government Act 1999 requires Council to prepare and maintain a code of practice to:

- Facilitate public access to Council and Council committee (Committee) meetings, minutes and documents.
- Inform and educate the community about public access to Council and Committee meetings, minutes and documents.

Council is also required to review its code of practice within twelve (12) months after the conclusion of each periodic election.

Council's PO015 Access to Council and Committee Meetings and Documents Code of Practice (Policy) has undergone a full review in consideration of the legislative changes introduced by the Statutes Amendment (Local Government Review) Act 2021 (Amendment Act), the new Local Government Association (LGA) Access to Council and Committee Meetings and Documents Model Code of Practice and the cessation of the relevant COVID-19 notices that varied or suspended provisions of the Local Government Act 1999 (Act).

DISCUSSION

The Amendment Act changed the provisions in the Act relating to meeting and document access including:

- Simplifying the documents that must be published on Council's website to a single list.
- No longer requiring documents to be available for public inspection in hard copy (printed copies must be provided upon request and a fee may be charged).
- Only requiring Council and Committee meeting notices and agendas to be publicly displayed at the principal office of Council and until the completion of the relevant Council/Committee meeting, in addition to being published on Council's website.

- Requirements for additional documents to be published on Council's website, such as information and briefing session papers and behavioural management policies.
- Introducing procedures for closing information and briefing sessions to the public.
- Removing the requirement for Council/Committee meeting minutes to be displayed at the principal office of Council (printed copies must be provided upon request and a fee may be charged).

Variations and suspensions to certain provisions of the Act enacted by the COVID-19 notices have ceased and Council meetings are no longer permitted to be conducted electronically.

The Policy has been extensively updated, the bulk of which relates to the above-mentioned legislative changes, with other alterations made to simplify the content and improve formatting.

The proposed updated Policy includes provisions for electronic participation in Committee meetings as the Act permits Committees to hold meetings electronically, providing there is a Council policy that allows it.

The Audit and Risk Committee endorsed the proposed updated Policy and recommend it proceed to public consultation at its meeting held on 21 February 2023. Additionally, subject to there being no public objection to the proposed updated Policy after public consultation and no further major changes, the Audit and Risk Committee determined (at the same meeting) that the proposed updated Policy would proceed straight to Council for endorsement, rather than returning to the Audit and Risk Committee for further consideration.

At its meeting held on 8 March 2023, Council endorsed the proposed updated Policy to proceed to public consultation.

Public consultation commenced on 21 March 2023, by way of a public notice on Council's website and in the Yorke Peninsula Country Times. The consultation period closed on 15 April 2023, with no submissions or feedback having been received.

A copy of the proposed updated Policy is provided in Attachment 1 with the changes shown in colour. A copy without mark-up is also provided as Attachment 2 for ease of reference.

COMMUNITY ENGAGEMENT PLAN

Level 2 - Consult

Public consultation commenced on 21 March 2023, by way of a public notice on Council's website and in the Yorke Peninsula Country Times. No submissions or feedback were received.

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Chief Executive Officer
- Governance Officer
- Executive Assistant to CEO and Mayor

In preparing this report, the following external parties were consulted:

- Nil

POLICY IMPLICATIONS

PO037 Internal Review of a Council Decision Policy

PO057 Community Engagement Policy

PO147 Complaints Policy

R011 Fees and Charges Register

R031 Confidential Orders Register

BUDGET AND RESOURCE IMPLICATIONS

The resource and budget implications relate to the equipment required to facilitate meetings via electronic means, which is minimal.

RISKS/LEGAL/LEGISLATIVE/ IMPLICATIONS

It is essential that Council meets its legislative obligation to prepare and adopt a code of practice that sets out the principles and procedures for public access to Council and Committee meetings and documents.

Local Government Act 1999

Freedom of Information Act 1991

Planning, Development and Infrastructure Act 2016

LGA Access to Council and Committee Meetings and Documents Model Code of Practice

Ombudsman's "In the Public Eye" audit report

ATTACHMENTS

1. **Attachment - PO015 Access to Council and Committee Meetings and Documents Code of Practice - Draft - Markup** [!\[\]\(1f101ad452ef9a3f01bb1e89af34fc34_img.jpg\)](#) [!\[\]\(30cdfe4eafd101fab5ecfaf690363fad_img.jpg\)](#)
2. **Attachment - PO015 Access to Council and Committee Meetings and Documents Code of Practice - Draft - No Markup** [!\[\]\(4dcb2e0a5dd4ebc9597cee4f5b07c053_img.jpg\)](#) [!\[\]\(8cc998b11b9258f275abe61ed68f70ec_img.jpg\)](#)



COUNCIL POLICY

Access to Council and Committee Meetings and Documents Code of Practice

Policy Number:	PO015		
Strategic Plan Objective:	5. Responsible Governance and Leadership		
Policy Owner:	Chief Executive Officer	Record Number:	16/13889[v7]
Responsible Officer:	Governance Officer	Minute Reference:	046/2020
Date Adopted:	08/04/2020	Next Review Date:	March 2023

1. POLICY OBJECTIVES

Yorke Peninsula Council (Council) is fully committed to the principles of open, accountable, transparent and informed decision-making and encourages appropriate community participation in its affairs.

Accordingly, this policy has been developed to:

- ensure appropriate public access to Council/Committee meetings and documents;
- inform the community about public access to Council/Committee meetings and documents.

Alterations to Policy

~~On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the South Australian Public Health Act 2011, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.~~

~~On 22 March 2020, the State Co-ordinator for the State of South Australia declared pursuant to section 23 of the Emergency Management Act 2004, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.~~

~~On 30 March 2020 the Minister for Transport, Infrastructure and Local Government issued a notice pursuant to section 302B of the Local Government Act 1999 (Notice No 1) (Notice No 1) varying or suspending the operation of the specified provisions of the Local Government Act 1999 as set out in Schedule 1 to Notice No 1. Notice No 1 commenced operation on 31 March 2020.~~

~~This Policy has been amended to take into account Notice No. 1.~~

2. SCOPE

This policy applies to:

PO015 – Access to Council and Committee Meetings and Documents Code of Practice Policy

- a) Council;
- b) All committees of Council (Committee(s));
- ~~c) All Council/Committee meetings and documents;~~
- ~~d) All committee_s of Council meetings and documents.~~
- ~~e)c)~~

3. DEFINITIONS

Refer to Attachment 1.

4. POLICY STATEMENT

This policy sets out the way in which meetings and documents can be accessed and includes information about:

- The relevant provisions of the Local Government Act 1999 (~~the Act~~);
- Public access and participation;
- Access to meeting agendas;
- Access to meetings;
- Access to documents;
- Accountability and reporting;
- Availability of the code;
- ~~Complaint procedures;~~
- The process for restricting public access to a meeting or a document;
- ~~Access to meeting agendas;~~
- ~~Access to meetings;~~
- The process for excluding the public from meetings;
- When the public can be excluded;
- ~~How the Council uses of the Confidentiality Provisions in the Act;~~
- ~~Access to documents;~~
- Review of confidentiality orders;
- How to make a Complaint.
- ~~Accountability and reporting;~~
- ~~Availability of the code.~~

4.1. Public Access to the Agenda for Meetings

At least three (3) Clear Days before a Council/Committee meeting (unless it is a special Council/Committee meeting), the Chief Executive Officer (CEO) must give written notice of the meeting to all Elected Council/Committee Members-members setting out the date, time and Place of the meeting.- The notice must contain or be accompanied by the agenda for the meeting.

PO015 – Access to Council and Committee Meetings and Documents Code of Practice Policy

Items listed on the agenda will be described accurately and in reasonable detail.

Notice of the meeting and an agenda will be placed on public display at ~~each office of the Council that is open to the public for the general administration of Council business~~ the principal office of Council, until the completion of the relevant Council/Committee meeting. ~~Copies will also be and available published on Council's website (www.yorke.sa.gov.au) until the completion of the relevant Council meeting.~~ A reasonable number of copies will be available for public inspection as soon as practicable after they are supplied to Elected Members.

~~Non-confidential agenda documents and reports supplied to Council/Committee members before the meeting, which are to be considered at the meeting, will be published on Council's website (www.yorke.sa.gov.au), as soon as practicable after being supplied to the Council/Committee members.~~

~~In the case where non-confidential agenda documents and reports are supplied to Council/Committee members at the meeting, for consideration during the meeting, a reasonable number of copies will be made available to members of the public at the meeting as soon as practicable after they are supplied to Council/Committee members. These documents will also be subsequently published on Council's website (www.yorke.sa.gov.au).~~

~~A reasonable number of copies of agenda documents and non-confidential reports, that are to be considered at the meeting, will be made available to members of the public in attendance at meetings.~~

Members of the public may also obtain hardcopies of non-confidential agendas and relevant documents/reports for which a fee may be payable, in accordance with a Council's Fees and Charges Register, —available on Council's website (www.yorke.sa.gov.au).

~~Agenda papers provided to the Council/Committee, may include notice from the CEO that the Council/Committee may determine to consider an item in confidence, with the public to be excluded from the meeting during discussion of that item. Where such an indication is made, the CEO must specify why the confidentiality order could be made in accordance with the Confidentiality Provisions.~~

~~Where the CEO, after consultation with the Mayor or in the case of a Committee, the presiding member, believes that a document or report should be considered in confidence and the public excluded, the basis under which the order could be made, in accordance with section 90(3) of the Act, will be specified. Council cannot consider a matter in confidence, unless the matter is one that falls within section 90(3) of the Act. For the period of the operation of Notice No 1 the requirement that the CEO 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**.~~

~~For the period of the operation of Notice No 1:~~

- ~~• the requirement that the CEO 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**.~~
- ~~• the CEO (or nominated person) 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—~~
 - ~~○ 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~~

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~~as soon as practicable after the time when the document or report is supplied to members of the Council; or~~

- ~~○ 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.~~

4.2. Public Access to Meetings

~~Subject to the matters discussed below regarding Notice 1, Council/Committee meetings are open to the public and attendance is encouraged, except where the Council believes it is necessary, in the broader community interest, to exclude the public from the discussion and, if necessary, the decision.~~

The public will only be excluded when considered proper and necessary in the case where the need for confidentiality outweighs the principle of open decision-making.

4.2.1. Information and Briefing Sessions

~~Council/Committee or the CEO are permitted to facilitate an Information and Briefing Session where more than one Council/Committee member is invited. A matter must not be dealt with at an Information and Briefing Session in such a way so as to obtain, or effectively obtain, a decision outside of a formally constituted Council/Committee meeting.~~

~~An Information and Briefing Session on a matter that will be included on a Council/Committee agenda must be open to the public, however, the Council/Committee or the CEO may order that the Information and Briefing Session be closed to the public if the matter listed for discussion falls within the Confidentiality Provisions.~~

~~An Information and Briefing Session will be taken to be conducted in a Place open to the public if one (1) or more Council/Committee members participate in the meeting by electronic means, provided that members of the public can hear the discussion between all Council/Committee members and subject to a Council direction that electronic means are not to be used for the purposes of Information and Briefing Session.~~

~~Whether or not an Information and Briefing Session has been open to the public, the following information must be published as soon as practicable after the holding of the session:-~~

- ~~• The Place, date and time of the session;~~
- ~~• The matter discussed at the session;~~
- ~~• Whether or not the session was open to the public.~~

4.2.2. Committees Meetings and Electronic Participation

~~Elected Members and Employees may lawfully participate in informal gatherings/discussions including:~~

~~Planning sessions;~~

~~Development of policies and strategies;~~

~~Briefing or training sessions;~~

~~Workshops;~~

~~Social gatherings to encourage informal communication between Elected Members and staff;~~

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~~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.~~

~~Notice No 1~~

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

~~the CEO (or a person nominated by them in writing) makes available to the public a Live Stream of the meeting on a website determined by the CEO and ensures that members of the public can hear the discussion between all Council/Committee members present at the meeting via the Live Stream; or~~

~~if the CEO (or nominated person) 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 CEO (or Nominated Person) makes available to the public a recording of the meeting as soon as practicable after the meeting on a website determined by the CEO and ensures that members of the public can hear the discussion between all Council members present at the meeting via the recording.~~

~~If the CEO (or Nominated Person) 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 CEO (or Nominated Person) must publish on a website determined by the CEO the steps taken to comply and the requirement will be suspended and subject to a Council direction that a Committee is not to use electronic means for the purposes of its meeting(s).~~

~~Council's Informal Gatherings Policy PO017, provides further information about the requirements for informal gatherings.~~

4.3. Confidentiality and Matters Where the Public can be Excluded

~~In accordance with section 90(2) of the Act Council may order that the public be excluded from attendance at a meeting, to the extent that the Council considers it to be necessary and appropriate in order to receive, discuss or consider in confidence a particular matter.~~

~~Before a meeting ordersing that the public be excluded to enable consideration of a particular matter in confidence, the Council/Committee/CEO meeting must, in public, formally determine if this is necessary and appropriate, and if so, in the case of a meeting where it is deemed appropriate to exclude the public, then pass a resolution to exclude the public is then required while dealing with that matter.~~

~~This means that a All members of the public (including Employees/staff) are required to leave the room, unless exempted by being named in the resolution as entitled to remain or, in the case of an information and briefing session, as named by the Council/Committee/CEO. 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 the meeting.~~

~~Notice No 1~~

~~Notice No 1 provides that a All members of the public (including Employees) who are participating in a Council or Council/Committee meeting or information and briefing session by electronic means must disconnect/Disconnect and leave the any~~

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~~Live Stream or recording of a meeting or information and briefing session for the period that the meeting unless exempted by being named in the resolution or, in the case of an information and briefing session, as named by the Council/Committee/CEO as entitled to remain is closed to the public pursuant to an order made under section 90(2).~~

~~The Council can, by inclusion within the resolution, permit a particular person or persons to remain in the meeting (i.e. a ratepayer who is suffering personal hardship whilst the circumstances concerning the payment of rates is being discussed). For the operation of section 90(2) a member of the public does not include an Elected Member.~~

Once the Council/Committee/CEO order has been made, it is an offence for a person, who knowing that an order is in force, to enter or remain in ~~a room in which such a~~ meeting or information and briefing session room or to Connect to a Committee meeting or information and briefing session by electronic means, or fail to Disconnect from a Committee meeting or information and briefing session 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 he or she fails to leave upon request.

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 connect¹ to a meeting of the Council or Council committee by electronic means, or fail to disconnect² from a meeting of the Council or Council committee.

Once discussion on that particular matter is concluded, the public are then permitted to re-enter, or reconnect, to the meeting. The decision of the meeting will be made publicly known unless the Council/Committee has resolved to order that information relating to the matter remain confidential.

If there is a further matter that needs to be considered in confidence, it is necessary to repeat the process to exclude the public again.

For the convenience of the public present at meetings, matters to be considered in confidence are contained within the last section of the agenda (wherever possible), to allow other business to be dealt with and avoid the public having to leave the meeting then return with the possibility of the same process being repeated again.

A report on the use of the Confidentiality Provisions by the Council/Committee must be included in Council's annual report, as required by Schedule 4 of the Act and Regulation 35 of the Local Government (General) Regulations 2013.

~~In accordance with the requirements of section 90(3) of the Act, Council may only order that the public be excluded in the following circumstances:~~

- ~~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—

 - could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council; and
 - would, on balance, be contrary to the public interest;~~
- ~~e) information the disclosure of which would reveal a trade secret;~~

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- d) ~~commercial information of a confidential nature (not being a trade secret) the disclosure of which—~~
- ~~• could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and~~
 - ~~• would, on balance, be contrary to the public interest;~~
- 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—~~
- ~~• 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~~
 - ~~• would, on balance, be contrary to the public interest;~~
 - ~~• tenders for the supply of goods, the provision of services or the carrying out of works;~~
 - ~~• deliberately left blank~~
 - ~~• 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;~~
 - ~~• information relevant to the review of a determination of a Council under the Freedom of Information Act 1991.~~
 - ~~• Any consideration of the use of the 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) and the factual reasons for the relevance and application of the ground(s) in the circumstances.~~
 - ~~• In considering whether an order should be made, it is irrelevant that discussion of a matter in public may:~~
 - ~~• Cause embarrassment to the Council, Elected Members or employees of the Council;~~
 - ~~• Cause a loss of confidence in the Council.~~
- ~~Further, in accordance with section 91(8), the Council 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;~~
 - ~~• 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;~~
 - ~~• The disclosure of the amount(s) payable by the Council under a contract for the supply of goods or the provision of services (including the carrying out of~~

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works) to, or for the benefit of, the Council after the contract has been entered into by all parties to the contract;

- 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.

If a decision to exclude the public is taken, the Council is required to record the making of the order in the minutes and provide sufficient detail of the grounds on which the order was made.

Once discussion of the matter is concluded, the meeting will then consider if it is necessary to make an order that a document associated with this 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.

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 by the meeting, in accordance with section 91(7) of the Act, which will also be made known to the public.

If an order to keep a document confidential is made, the meeting must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. If an order is to apply for over twelve months, then the order must be reviewed every twelve months from the date it was made.

A decision of the meeting will also be made publicly known unless the Council has resolved to order that some information remain confidential.

The Council cannot delegate the power to apply sections 90(3) and 91(7) of the Act.

4.4. Public Access to Documents Minutes

Minutes and non-confidential Council/Committee meeting documents will be available within five days (which is different to "Clear Days" and includes weekends and public holidays) after the meeting. Various other documents, including this policy, are available for inspection at Council offices during office hours, can be purchased (for a fee) or provided in various electronic formats, including via Council's website (www.yorke.sa.gov.au).

Members of the public may also obtain hardcopies of non-confidential minutes for which a fee may be payable in accordance with Council's Fees and Charges Register, available on Council's website (www.yorke.sa.gov.au).

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 CEO within five days after the meeting and kept on display for a period of one month.

Alternatively, requests to access other Council documents can be made under the Freedom of Information (FOI) Act 1991 and inquiries relating to this process can be directed to Council's accredited Freedom of Information Officer on 8832 0000.

4.5. Review of Confidentiality Orders

An order made under the Confidentiality Provisions must specify the duration of the order and the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. A review of the reports or documents that were considered under the provision of sections 90(3) and 91(7) of the Act will be conducted each month to ensure that items are released in accordance with the resolution of Council, when the confidential provision no longer applies.

An order will lapse if the time or event specified has been reached or carried out. Once the order expires or ceases to apply, the documents automatically become public.

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Orders that exceed 12 months must be reviewed annually and the Council/Committee must assess whether the grounds for non-disclosure are still relevant. A Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence, subject to the Confidentiality Provisions. If there is more than one confidential order to be considered, each order must be dealt with separately and it is necessary to repeat the process.

If there are any items that require a fresh confidentiality order because the original order is about to expire, the Council/Committee must consider each matter separately against the Confidentiality Provisions and provide the reasons for the documents remaining confidential.

The conduct of the annual review can be delegated to the CEO and sub-delegated to an Employee if the Council/Committee deems it appropriate. While a Council may delegate the power to undertake an annual review, the Council cannot delegate the power to apply the Confidentiality Provisions. Orders that exceed twelve months will be considered annually by the CEO to assess whether the grounds for non-disclosure, in the CEO's view, are still relevant. If the CEO is of the view that there are items that require a fresh confidentiality order (because the original order is about to expire) and that the grounds for non-disclosure are still relevant, then the CEO will prepare a report to Council making recommendations with respect to each item that is recommended be retained in confidence.

Council's Confidential Orders Register R031, available via Council's website (www.yorke.sa.gov.au), has been established to assist in monitoring order expiration and review dates (in accordance with the Ombudsman SA's recommendations).

Council must assess each item separately against sections 90(3) and 91(7) of the Act to determine if the grounds for non-disclosure are still relevant.

Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence, subject to the application of the relevant ground under section 90(3) of the Act. Section 90(3) of the Act must be applied separately to each item.

If there is no longer any need for the confidentiality order then the Council will revoke the order made in accordance with section 91(7) of the Act. If it is determined that a fresh confidentiality is required, Council must again provide the grounds and reasons for the minutes and/or documents remaining confidential.

An order will lapse if the time or event specified has been reached or carried out and the Council will not need to resolve that the confidential order is lifted. Once the order has lapsed, the minutes and/or documents automatically become public.

4.6. Public Access to Documents

The Act requires Councils to make available a large number of documents. Many of these are set out in 'Schedule 5', with further requirements also contained within other sections of the Act.

'Schedule 5' documents must be published on Council's website (www.yorke.sa.gov.au). Council must also provide a person with a printed copy of any document referred to in Schedule 5 upon request, for which a fee may be payable in accordance with Council's Fees and Charges Register, available on Council's website (www.yorke.sa.gov.au).

Requests to access Council/Committee documents that are not otherwise publicly available, can be made under the Freedom of Information Act 1991. Enquiries relating to this process can be directed to Council's accredited Freedom of

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~~Information Officer on 8832 0000 or via email to Accredited FOI Officer admin@yorke.sa.gov.au. Council's Freedom of Information Statement is available on Council's website (www.yorke.sa.gov.au).~~

~~Accountability and Reporting~~

~~A report on the use of sections 90(2) and 91(7) by the Council must be included in the Council's annual report, as required by Schedule 4 of the Act. The reporting should include the following information (separately identified for the Council and Committees of Council):~~

~~Number of occasions each of the provisions of sections 90(2) and 90(3) were utilised;~~

~~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;~~

~~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 three separate occasions;~~

~~Number of occasions that information originally declared confidential has subsequently been made publicly available;~~

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

4.7. Availability

~~A copy of this policy is available on Council's website (www.yorke.sa.gov.au). Council will also provide a person with a printed copy upon request, for which a fee may be payable in accordance with Council's Fees and Charges Register, available on Council's website (www.yorke.sa.gov.au).~~

5. COMPLAINTS

~~Complaints about this policy or access to either a meeting or a document can be made in writing to the Council's Governance Officer via Council's principal office. - Complaints will be managed in accordance with Council's Complaints Policy PO147.~~

6. REVIEW

~~The Council must review this code of practice policy within twelve 12 months after of the conclusion of a periodic election and as deemed necessary in consideration of any changes to legislation, relevant standards, codes and guidelines, audit findings and/or any corrective actions/controls arising from risk assessment.~~

~~Notice No 1~~

~~Notice No 1:~~

- ~~• 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;~~
- ~~• 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;~~

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- ~~• 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.~~

7. TRAINING

Council is committed to supporting ~~Elected Members, members of Council/e~~Committees ~~members of Council~~ and ~~E~~employees in complying with this policy.

Training needs will be regularly reviewed, during induction, individual performance reviews and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

~~Elected Members, members of Council/e~~Committees ~~of Council~~members and ~~E~~employees will actively participate in training.

8. RECORDS

Records ~~shall~~will be maintained as required by Council's Records Management Policy (PO063) and relevant legislation.

9. RELATED COUNCIL POLICIES/PROCEDURES AND DOCUMENTS

~~PO014 Employee Code of Conduct Policy~~

~~PO017 Informal Gatherings Policy~~

PO037 Internal Review of a Council Decision Policy

PO057 Community Engagement Policy

PO147 Complaints Policy

R011 Fees and Charges Register

R031 Confidential Orders Register

Yorke Peninsula Council Freedom of Information Statement

10. REFERENCES AND LEGISLATION

~~Development Act 1993~~

Freedom of Information Act 1991

~~Independent Commissioner Against Corruption Act 2012~~

Local Government Act 1999

Planning, Development and Infrastructure Act 2016

~~Code of Conduct for Council Members~~

~~Ombudsman's "In the Public Eye" audit report~~

LGA Access to Council and Committee Meetings and Documents Model Code of Practice

~~Local Government (Public Health Emergency) Amendment Act 2020~~

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[Ombudsman's "In the Public Eye" audit report](#)
[Electronic Participation in Council Meetings Notice \(No-1\) 2020](#)

11. COUNCIL DELEGATION

Details of Delegation:	Multiple
Delegate:	CEO

12. VERSION HISTORY

Version No	Issue Date	Description of Change
1	07/04/2003	New Policy.
2	08/04/2008	Full Revision.
3	08/06/2010	Full Revision.
4	12/02/2014	Full Revision.
5	08/04/2015	Full Revision.
6	12/06/2019	Full Revision.
7	08/04/2020	Legislative Update due to COVID-19.
8		Full Revision.

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ATTACHMENT 1: DEFINITIONS

Term/Reference	Definition
Clear Days	<p>The time between the giving of the notice of a meeting and the day of the meeting, but excluding both the day on which the notice was given and the day of the meeting, e.g. notice is given on a Thursday for a following Monday meeting, the clear days are Friday, Saturday and Sunday. <u>Saturdays, Sundays and public holidays are taken into account. If notice is given after 5:00pm on a day, the notice will be taken to have been given on the next day. For example, notice given on a Thursday at 2:00pm for a meeting to be held on the following Monday, the Clear Days are Friday, Saturday and Sunday.</u></p>
<u>Confidentiality Provisions</u>	<p><u>In accordance with the requirements of section 90(2) and 91(7)90(3) of the -Act a Council/Committee may order that the public be excluded in order to receive, discuss or consider any of the following information or matters in confidence (references to Council below also include Committees):</u></p> <ul style="list-style-type: none"> <u>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);</u> <u>(b) information the disclosure of which—</u> <ul style="list-style-type: none"> <u>(i) could reasonably be expected to confer a commercial advantage on a person with whom Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of Council; and</u> <u>(ii) would, on balance, be contrary to the public interest;</u> <u>(c) information the disclosure of which would reveal a trade secret;</u> <u>(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which—</u> <ul style="list-style-type: none"> <u>(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</u> <u>(ii) would, on balance, be contrary to the public interest;</u> <u>(e) matters affecting the security of the Council, members or Employees of the Council, or Council property, or the safety of any person;</u> <u>(f) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the</u>

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Term/Reference	Definition
	<p><u>prevention, detection or investigation of a criminal offence, or the right to a fair trial;</u></p> <p>(g) <u>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;</u></p> <p>(h) <u>legal advice;</u></p> <p>(i) <u>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;</u></p> <p>(j) <u>information the disclosure of which—</u></p> <p style="padding-left: 20px;">(i) <u>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</u></p> <p style="padding-left: 20px;">(ii) <u>would, on balance, be contrary to the public interest;</u></p> <p>(k) <u>tenders for the supply of goods, the provision of services or the carrying out of works;</u></p> <p><u>(the Act does not contain an “l”)</u></p> <p>(m) <u>information relating to a proposed amendment to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the Planning, Development and Infrastructure Act 2016 before the draft instrument or amendment is released for public consultation under that Act;</u></p> <p>(n) <u>information relevant to the review of a determination of a Council under the Freedom of Information Act 1991;</u></p> <p>(o) <u>information relating to a proposed award recipient before the presentation of the award.</u></p> <p><u>The Local Government Act provides a definition of “personal affairs” which includes a person’s:</u></p> <ul style="list-style-type: none"> • <u>financial affairs</u> • <u>criminal records</u> • <u>marital or other personal relationships</u> • <u>personal qualities, attributes or health status</u> • <u>employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person,</u>

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Term/Reference	Definition
	<p><u>but it does not include the personal affairs of a body corporate.</u></p> <p><u>This is an inclusive (not exhaustive) list of personal affairs matters and other matters may also constitute a person's personal affairs.</u></p> <p><u>With respect to matters on a Council agenda, where a person provides information to the Council and requests that it be kept confidential, Council is not able to even 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.</u></p> <p><u>In considering whether an order should be made under section 90(2), it is irrelevant that discussion of a matter in public may-:</u></p> <ul style="list-style-type: none"> <u>• cause embarrassment to the Council or Committee concerned, or to members or Employees of the Council;</u> <u>• cause a loss of confidence in the Council or Committee;</u> <u>• involve discussion of a matter that is controversial within the Council area; or</u> <u>• make the Council susceptible to adverse criticism.</u> <p><u>If a decision to exclude the public is taken, the Council/ Committee is required to minute the making of the order and specify:</u></p> <ul style="list-style-type: none"> <u>• the grounds on which it was made;</u> <u>• the basis on which the information or matter falls within the ambit of each confidentiality ground; and</u> <u>• (if relevant) why receipt, consideration or discussion of the information or matter in public would be contrary to the public interest.</u> <p><u>Once discussion of the matter is concluded, the meeting must then consider if it is necessary to make an order identifying the document(s) (or parts of the document(s)) associated with that item (including minutes) that are to remain confidential.</u></p> <p><u>If the meeting determines that it is necessary to keep a document(s) (or parts of document(s)) confidential, then a resolution for an order to this effect is required in accordance with section 91(7) of the Local Government Act.</u></p> <p><u>The Council/Committee can only resolve to keep minutes and/or documents confidential under section 91(7) if they were considered in confidence at a Council/Committee Meeting pursuant to sections 90(2) and 90(3).</u></p>

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Term/Reference	Definition
	<p><u>The Council will not consider a number of agenda items “in confidence” together i.e. en bloc. It will determine each item separately and consider the exemptions relevant to each item.</u></p> <p><u>Once discussion of the matter is concluded and the public have returned, the decision in relation to the matter will be communicated unless Council has resolved to order that the resolution remain confidential. Details relating to any order to keep information or a document confidential in accordance with section 91(7) will also be made known.</u></p> <p><u>In accordance with section 91(8), the Council/Committee must not make an order to prevent:</u></p> <ul style="list-style-type: none"> <u>• 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</u> <u>• 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</u> <u>• 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</u> <u>• 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.</u> <p><u>Where keeping a document confidential is considered necessary, a resolution to this effect is required which shall include:</u></p> <ul style="list-style-type: none"> <u>• the grounds for confidentiality; and</u> <u>• the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed – if the order has a duration of more than 12 months, the order must be reviewed at least once in every year; and</u> <u>• (if applicable) whether the power to revoke the order will be delegated to an Employee of the Council.</u> <p><u>In all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council/Committee order and the associated implications.</u></p>

P0015 – Access to Council and Committee Meetings and Documents Code of Practice Policy

Term/Reference	Definition
	<p><u>There is no legal requirement to resolve to “come out of confidence” or to go back into “public session”. The public may and should be invited to re-enter the meeting when consideration of the relevant agenda item has concluded. The public are also entitled to be present for the debate and decision on whether any subsequent item should be considered in confidence.</u></p>
Connect	<p>Means being able to hear and/or see the meeting, including via a live stream or recording of the meeting.</p>
Disconnect	<p>Means to remove the connection so as to be unable to hear and see the meeting <u>or make a recording of the meeting.</u></p>
Employee(s)	<p>All personnel undertaking tasks/duties for and/or on behalf of the Council, including persons employed directly by the Council in a full time, part-time or casual basis under an employment contract, volunteers, contractors, agency personnel and work experience placements.</p>
Nominated P person	<p>A person nominated in writing by the Chief Executive Officer.</p>
Place	<p>Includes an electronic location (such as a virtual meeting room).</p>



COUNCIL POLICY

Access to Council and Committee Meetings and Documents Code of Practice

Policy Number:	PO015		
Strategic Plan Objective:	5. Responsible Governance and Leadership		
Policy Owner:	Chief Executive Officer	Record Number:	16/13889[v7]
Responsible Officer:	Governance Officer	Minute Reference:	046/2020
Date Adopted:	08/04/2020	Next Review Date:	March 2023

1. POLICY OBJECTIVES

Yorke Peninsula Council (Council) is committed to the principles of open, accountable, transparent and informed decision-making and encourages appropriate community participation in its affairs.

Accordingly, this policy has been developed to:

- ensure appropriate public access to Council/Committee meetings and documents;
- inform the community about public access to Council/Committee meetings and documents.

2. SCOPE

This policy applies to:

- a) Council;
- b) All committees of Council (Committee(s));
- c) All Council/Committee meetings and documents.

3. DEFINITIONS

Refer to Attachment 1.

4. POLICY STATEMENT

This policy sets out the way in which meetings and documents can be accessed and includes information about:

- The relevant provisions of the Local Government Act 1999 (Act);
- Public access and participation;
- Access to meeting agendas;
- Access to meetings;

PO015 – Access to Council and Committee Meetings and Documents Code of Practice Policy

- Access to documents;
- Accountability and reporting;
- Availability of the code;
- The process for restricting public access to a meeting or a document;
- The process for excluding the public from meetings;
- When the public can be excluded;
- Use of Confidentiality Provisions;
- Review of confidentiality orders;
- How to make a Complaint.

4.1. Public Access to the Agenda for Meetings

At least three (3) Clear Days before a Council/Committee meeting (unless it is a special Council/Committee meeting), 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.

Items listed on the agenda will be described accurately and in reasonable detail.

Notice of the meeting and an agenda will be placed on public display at the principal office of Council until the completion of the relevant Council/Committee meeting and published on [Council's website](http://www.yorke.sa.gov.au) (www.yorke.sa.gov.au).

Non-confidential agenda documents and reports supplied to Council/Committee members before the meeting, which are to be considered at the meeting, will be published on [Council's website](http://www.yorke.sa.gov.au) (www.yorke.sa.gov.au) as soon as practicable after being supplied to the Council/Committee members.

In the case where non-confidential agenda documents and reports are supplied to Council/Committee members at the meeting, for consideration during the meeting, a reasonable number of copies will be made available to members of the public at the meeting as soon as practicable after they are supplied to Council/Committee members. These documents will also be subsequently published on [Council's website](http://www.yorke.sa.gov.au) (www.yorke.sa.gov.au).

Members of the public may also obtain hardcopies of non-confidential agendas and relevant documents/reports for which a fee may be payable in accordance with Council's Fees and Charges Register, available on [Council's website](http://www.yorke.sa.gov.au) (www.yorke.sa.gov.au).

Agenda papers provided to the Council/Committee may include notice from the CEO that the Council/Committee may determine to consider an item in confidence, with the public to be excluded from the meeting during discussion of that item. Where such an indication is made, the CEO must specify why the confidentiality order could be made in accordance with the Confidentiality Provisions.

4.2. Public Access to Meetings

Council/Committee meetings are open to the public and attendance is encouraged, except where the Council believes it is necessary, in the broader community interest, to exclude the public from the discussion and, if necessary, the decision.

The public will only be excluded when considered proper and necessary in the case where the need for confidentiality outweighs the principle of open decision-making.

PO015 – Access to Council and Committee Meetings and Documents Code of Practice Policy

4.2.1. Information and Briefing Sessions

Council/Committee or the CEO are permitted to facilitate an Information and Briefing Session where more than one Council/Committee member is invited. A matter must not be dealt with at an Information and Briefing Session in such a way so as to obtain, or effectively obtain, a decision outside of a formally constituted Council/Committee meeting.

An Information and Briefing Session on a matter that will be included on a Council/Committee agenda must be open to the public, however, the Council/Committee or the CEO may order that the Information and Briefing Session be closed to the public if the matter listed for discussion falls within the Confidentiality Provisions.

An Information and Briefing Session will be taken to be conducted in a Place open to the public if one (1) or more Council/Committee members participate in the meeting by electronic means, provided that members of the public can hear the discussion between all Council/Committee members and subject to a Council direction that electronic means are not to be used for the purposes of Information and Briefing Session.

Whether or not an Information and Briefing Session has been open to the public, the following information must be published as soon as practicable after the holding of the session:

- The Place, date and time of the session;
- The matter discussed at the session;
- Whether or not the session was open to the public.

4.2.2. Committee Meetings and Electronic Participation

A Committee meeting will be taken to be conducted in a Place open to the public if one (1) or more Committee members participate in the meeting by electronic means, provided that members of the public can hear the discussion between all Committee members and subject to a Council direction that a Committee is not to use electronic means for the purposes of its meeting(s).

4.3. Confidentiality and Matters Where the Public can be Excluded

Before ordering that the public be excluded to enable consideration of a particular matter in confidence, the Council/Committee/CEO must, in public, formally determine if this is necessary and appropriate. In the case of a meeting where it is deemed appropriate to exclude the public, a resolution to exclude the public is then required.

All members of the public (including Employees) are required to leave the room, unless exempted by being named in the resolution as entitled to remain or, in the case of an information and briefing session, as named by the Council/Committee/CEO. 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 the meeting.

All members of the public (including Employees) who are participating in a Committee meeting or information and briefing session by electronic means must Disconnect and leave the meeting or information and briefing session unless exempted by being named in the resolution or, in the case of an information and briefing session, as named by the Council/Committee/CEO as entitled to remain.

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Once the Council/Committee/CEO order has been made, it is an offence for a person, who knowing that an order is in force, to enter or remain in the meeting or information and briefing session room or to Connect to a Committee meeting or information and briefing session by electronic means, or fail to Disconnect from a Committee meeting or information and briefing session.

Once discussion on that particular matter is concluded, the public are then permitted to re-enter, or reconnect, to the meeting. The decision of the meeting will be made publicly known unless the Council/Committee has resolved to order that information relating to the matter remain confidential.

If there is a further matter that needs to be considered in confidence, it is necessary to repeat the process to exclude the public again.

For the convenience of the public present at meetings, matters to be considered in confidence are contained within the last section of the agenda (wherever possible), to allow other business to be dealt with and avoid the public having to leave the meeting then return with the possibility of the same process being repeated again.

A report on the use of the Confidentiality Provisions by the Council/Committee must be included in Council's annual report, as required by Schedule 4 of the Act and Regulation 35 of the Local Government (General) Regulations 2013.

4.4. Public Access to Minutes

Minutes and non-confidential Council/Committee meeting documents will be available via [Council's website](http://www.yorke.sa.gov.au) (www.yorke.sa.gov.au).

Members of the public may also obtain hardcopies of non-confidential minutes for which a fee may be payable in accordance with Council's Fees and Charges Register, available on [Council's website](http://www.yorke.sa.gov.au) (www.yorke.sa.gov.au).

4.5. Review of Confidentiality Orders

An order made under the Confidentiality Provisions must specify the duration of the order and the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. An order will lapse if the time or event specified has been reached or carried out. Once the order expires or ceases to apply, the documents automatically become public.

Orders that exceed 12 months must be reviewed annually and the Council/Committee must assess whether the grounds for non-disclosure are still relevant. A Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence, subject to the Confidentiality Provisions. If there is more than one confidential order to be considered, each order must be dealt with separately and it is necessary to repeat the process.

If there are any items that require a fresh confidentiality order because the original order is about to expire, the Council/Committee must consider each matter separately against the Confidentiality Provisions and provide the reasons for the documents remaining confidential.

The conduct of the annual review can be delegated to the CEO and sub-delegated to an Employee if the Council/Committee deems it appropriate. While a Council may delegate the power to undertake an annual review, the Council cannot delegate the power to apply the Confidentiality Provisions.

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Council's Confidential Orders Register R031, available via [Council's website \(www.yorke.sa.gov.au\)](http://www.yorke.sa.gov.au), has been established to assist in monitoring order expiration and review dates (in accordance with the Ombudsman SA's recommendations).

4.6. Public Access to Documents

The Act requires Councils to make available a large number of documents. Many of these are set out in Schedule 5, with further requirements also contained within other sections of the Act.

Schedule 5 documents must be published on [Council's website \(www.yorke.sa.gov.au\)](http://www.yorke.sa.gov.au). Council must also provide a person with a printed copy of any document referred to in Schedule 5 upon request, for which a fee may be payable in accordance with Council's Fees and Charges Register, available on [Council's website \(www.yorke.sa.gov.au\)](http://www.yorke.sa.gov.au).

Requests to access Council/Committee documents that are not otherwise publicly available, can be made under the Freedom of Information Act 1991. Enquiries relating to this process can be directed to Council's accredited Freedom of Information Officer on 8832 0000 or via email to Accredited FOI Officer admin@yorke.sa.gov.au. Council's Freedom of Information Statement is available on Council's website (www.yorke.sa.gov.au).

4.7. Availability

A copy of this policy is available on [Council's website \(www.yorke.sa.gov.au\)](http://www.yorke.sa.gov.au). Council will also provide a person with a printed copy upon request, for which a fee may be payable in accordance with Council's Fees and Charges Register, available on [Council's website \(www.yorke.sa.gov.au\)](http://www.yorke.sa.gov.au).

5. COMPLAINTS

Complaints about this policy or access to either a meeting or a document can be made in writing to Council's Governance Officer via Council's principal office. Complaints will be managed in accordance with Council's Complaints Policy PO147.

6. REVIEW

Council must review this policy within 12 months of the conclusion of a periodic election and as deemed necessary in consideration of any changes to legislation, relevant standards, codes and guidelines, audit findings and/or any corrective actions/controls arising from risk assessment.

7. TRAINING

Council is committed to supporting Council/Committee members and Employees in complying with this policy.

Training needs will be regularly reviewed, during induction, individual performance reviews and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

Council/Committee members and Employees will actively participate in training.

8. RECORDS

Records will be maintained as required by Council's Records Management Policy PO063 and relevant legislation.

PO015 – Access to Council and Committee Meetings and Documents Code of Practice Policy

9. RELATED COUNCIL POLICIES/PROCEDURES AND DOCUMENTS

- PO037 Internal Review of a Council Decision Policy
- PO057 Community Engagement Policy
- PO147 Complaints Policy
- R011 Fees and Charges Register
- R031 Confidential Orders Register
- Yorke Peninsula Council Freedom of Information Statement

10. REFERENCES AND LEGISLATION

- Freedom of Information Act 1991
- Local Government Act 1999
- Planning, Development and Infrastructure Act 2016
- LGA Access to Council and Committee Meetings and Documents Model Code of Practice
- Ombudsman’s “In the Public Eye” audit report

11. COUNCIL DELEGATION

Details of Delegation:	Multiple
Delegate:	CEO

12. VERSION HISTORY

Version No	Issue Date	Description of Change
1	07/04/2003	New Policy.
2	08/04/2008	Full Revision.
3	08/06/2010	Full Revision.
4	12/02/2014	Full Revision.
5	08/04/2015	Full Revision.
6	12/06/2019	Full Revision.
7	08/04/2020	Legislative Update due to COVID-19.
8		Full Revision.

P0015 – Access to Council and Committee Meetings and Documents Code of Practice Policy

ATTACHMENT 1: DEFINITIONS

Term/Reference	Definition
Clear Days	<p>The time between the giving of the notice of a meeting and the day of the meeting, but excluding both the day on which the notice was given and the day of the meeting. Saturdays, Sundays and public holidays are taken into account. If notice is given after 5:00pm on a day, the notice will be taken to have been given on the next day. For example, notice given on a Thursday at 2:00pm for a meeting to be held on the following Monday, the Clear Days are Friday, Saturday and Sunday.</p>
Confidentiality Provisions	<p>In accordance with the requirements of section 90(2) and 91(7) of the Act a Council/Committee may order that the public be excluded in order to receive, discuss or consider any of the following information or matters in confidence (references to Council below also include Committees):</p> <ul style="list-style-type: none"> (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— <ul style="list-style-type: none"> (i) could reasonably be expected to confer a commercial advantage on a person with whom Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of 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— <ul style="list-style-type: none"> (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;

P0015 – Access to Council and Committee Meetings and Documents Code of Practice Policy

Term/Reference	Definition
	<p>(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;</p> <p>(h) legal advice;</p> <p>(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;</p> <p>(j) information the disclosure of which—</p> <p style="padding-left: 20px;">(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</p> <p style="padding-left: 20px;">(ii) would, on balance, be contrary to the public interest;</p> <p>(k) tenders for the supply of goods, the provision of services or the carrying out of works;</p> <p>(the Act does not contain an “l”)</p> <p>(m) information relating to a proposed amendment to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the Planning, Development and Infrastructure Act 2016 before the draft instrument or amendment is released for public consultation under that Act;</p> <p>(n) information relevant to the review of a determination of a Council under the Freedom of Information Act 1991;</p> <p>(o) information relating to a proposed award recipient before the presentation of the award.</p> <p>The Local Government Act provides a definition of “personal affairs” which includes a person’s:</p> <ul style="list-style-type: none"> • financial affairs • criminal records • marital or other personal relationships • personal qualities, attributes or health status • employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, <p>but it does not include the personal affairs of a body corporate.</p>

PO015 – Access to Council and Committee Meetings and Documents Code of Practice Policy

Term/Reference	Definition
	<p>This is an inclusive (not exhaustive) list of personal affairs matters and other matters may also constitute a person's personal affairs.</p> <p>With respect to matters on a Council agenda, where a person provides information to the Council and requests that it be kept confidential, Council is not able to even 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.</p> <p>In considering whether an order should be made under section 90(2), it is irrelevant that discussion of a matter in public may:</p> <ul style="list-style-type: none"> • cause embarrassment to the Council or Committee concerned, or to members or Employees of the Council; • cause a loss of confidence in the Council or Committee; • involve discussion of a matter that is controversial within the Council area; or • make the Council susceptible to adverse criticism. <p>If a decision to exclude the public is taken, the Council/Committee is required to minute the making of the order and specify:</p> <ul style="list-style-type: none"> • the grounds on which it was made; • the basis on which the information or matter falls within the ambit of each confidentiality ground; and • (if relevant) why receipt, consideration or discussion of the information or matter in public would be contrary to the public interest. <p>Once discussion of the matter is concluded, the meeting must then consider if it is necessary to make an order identifying the document(s) (or parts of the document(s)) associated with that item (including minutes) that are to remain confidential.</p> <p>If the meeting determines that it is necessary to keep a document(s) (or parts of document(s)) confidential, then a resolution for an order to this effect is required in accordance with section 91(7) of the Local Government Act.</p> <p>The Council/Committee can only resolve to keep minutes and/or documents confidential under section 91(7) if they were considered in confidence at a Council/Committee Meeting pursuant to sections 90(2) and 90(3).</p> <p>The Council will not consider a number of agenda items "in confidence" together i.e. en bloc. It will determine each item</p>

PO015 – Access to Council and Committee Meetings and Documents Code of Practice Policy

Term/Reference	Definition
	<p>separately and consider the exemptions relevant to each item.</p> <p>Once discussion of the matter is concluded and the public have returned, the decision in relation to the matter will be communicated unless Council has resolved to order that the resolution remain confidential. Details relating to any order to keep information or a document confidential in accordance with section 91(7) will also be made known.</p> <p>In accordance with section 91(8), the Council/Committee must not make an order to prevent:</p> <ul style="list-style-type: none"> • 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 • 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 • 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 • 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. <p>Where keeping a document confidential is considered necessary, a resolution to this effect is required which shall include:</p> <ul style="list-style-type: none"> • the grounds for confidentiality; and • the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed – if the order has a duration of more than 12 months, the order must be reviewed at least once in every year; and • (if applicable) whether the power to revoke the order will be delegated to an Employee of the Council. <p>In all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council/Committee order and the associated implications.</p> <p>There is no legal requirement to resolve to “come out of confidence” or to go back into “public session”. The public</p>

P0015 – Access to Council and Committee Meetings and Documents Code of Practice Policy

Term/Reference	Definition
	may and should be invited to re-enter the meeting when consideration of the relevant agenda item has concluded. The public are also entitled to be present for the debate and decision on whether any subsequent item should be considered in confidence.
Connect	Means being able to hear and/or see the meeting.
Disconnect	Means to remove the connection so as to be unable to hear and see the meeting or make a recording of the meeting.
Employee(s)	All personnel undertaking tasks/duties for and/or on behalf of the Council, including persons employed directly by the Council in a full time, part-time or casual basis under an employment contract, volunteers, contractors, agency personnel and work experience placements.
Nominated Person	A person nominated in writing by the Chief Executive Officer.
Place	Includes an electronic location (such as a virtual meeting room).

22.2 POLICY UPDATE - PO156 INTERNAL FINANCIAL CONTROL POLICY**Document #:** 23/30278**Department:** Executive Services**PURPOSE**

To seek endorsement for the proposed update of PO156 Internal Financial Control Policy.

RECOMMENDATION

That Council endorse the proposed PO156 Internal Financial Control Policy, as presented for inclusion in Council's Policy Manual and on Council's website.

LINK TO STRATEGIC PLAN**Goal:** 5 Responsible Governance and Leadership**Strategy:** 5.1 Openness and transparency of reporting Council's performance

5.3 Meet all legislative requirements and compliance with Council's internal controls

5.6 Continuous improvement of Council processes

BACKGROUND

PO156 Internal Financial Control Policy (Policy) has been reviewed and updated in accordance with the Statutes Amendment (Local Government Review) Act 2021 (Amendment Act).

DISCUSSION

The Amendment Act required changes to regulation 6 of the Local Government (Financial Management) (Review) Variation Regulations 2021, inserting regulation 10A to the Local Government (Financial Management) Regulations 2011.

Regulation 10A inserts that, for the purposes of section 125(2) of the Local Government Act, the policies, practices and procedures of internal financial controls of a council must be in accordance with the Better Practice Model — Internal Financial Controls (BPM).

The BPM was already an adopted standard in the Local Government (Financial Management) Regulations 2011, however, it is now a document that all South Australian councils are required to comply with. This Policy was updated to include this compliance requirement.

Further changes have been made to simplify the content, improve formatting and update terminology following the name change to the Audit and Risk Committee.

The Audit and Risk Committee endorsed the draft Policy at its meeting held on 21 February 2023 and recommended to Council that it be adopted, with the addition of the 'Definitions of Control Effectiveness Ratings' table.

A copy of the draft updated Policy, with the required addition, is provided in attachment 1 with the changes shown in mark-up. A copy without mark-up is also provided in attachment 2 for ease of reference.

COMMUNITY ENGAGEMENT PLAN

Level 1 - Inform

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Chief Executive Officer
- Governance Officer
- Executive Assistant to CEO and Mayor
- Manager Financial Services
- Manager People, Culture & Safety
- Accountant – Financial Operations
- Senior Safety Officer
- Executive Services Support Officer

In preparing this report, the following external parties were consulted:

- Nil

POLICY IMPLICATIONS

PO156 Internal Financial Control Policy

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISKS/LEGAL/LEGISLATIVE/ IMPLICATIONS

It is essential that Council has the appropriate policies and delegations in place to ensure consistency, probity and legislative compliance.

Local Government Act 1999

Local Government (Financial Management) Regulations 2011

ATTACHMENTS

1. **PO156 Internal Financial Control Policy - Draft - Mark-up** [↓](#) 
2. **PO156 Internal Financial Control Policy - Draft - No Mark-up** [↓](#) 



COUNCIL POLICY

Internal Financial Control

Policy Number:	PO156		
Strategic Plan Objective:	5. Responsible Governance and Leadership		
Policy Owner:	Director Corporate and Community Services	Record Number:	16/32279[v3]
Responsible Officer:	Manager Financial Services	Minute Reference:	213/2019 (11/09/2019)
Date Adopted:	11/09/2019	Next Review Date:	September 2023

1. POLICY OBJECTIVES

Yorke Peninsula Council's (Council) This Internal Financial Control Policy (Policy) establishes a framework to ensure:

- Risks relating to the stewardship of public resources are adequately managed through effective internal controls.
- Managers are made aware of their that they are responsibility for ensuring that internal controls are established, documented, maintained and adhered to across the Council and conveyed to all Employees that they are responsible for adhering to those internal controls.
- The propriety of transactions, information integrity, compliance with regulations and achievement of Council objectives through operational efficiency.

2. SCOPE

Internal control is part of Council's corporate governance framework. and covers areas such as strategic management, business development, project management, financial management and human resource management. It comprises procedures to mitigate risks and provide reasonable assurance that operations are efficient and effective, assets are safeguarded, legislation and Council policies/rulings are complied with and financial reporting is accurate and reliable.

Council areis committed to maintaining an efficient and effective internal control environment in accordance with Section 125 of the Local Government Act 1999 (the Act).

To meet these legislative requirements, Council has implemented a framework in compliance with the Better Practice Model – Financial Internal Control for South Australian Councils (BPM). The BPMF identifies standard internal controls for each financial risk identified and Council is required to demonstrate that controls are effective, through a regular self-assessment process.

PO156 – Internal Financial Control Policy

Assessing and reviewing officers will evaluate the appropriateness, design and effectiveness of controls on a scale from 1 – 5. Council's control effectiveness rating scale is provided in the table below.

<u>Definitions of Control Effectiveness Ratings</u>	
<u>1. Ineffective</u>	<u>During the period, the control has not been implemented as described. Urgent management action is required to implement the described control processes.</u>
<u>2. Requires significant improvement</u>	<u>During the period, the control has been implemented as described, but with significant deficiencies in the consistency or effectiveness of implementation. Significant management action required to implement processes to improve the effectiveness of the control.</u>
<u>3. Partially effective</u>	<u>During the period, the control has been implemented as described, but with some deficiencies in the consistency and/or effectiveness in which it has been applied.</u>
<u>4. Majority effective</u>	<u>During the period, the control has been implemented as described and in the majority of cases has been consistently and/or effectively applied. There is potential to enhance the effectiveness of the control, but only with minor adjustments.</u>
<u>5. Effective</u>	<u>During the period, the control as described has been fully implemented and has in all cases has been consistently and/or effectively applied.</u>

Where a control activity has been given an effectiveness rating of 3 or below by the assessing or reviewing officer, some level of explanation should be provided for the deficiency in the control activity, and consideration of establishing an action plan to address this. The purpose of the action plan is to document Council's intention to address the deficiency.

The Audit and Risk Committee is responsible for monitoring and reviewing the adequacy of this self-assessment process and internal controls framework in accordance with Section 126 of the Act.

As a first step towards developing a complete risk management and corporate governance framework the financial component of internal controls will be addressed and these are required to ensure Council resources are used prudently and in an efficient, effective and economical manner. Examples of the types of activities addressed are accounts payable, payroll, budgeting, management reporting, banking and contracting. Financial internal controls are critical to effective risk management of a Council's operations and promote the achievement of its goals and objectives.

This Policy operates as a direct consequence of the provisions of Section 125 (Internal Control Policies) of the LG Act 1999. In addition Section 129 (Conduct of Audit) of the LG Act 1999 requires an external auditor to form an opinion as to whether there is sufficient evidence providing reasonable assurance that the transactions undertaken by Council have been conducted properly and in accordance with law.

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Section 19 of the Local Government (Financial Management) Regulations 2011 (the Regulations) states

This has been further elaborated upon within the Local Government (Financial Management) Regulations 2011 (the Regulations) at Part 6 – Audit clause 19(b) which states an audit of internal the internal controls must be carried out in accordance with Standards set out by the Auditing and Assurance Standards Board, established under the Australian Securities and Investment Commission Act 2001.

The Regulations state in forming this opinion they require the auditor must to assess internal Ffinancial Ccontrols of the Council, based on the criteria contained in the Better Practice Model – Internal Financial Controls. BPM.

The Better Practice Model (BPM) has been agreed and adopted by peak local government financial management and auditing bodies as the framework by which all local government Councils in South Australia self-assess risk management areas of their business and establish control measures to mitigate inherent risk associated with the services they provide the public and administrative operations.

In addition to the BPM, the LGA has published Financial Sustainability Information Papers (FSIP) as part of its ongoing Financial Sustainability Program (FSP) with the aim of harmonising high-level policy positions for Council administration adoption and use.

While the Information Papers are not statutory measures, they are considered best practice for Council to commit to. The two papers referenced in this policy are:

- LGA FSIP No. 21 – Internal Financial Controls and;
- LGA FSIP No. 18 – Financial Policies and Procedures.

Council is committed to maintaining an effective Internal Control environment.

3. DEFINITIONS

Refer to Attachment 1.

4. POLICY STATEMENT**4.1. Risk Management Approach**

Council will maintain an internal control framework, which will be based upon a proactive risk management culture. The types of risks identified in the framework have potential to in the framework will be those which may prevent Council from meeting its objectives or not maximising its opportunities. The first risk area covered by Council will identify risks is financial management, for which internal controls will be identified, documented and managed.

It is recognised that all risks cannot be eliminated, however the internal controls applied should reduce the likelihood of the risk occurring to within acceptable limits of risk.

Council will develop a culture that emphasises integrity, ethical values and competence.

4.2. Roles and Responsibilities

The Council's (Elected Members) are responsible for approval of the Internal of this Control Policy.

The Chief Executive Officer (CEO) is responsible for developing and maintaining an internal cControl Fframework, which ensures Council objectives are achieved efficiently and effectively. Updates on changes to the framework will be presented to the Audit Committee.

PO156 – Internal Financial Control Policy

The ~~Council~~ Audit and Risk Committee ~~is~~ are responsible for review of ~~any any proposed changes to this Policy and the internal controls framework and the Framework to assess as part of its role to review~~ the effectiveness of the ~~Internal Control system, in accordance with its Terms of Reference, in accordance with its Terms of Reference.~~

The ~~Chief Executive Officer~~ CEO and Mayor must ~~also~~ sign the financial statements in regard to Internal Controls, as required by ~~the Local Government (Financial Management) Regulations 2011 Regulation 14. Regulations.~~

The Corporate Management Team (CMT), Managers and Supervisors must adopt a risk management approach to identifying and assessing risks and apply cost/benefit analysis in the development of internal controls.

Council ~~E~~employees must conduct their duties in accordance with Council's internal control policies, procedures and practices ~~of Council~~ and are expected to undertake training ~~in controls affecting their work, while maintaining in aspects of control that directly affect their own work procedures and also maintain an awareness of other other control practices within the Council.~~

The ~~Internal Auditor~~ Business Improvement Officer may investigate, evaluate and report on ~~any aspect of the internal financial controls system.~~ They assist the Audit and Risk Committee and ~~management CMT at all levels~~ by providing ~~analyses, appraisals, findings, recommendations and recommendations and pertinent comments~~ in respect of the activities reviewed.

4.3. Elements of an Internal Control Framework

~~The essential E~~elements of an effective internal control framework ~~are~~ include:

- ~~Risk identification and assessment;~~
- Structure and culture of Council;
- Delegations of Authority;
- Policies and procedures;
- Trained and ~~properly qualified~~ qualified employees staff;
- Information ~~t~~Technology controls;
- Review process ~~e.g. internal audit;~~
- Liaison with auditors and legal advisors;
- ~~Senior Management compliance assurance;~~
- ~~Risk identification and assessment.~~

4.4. Nature of Internal Controls

Policies and procedures which ~~have been put in place~~ act as an ~~Internal Control~~ Controls are either ~~proactive or reactive in nature. They can be described as follows:~~

- Preventative – processes ~~are put in place~~ to avoid undesirable events from occurring;
- Directive – processes ~~are put in place~~ to encourage a desirable event to occur; ~~e.g. treasury management policy~~
- Detective – processes ~~are put in place~~ to detect and ~~subsequently correct~~ undesirable events that have already occurred; ~~e.g. two signatories for all cheques disbursed~~

PO156 – Internal Financial Control Policy

4.5. Risk Management Process

The process followed by Council in developing the framework and system appears below in diagrammatic form extracted from Australian/New Zealand Standard AS/NZS ISO

31000:2018.



Council's risk management system involves a set of eight steps that have been developed, based upon best practice risk management principles, to provide a structured and consistent approach to the effective identification, analysis, evaluation, treatment, management, monitoring and reporting of risk.

- Establish Goals & Context Communication and Consultation – authentic communication and consultation with internal and external stakeholders is critical to the successful identification and management of risk. Ensure Employees and Elected Members understand why actions are required. Effective risk management also requires a thorough understanding of the goals and context of Council to assist in establishing the assessment criteria for risk management.
- Define the Scope, Context and Criteria - as the risk management system is applied at different levels throughout the organisation it is important to consider risks in context with Council's objectives, values and resources, along with any potential to impact other activities and external stakeholders.
- Identify Risk Identifications – identify the risks most likely to impact on the achievement of Council's objectives. The process of identifying the events that have the potential to impact upon the achievement of Council's objectives is critical in protecting the community, employees, assets and the organisation against potential losses and maximising opportunities.
- Analyse Risk Analysis – Assess effectiveness of risks in terms of likelihood and consequence to identify the current risk level. Council will consider the risks identified and the effectiveness of any current controls utilising Council's Risk Matrix and Consequence tables.
- Risks Evaluation – risk priorities are determined based upon the outcomes of the risk analysis which determine whether risks are acceptable or unacceptable and document findings.

PO156 – Internal Financial Control Policy**Evaluate Risks –**

~~Determine whether the risks are acceptable or unacceptable and document findings.~~

- ~~Treat Risk Treatments – one or more options for modifying the risks may be selected to reduce the risk of the consequence occurring or in the case of opportunities, ensuring that the consequences are realised. When treating risks also consider Treat risks by one of the following methods – discontinuing activity that generates risk, reducing likelihood of occurrence, reducing consequence of occurrence, transfer/transferring the risk or retaining the risk.~~
- Recording and Reporting – identified risks will be documented, monitored, reviewed, managed and reported via Council's Risk and Corrective Action Registers in order to build a risk profile for the Council.
- ~~Consultation/Communication – These are important elements to Ensure Employees and Elected Members that all stakeholders understand why actions are required.~~
- ~~These stakeholders include all staff and Elected Members.~~
- Monitoring and Review – Responsible officers must be identified for each internal control and provide feedback to Managers on progress with controls. The Managers monitor the effectiveness of risk treatments and report progress to the Corporate Management Team/Business Improvement Officer/GMT and the Audit and Risk Committee regularly at regular intervals.

5. COMPLAINTS

Complaints in relation to this ~~PP~~ policy can be directed to the Director Corporate and Community Services and will be managed in accordance with Council's PO147 Complaints Policy.

6. REVIEW

~~An ongoing program of review should be implemented to monitor and identify any changes in the level of type of risk exposure. A risk review should also be undertaken in response to a process or system change.~~

~~The aim of a review is to:~~

- ~~Assess reliability and integrity of system information~~
- ~~Ensure that system procedures comply with policies, standards, laws and regulations~~
- ~~Evaluate system compliance to written procedures and work practices~~
- ~~Determine overall effectiveness~~
- ~~Identify issues~~
- ~~Plan & implement changes~~

~~Major task of a review program are to:~~

- ~~identify key issues~~
- ~~assess whether associated control are effective and~~
- ~~determine whether additional or different controls are needed~~

~~The assessment of risks should consider aspects of internal control including:~~

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- ~~relevant principles~~
- ~~recommended practices~~
- ~~key issues~~
- ~~options for improvement~~

~~The Corporate Management Team is to be informed of the outcome of each review and updated regularly on progress with action plans identified during the reviews.~~

~~The Audit Committee is to be updated regularly on progress with action plans identified during the reviews.~~

This Policy will be reviewed and updated every four (4) years and as ~~deemed~~ necessary in consideration of any changes to legislation and relevant standards, codes and guidelines. Elected Members and Employees will have the opportunity to participate in the review process.

Endorsement by the Audit and Risk Committee and Elected Members is required.

7. TRAINING

Council is committed to supporting Employees and Elected Members in complying with this Policy.

Training needs will be reviewed annually, during individual performance reviews and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

8. RECORDS

Records shall be maintained as required by Council's Records Management Policy (PO063) and relevant legislation, standards, codes and guidelines.

9. RELATED COUNCIL POLICIES/PROCEDURES AND DOCUMENTS

- ~~Council's Delegations Register~~
- PO148 Fraud ~~and~~ Corruption Misconduct and Maladministration Prevention Policy
- ~~PO134 Whistleblower's Protection Policy~~
- ~~PO58 Purchasing and Procurement Policy~~
- ~~PO84 Corporate Purchase Card Policy~~
- ~~PO95 Cheque Signatories~~
- ~~PO139 Treasury Management Policy~~
- ~~PO72 Sale and Disposal of Land & Other Assets Policy~~
- PO091 Risk Management Policy
- PR150 Internal Control Audit Procedure
- ~~Local Government Code of Conduct for Council Employees~~
- ~~PR002 Banking and Cash Handling Procedure~~

10. REFERENCES AND LEGISLATION

- Local Government Act 1999 ~~—Sections 125, 126, 128, 129 and 130~~

PO156 – Internal Financial Control Policy

- Local Government (Financial Management) Regulations 2011 ~~Regulations 14, 17 and 19~~
- Australian/ New Zealand Standard AS/ NZS ISO 31000:2018
- Better Practice Model – Financial Internal Control for South Australian Councils
- ~~Better Practice Model – Internal Financial Controls~~
- Australian Securities and Investment Commission Act 2001
- LGA Local Government Association (LGA) FSIP Financial Sustainability Information Paper (FSIP) No. 21 – Internal Financial Controls
- LGA FSIP No. 18 – Financial Policies and Procedures

11. COUNCIL DELEGATION

Details of Delegation:	Director Corporate and Community Services
Delegate:	Manager Financial Services

12. VERSION HISTORY

Version No	Issue Date	Description of Change
1	14/12/2016	<u>Legislative Update.</u>
2	19/09/2019	<u>Legislative Update.</u>
<u>3</u>		<u>Full Revision.</u>

PO156 – Internal Financial Control Policy**ATTACHMENT 1: DEFINITIONS**

Term/Reference	Definition
Internal Financial Control	Risk Management framework that manages the risk to the organisation from error or fraud and therefore assists in the achievement of a Council's objectives.
Better Practice Model (BPM)	Internal Control and Risk Management framework that Local Government bodies in SA have adopted to self-assess, apply and monitor measures in order to minimise risk when undertaking all financial transactions. This is commonly known as the Better Practice Model – Internal Financial Controls.
Framework	A layered structure that underpins and informs the financial reporting policies and procedures for Council.
Corporate Management Team (CMT)	Includes the <u>GEO-Chief Executive Officer</u> and Directors.
Employee	Includes persons employed by Council, volunteers, trainees, work experience placements, <u>casual personnel, agency personnel</u> independent consultants and contractors and <u>/ or</u> other authorised personnel offered access to the Council's resources.



COUNCIL POLICY

Internal Financial Control

Policy Number:	PO156		
Strategic Plan Objective:	5. Responsible Governance and Leadership		
Policy Owner:	Director Corporate and Community Services	Record Number:	16/32279[v3]
Responsible Officer:	Manager Financial Services	Minute Reference:	213/2019 (11/09/2019)
Date Adopted:	11/09/2019	Next Review Date:	September 2023

1. POLICY OBJECTIVES

Yorke Peninsula Council's (Council) Internal Financial Control Policy (Policy) establishes a framework to ensure:

- Risks relating to the stewardship of public resources are managed through effective internal controls.
- Managers are made aware of their responsibility for ensuring internal controls are established, documented, maintained and adhered to across Council and conveyed to Employees that they are responsible for adhering to those internal controls.
- The propriety of transactions, information integrity, compliance with regulations and achievement of Council objectives through operational efficiency.

2. SCOPE

Internal control is part of Council's corporate governance framework. It comprises procedures to mitigate risks and provide reasonable assurance that operations are efficient and effective, assets are safeguarded, legislation and Council policies/rulings are complied with and financial reporting is accurate and reliable.

Council is committed to maintaining an efficient and effective internal control environment in accordance with Section 125 of the Local Government Act 1999 (the Act).

To meet these legislative requirements, Council has implemented a framework in compliance with the Better Practice Model – Financial Internal Control for South Australian Councils (BPM). The BPM identifies standard internal controls for each financial risk identified and Council is required to demonstrate that controls are effective, through a regular self-assessment process.

Assessing and reviewing officers will evaluate the appropriateness, design and effectiveness of controls on a scale from 1 – 5. Council's control effectiveness rating scale is provided in the table below.

PO156 – Internal Financial Control Policy

Definitions of Control Effectiveness Ratings	
1. Ineffective	During the period, the control has not been implemented as described. Urgent management action is required to implement the described control processes.
2. Requires significant improvement	During the period, the control has been implemented as described, but with significant deficiencies in the consistency or effectiveness of implementation. Significant management action required to implement processes to improve the effectiveness of the control.
3. Partially effective	During the period, the control has been implemented as described, but with some deficiencies in the consistency and/or effectiveness in which it has been applied.
4. Majority effective	During the period, the control has been implemented as described and in the majority of cases has been consistently and/or effectively applied. There is potential to enhance the effectiveness of the control, but only with minor adjustments.
5. Effective	During the period, the control as described has been fully implemented and has in all cases has been consistently and/or effectively applied.

Where a control activity has been given an effectiveness rating of 3 or below by the assessing or reviewing officer, some level of explanation should be provided for the deficiency in the control activity, and consideration of establishing an action plan to address this. The purpose of the action plan is to document Council's intention to address the deficiency.

The Audit and Risk Committee is responsible for monitoring and reviewing the adequacy of this self-assessment process and internal controls framework in accordance with Section 126 of the Act.

Section 19 of the Local Government (Financial Management) Regulations 2011 (the Regulations) states an audit of internal controls must be carried out in accordance with Standards set out by the Auditing and Assurance Standards Board, established under the Australian Securities and Investment Commission Act 2001. The Regulations require the auditor to assess Internal Financial Controls of the Council, based on the criteria contained in the BPM.

3. DEFINITIONS

Refer to Attachment 1.

4. POLICY STATEMENT**4.1. Risk Management Approach**

Council will maintain an internal control framework, based on a proactive risk management culture. The risks identified in the framework have potential to prevent Council from meeting objectives or maximising opportunities. Council will identify risks for which internal controls will be identified, documented and managed.

It is recognised that all risks cannot be eliminated, however the internal controls applied should reduce the likelihood of the risk occurring to within acceptable limits

PO156 – Internal Financial Control Policy

of risk. Council will develop a culture that emphasises integrity, ethical values and competence.

4.2. Roles and Responsibilities

Council's Elected Members are responsible for approval of this Policy.

The Chief Executive Officer (CEO) is responsible for developing and maintaining an internal control framework.

The Audit and Risk Committee are responsible for review of any changes to this Policy and the internal controls framework to assess the effectiveness of the internal control system, in accordance with its Terms of Reference.

The CEO and Mayor must sign financial statements in regard to Internal Controls, as required by the Regulations.

The Corporate Management Team (CMT), Managers and Supervisors must adopt a risk management approach to identifying and assessing risks and apply cost/benefit analysis in the development of internal controls.

Council Employees must conduct their duties in accordance with Council's internal control policies, procedures and practices and are expected to undertake training in controls affecting their work, while maintaining awareness of other control practices within Council.

The Business Improvement Officer may investigate, evaluate and report on internal financial controls. They assist the Audit and Risk Committee and CMT by providing findings and recommendations in respect of the activities reviewed.

4.3. Elements of an Internal Control Framework

Elements of an effective internal control framework include:

- Risk identification and assessment;
- Structure and culture of Council;
- Delegations of Authority;
- Policies and procedures;
- Trained and qualified employees;
- Information technology controls;
- Review process;
- Liaison with auditors and legal advisors;
- Senior Management compliance assurance.

4.4. Nature of Internal Controls

Policies and procedures which act as internal controls are either:

- Preventative – processes to avoid undesirable events from occurring;
- Directive – processes to encourage a desirable event to occur;
- Detective – processes to detect and correct undesirable events that have already occurred.

PO156 – Internal Financial Control Policy**4.5. Risk Management Process**

The process followed by Council in developing the framework and system appears below in diagrammatic form extracted from Australian/New Zealand Standard AS/NZS ISO31000:2018.



Council's risk management system involves a set of eight steps that have been developed, based upon best practice risk management principles, to provide a structured and consistent approach to the effective identification, analysis, evaluation, treatment, management, monitoring and reporting of risk.

- Communication and Consultation – authentic communication and consultation with internal and external stakeholders is critical to the successful identification and management of risk. Ensure Employees and Elected Members understand why actions are required. Effective risk management also requires a thorough understanding of the goals and context of Council to assist in establishing the assessment criteria for risk management.
- Define the Scope, Context and Criteria - as the risk management system is applied at different levels throughout the organisation it is important to consider risks in context with Council's objectives, values and resources, along with any potential to impact other activities and external stakeholders.
- Risk Identification – identify risks most likely to impact on the achievement of Council's objectives. The process of identifying the events that have the potential to impact upon the achievement of Council's objectives is critical in protecting the community, employees, assets and the organisation against potential losses and maximising opportunities.
- Risk Analysis – assess risks in terms of likelihood and consequence to identify the current risk level. Council will consider the risks identified and the effectiveness of any current controls utilising Council's Risk Matrix and Consequence tables.
- Risks Evaluation – risk priorities are determined based upon the outcomes of the risk analysis which determine whether risks are acceptable or unacceptable and document findings.
- Risk Treatment – one or more options for modifying the risks may be selected to reduce the risk of the consequence occurring or in the case of opportunities,

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ensuring that the consequences are realised. When treating risks also consider discontinuing activity that generates risk, reducing likelihood of occurrence, reducing consequence of occurrence, transferring the risk or retaining the risk.

- Recording and Reporting – identified risks will be documented, monitored, reviewed, managed and reported via Council's Risk and Corrective Action Registers in order to build a risk profile for the Council.
- Monitoring and Review – responsible officers must be identified for each internal control and provide feedback to Managers on progress with controls. The Managers monitor the effectiveness of risk treatments and report progress to the Business Improvement Officer and the Audit and Risk Committee regularly.

5. COMPLAINTS

Complaints in relation to this Policy can be directed to the Director Corporate and Community Services and will be managed in accordance with Council's PO147 Complaints Policy.

6. REVIEW

This Policy will be reviewed and updated every four (4) years and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines. Elected Members and Employees will have the opportunity to participate in the review process.

Endorsement by the Audit and Risk Committee and Elected Members is required.

7. TRAINING

Council is committed to supporting Employees and Elected Members in complying with this Policy.

Training needs will be reviewed annually, during individual performance reviews and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

8. RECORDS

Records shall be maintained as required by Council's Records Management Policy (PO063) and relevant legislation, standards, codes and guidelines

9. RELATED COUNCIL POLICIES/PROCEDURES AND DOCUMENTS

- PO148 Fraud Corruption Misconduct and Maladministration Prevention Policy
- PO091 Risk Management Policy
- PR150 Internal Control Audit Procedure
- Local Government Code of Conduct for Council Employees

10. REFERENCES AND LEGISLATION

- Local Government Act 1999
- Local Government (Financial Management) Regulations 2011
- Australian/ New Zealand Standard AS/ NZS ISO 31000:2018
- Better Practice Model – Financial Internal Control for South Australian Councils

PO156 – Internal Financial Control Policy

- Australian Securities and Investment Commission Act 2001
- Local Government Association (LGA) Financial Sustainability Information Paper (FSIP) No. 21 – Internal Financial Controls
- LGA FSIP No. 18 – Financial Policies and Procedures

11. COUNCIL DELEGATION

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12. VERSION HISTORY

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PO156 – Internal Financial Control Policy**ATTACHMENT 1: DEFINITIONS**

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Framework	A layered structure that underpins and informs the financial reporting policies and procedures for Council.
Corporate Management Team (CMT)	Includes the Chief Executive Officer and Directors.
Employee	Includes persons employed by Council, volunteers, trainees, work experience placements, casual personnel, agency personnel independent consultants and contractors and / or other authorised personnel offered access to the Council's resources.

22.3 CONSIDERATION OF ADOPTION OF BEHAVIOURAL SUPPORT POLICY**Document #:** 23/36456**Department:** Executive Services**PURPOSE**

For Council to consider adoption of a Behavioural Support Policy in accordance with section 75F of the Local Government Act 1999.

RECOMMENDATION A

That in accordance with section 75F of the Local Government Act 1999, a Behavioural Support Policy be prepared and returned to Council for endorsement for public consultation purposes prior to adoption.

OR**RECOMMENDATION B**

That having considered the requirements of section 75F of the Local Government Act 1999, a Behavioural Support Policy not be adopted at this time.

OR**RECOMMENDATION C**

That having considered the requirements of section 75F of the Local Government Act 1999, a Behavioural Support Policy not be adopted as a separate document at this time and is instead integrated with the Behavioural Management Policy by way of an attachment as a 'Behavioural Commitment Statement'.

LINK TO STRATEGIC PLAN**Goal:** 5 Responsible Governance and Leadership**Strategy:** 5.2 Effective leadership and informed decision making

5.3 Meet all legislative requirements and compliance with Council's internal controls

BACKGROUND

Section 75F of the Local Government Act 1999 (Act) commenced operation on 17 November 2022 and requires Council to consider whether it should adopt a Behavioural Support Policy to support appropriate behaviour by Elected Members, in addition to the Behavioural Management Policy required under section 262B of the Act.

The Local Government Association (LGA) has prepared a Model Behavioural Support Policy (Model Policy) to assist Council with considering whether to adopt such a policy, which is provided in Attachment 1.

DISCUSSION**Behavioural Management Framework**

The Behavioural Management Framework commenced as part of the local government reforms on 17 November 2022 and incorporates:

- The legislative framework within which Elected Members must operate;
- The Behavioural Standards for Council Members;

- The mandatory Behavioural Management Policy;
- Optional Behavioural Support Policy.

In addition, the Behavioural Standards Panel with powers to impose sanctions on Elected Members who breach legislative and policy requirements has been established to assess and deal with matters referred to it.

Transitional regulations deemed the LGA Model Behavioural Management Policy as the applicable policy (provided in Attachment 2) for all councils, until such time as Council adopts its own policy. Council must, prior to 10 November 2023, adopt a Behavioural Management Policy.

A Behavioural Support Policy may specify direction/further guidance relating to behaviours, set out guidelines relating to compliance with those directions and include any other matter relating to the behaviour of Elected Members, considered appropriate by Council. Where Council adopts a Behavioural Support Policy, an Elected Member must comply with the policy. Any breach of a Behavioural Support Policy will be managed in accordance with Council's Behavioural Management Policy.

Whilst Council is not obligated to adopt a Behavioural Support Policy, it must, within six months after the conclusion of each periodic election:

- Review the operation of the Behavioural Support Policy and consider whether additional Behavioural Support Policies should be adopted; or
- Consider whether it should adopt Behavioural Support Policies.

As this is the first time this provision has been in operation following a periodic election, the obligation is for Council to consider whether it will adopt a Behavioural Support Policy.

The Model Policy provides an example of the kind of matters that may be included within such a policy but requires Council to consider and customise the document based on decisions regarding what is deemed necessary/appropriate to support Elected Member behaviour.

As Council's own Behavioural Management Policy is currently being developed, there is an opportunity to incorporate the principles of the Behavioural Support Policy by way of an attachment as a 'Behavioural Commitment Statement'. This would provide a streamlined, integrated approach to supporting and managing Elected Member behaviour.

A decision from Council to not proceed with the adoption of a Behavioural Support Policy at this time does not preclude Council from determining to adopt a Behavioural Support Policy at any time throughout the term of Council.

Training Standards for Council Members

In response to reforms arising from the Statutes Amendment (Local Government Review) Act 2021, the LGA Training Standards for Council Members (Training Standard) were revised to include additional, mandatory training requirements for all Elected Members.

A key inclusion in the revised Training Standards is the requirement for completion of Leadership Training by all Elected Members. In response to this change, the Chief Executive Officer (CEO) is required to arrange a workshop that may include (and not be limited to):

- An opportunity to build connections (between Elected Members and Elected Members with CEO/key staff);
- Identify shared values and aspirations for delivering outcomes for the community;
- Provide an overview of existing strategic priorities, plans and strategies of Council;
- Establish effective working relationships and team culture in the context of defined roles and responsibilities.

This workshop formed part of the Elected Member training held in November 2022 and the content of this workshop may inform a Behavioural Support Policy.

The revised Training Standard includes a requirement for a 'Mid-term Leadership Refresher' which could provide a structured opportunity to reconsider Council's Behavioural Support Policy approach and any additional support to Elected Member behaviour required.

COMMUNITY ENGAGEMENT PLAN

Level 2 - Consult

If Council determines to develop a Behavioural Support Policy, the policy will require community consultation prior to endorsement.

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Governance Officer

In preparing this report, the following external parties were consulted:

- Nil

POLICY IMPLICATIONS

LGA Model Behavioural Management Policy

PO148 Fraud Corruption Misconduct and Maladministration Prevention Policy

PO150 Gifts and Benefits Policy

PO171 Public Interest Disclosure Policy

PR152 Public Interest Disclosure Procedure

BUDGET AND RESOURCE IMPLICATIONS

Nil.

RISKS/LEGAL/LEGISLATIVE/ IMPLICATIONS

Local Government Act 1999

Independent Commission Against Corruption Act 2012

Ombudsman Act 1972

Public Interest Disclosure Act 2013

ATTACHMENTS

1. **Attachment 1 - Local Government Association - Model Behavioural Support Policy** [↓](#) 
2. **Attachment 2 - Local Government Association - Model Behavioural Management Policy** [↓](#) 

Behavioural Support Policy

Strategic Reference	
File reference	
Responsibility	
Revision Number	
Effective date	
Last revised date	
Minutes reference	
Next review date	
Applicable Legislation	Local Government Act 1999 s75F
Related Policies	Behavioural Management Policy
Related Procedures	

1. Preamble

This policy has been prepared and adopted by **[insert name of Council]** pursuant to section 75F of the *Local Government Act 1999* (the Local Government Act). This policy forms part of the Behavioural Management Framework for council members.

Section 75F(2) provides that a Behavioural Support Policy may:

- a. Specify directions relating to behaviour that must be observed by members of the council; and
- b. Set out guidelines relating to compliance by members with the Behavioural Standards for Council Members and directions under clause a. above; and
- c. include any other matter relating to behaviour of council members considered appropriate by the council.

Section 75F(3) provides that a Behavioural Support Policy:

- a. must not be inconsistent with the Behavioural Standards for Council Members; and
- b. must comply with any requirements specified by the behavioural standards.

2. Introduction

Council members in South Australia have an obligation to serve the best interests of the people within the community they represent and to discharge their duties conscientiously, to the best of their ability, and for public, not private, benefit at all times.

To serve the community well, council members must work together constructively as a Council. This, in turn will foster community confidence and trust in local government.

Council members will make every endeavour to ensure that they have current knowledge of both statutory requirements and the required standards of practice relevant to their position.

3. Policy Statement

We, the council members of **[insert name of Council]** commit to the following values and supporting behaviours:

DRAFTING NOTE: The values set out below are the LGA Values and are provided as an example. Councils should consider and determine the values to be included within this section of the policy.

1. **Value & Respect** – We engage with each other respectfully in robust debate. We listen to others' views and speak to the issue and not the person/s.
2. **Optimism** – We are positive, constructive and creative in our problem solving. We are open minded and are willing to learn from each other and from the staff input.
3. **Integrity** – We are well prepared and stay focused on agreed strategic priorities. We uphold decisions of Council. Where it is not a unanimous decision, we respectfully communicate the decision to others.
4. **Connected** – We ensure we provide a safe, supportive environment where people thrive, are listened to and communication is open and transparent.
5. **Excellence** – We value leading toward clear strategic and inspiring goals and implement outcomes that benefit the community as a whole.

4. Council member commitments

To support our shared values and behaviours, we, the council members of **[insert name of Council]** agree:

1. That as the currently elected custodians, entrusted to oversee the affairs of **[insert name of Council]**, we have a duty to put the interests of the community before our own interests.
2. As most council members will serve at least a four-year term on council together, it is important to spend time focused on building and maintaining positive and constructive relationships and participate in workshops and undertake training.
3. To fulfill our duties, we will establish and maintain relationships of respect, trust, confidentiality, collaboration, and cooperation with other council members and the employees of council.
4. As a democratic tier of the government in South Australia we acknowledge our role in representing a wide diversity of viewpoints within the community. We:
 - a) recognise that it is appropriate and important for a range of views to be expressed at council meetings.

- b) accept we are likely to disagree at times as part of robust debate, but we will always show respect in our differences.
 - c) undertake, when we disagree, that we will do this respectfully. In particular, we undertake, when disagreeing with others, that we will focus on the merits of the argument and not make personal or derogatory remarks about other council members or council employees.
5. At council meetings we will engage with each other in a respectful and civilised manner, and we will exercise care in expressing views regarding the conduct of other council members and council employees.
 6. The Presiding Member has the primary role in maintaining good order at council meetings. However, all council members will responsibly lead in demonstrating and supporting constructive and positive behaviour in effective decision making at council.
 7. When engaging and communicating with council administration we will do so in accordance with the requirements of the CEO and relevant legislation, recognising the separation of powers between Council Members and the CEO and the importance of working together constructively to achieve outcomes for the community.

To support the undertakings made above, the council members of **[insert name of Council]** additionally commit to participating in activities to monitor and review the shared values and behaviours throughout the term of Council.

5. Other matters relating to the behaviour of Council Members

We, the council members of **[insert name of Council]** consider it appropriate and agree that all council members will act in accordance with the following specific obligations:

DRAFTING NOTE: The information set out below is by way of example. Section 75F(2)(c) provides that a behavioural support policy may “include any other matters relating to behaviour of members considered appropriate by the council”. This section of the policy is where those other matters should be incorporated. Councils should discuss and determine “other matters relating to the behaviour of members” it considers appropriate for inclusion within this section of the policy and then modify the text in this section accordingly. In determining ‘other matters relating to behaviour’ councils should avoid duplicating matters already provided for within the Local Government Act.

5.1 Media

1. Council members may express their individual personal views through the media. When this occurs, it needs to be clear that any such comment is a personal view and does not represent the position of Council.
2. If council members choose to express dissent in the media, they should address the policy issues and refrain from making personal criticism of other council members or council staff. Any such commentary should not include any remarks that could reasonably be construed as being derogatory, defamatory or insulting to any person.

3. Council members may link and disseminate key information from official Council social media platforms in messaging to the community but should refrain from changing or interpreting the information.
4. For clarity, this policy does not attempt to prevent robust political debate in the media on political issues. This policy does set rules on how views should be expressed.

5.2 Communication and engagement

1. Council members, as representatives of Council, will communicate and engage with the community on Council's key directions, providing factual information on the challenges and opportunities respectfully and in accordance with resolutions of Council.

6. Further Information

This policy is available to be downloaded, free of charge, from Council's website:
www.xxx.sa.gov.au. A printed copy may be purchased on request from the Council office.



LG Equip

Model Behavioural Management Policy

August 2022

Document Set ID: 781625
Version: 5, Version Date: 31/10/2022

This model policy was developed in preparation for the commencement of the Behavioural Management Framework as part of the implementation of the Statutes Amendment (Local Government Review) Act 2021 and associated changes to the Local Government Act 1999 and endorsed by the LGA Board on 23 August 2022.

This resource has been prepared by the Local Government Association of SA (LGA) to assist councils with implementation of legislative changes arising from Local Government Reforms, incorporating advice from Norman Waterhouse Lawyers, for the guidance of and use by member councils.

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Foreword

This model policy document has been developed to assist councils with the implementation of reforms associated with behavioural management for council members, arising from the *Statutes Amendment (Local Government Review) Act 2021*.

All councils must adopt a Behavioural Management Policy relating to the management of behaviour of council members, including the process for receipt and management of a complaint received regarding the conduct of a council member.

Section 262B of the *Local Government Act 1999* (the Local Government Act) sets out a range of matters that must be included within the policy and requires that council review the operation of the Behavioural Management Policy within 12 months after the conclusion of each periodic election.

Legal Framework

There are four components to the Elected Member Behavioural Management Framework (BMF).

- Part 1 The legislative framework within which all council members must operate.
- Part 2 The Behavioural Standards for Council Members, determined by the Minister for Local Government (developed in consultation with the local government sector), which apply to all council members in South Australia.
- Part 3 The mandatory *Behavioural Management Policy* relating to the management of behaviour of council members and adopted pursuant to section 262B of the Local Government Act.
- Part 4 Optional *Behavioural Support Policy* (or policies), designed to support appropriate behaviour by council members and adopted pursuant to section 75F of the Local Government Act.

In addition, the Behavioural Standards Panel, an independent statutory authority comprising three members with powers to impose sanctions on council members who breach legislative and policy requirements has been established¹ to assess and deal with matters referred to it.

LGA Mutual Liability Scheme and LGA Workers Compensation Scheme

In managing matters within the scope of the Behavioural Management Framework, councils must also adhere to the Local Government Association Mutual Liability Scheme (LGAMLS) and/or the Local Government Association Workers Compensation Scheme (LGAWCS) Rules. Where an incident, circumstance or matter occurs which may give rise to a claim, councils must provide notice to the LGAMLS and/or LGAWCS in accordance with the LGAMLS & LGAWCS Scheme Rules. The provision of early notice allows for adequate risk management and prevention strategies to be put in place so as to absolutely minimise risk.

¹ Chapter 13, Part A1—Member Behaviour, Division 2—Behavioural Standards Panel, *Local Government Act 1999*

Commencement of Behavioural Management Framework

The provisions relevant to the Behavioural Management Framework are intended to commence immediately following the 2022 council periodic elections. At this time, the Behavioural Standards for Council Members will replace the former Code of Conduct for Council Members. At the same time, the investigative and disciplinary powers of the Behavioural Standards Panel will commence.

To support councils' compliance with the Behavioural Management Framework requirements, transitional provisions will be enacted which will deem the LGA's Model Policy as *the* Behavioural Management Policy for each council. At any time afterwards, councils can review their Behavioural Management Policy and determine any changes it may wish to make to the document.

The LGA Model Behavioural Management Policy was developed in consultation with Local Government Risk Services, the Office of Local Government and the LGA's *Legal Connect* partners, Norman Waterhouse Lawyers. The Model Policy sets the framework which is consistent with the legislative requirements. However, there are a range of matters within the Policy that councils may wish to customise to meet requirements specific to each council when consideration is given to changes to the Policy.

The LGA Model Behavioural Management Policy reflects the changes to the role of the principal member of council, set out in section 58 of the *Local Government Act 1999*. Consistent with the increased leadership obligations, the Policy assigns responsibility for the management of complaints to the Mayor (except in circumstances where the complaint relates to the conduct of the Mayor). Councils may determine and appoint an alternative person to be responsible for managing any complaints received in accordance with this Policy.

Councils are required to consider the adoption of a Behavioural Support Policy (or policies)² and the LGA has developed a model Behavioural Support Policy to assist with that consideration. Behavioural Support Policies are intended to support appropriate behaviours by members of the council and will assist with meeting obligations relating to leadership and positive and constructive working relationships as set out in sections 58 and 59 of the *Local Government Act*.

² Section 75F(7) of the *Local Government Act 1999* requires councils, within six months after the conclusion of each periodic election to review the operation of existing Behavioural Support Policies, or consider whether it should adopt a Behavioural Support Policy.

Behavioural Management Policy

Responsibility	Chief Executive Officer
Effective date	From the day on which section 147(6) of the Statutes Amendment (Local Government Review) Act 2021 comes into operation
Next review date	Refer to regulation 16 of the <i>Local Government (Transitional Provisions) (Conduct) Amendment Regulations 2022</i>
Applicable Legislation	Local Government Act 1999 s262B <i>Local Government (Transitional Provisions) (Conduct) Amendment Regulations 2022</i>

1. Purpose

This Policy has been prepared and adopted pursuant to section 262B of the *Local Government Act 1999* (the Local Government Act).

This Behavioural Management Policy forms part of the Behavioural Management Framework for council members and sets out the approach to the management of complaints about the behaviour of council members. It sets out the process to be adopted where there has been an alleged breach of the Behavioural Standards for Council Members, this Behavioural Management Policy and/or any Behavioural Support Policy adopted by the Council (**the behavioural requirements**).

2. Glossary

Behavioural Management Framework – comprises four components:

- The legislative framework within which all council members must operate;
- The Behavioural Standards for Council Members, determined by the Minister for Local Government, which apply to all council members in South Australia;
- The mandatory Behavioural Management Policy (this document) relating to the management of behaviour of council members and adopted pursuant to section 262B of the Local Government Act;
- Optional Behavioural Support Policy (or policies) designed to support appropriate behaviour by council members and adopted pursuant to section 75F of the Local Government Act.

behavioural requirements – in this document refers collectively and individually to the Behavioural Standards for Council Members, the Behavioural Management Policy and any Behavioural Support Policies adopted by the Council.

Behavioural Standards for Council Members – established by the Minister for Local Government, and published as a notice in the SA Government Gazette, specifying standards of behaviour to be observed by members of councils; and providing for any other matter relating to behaviour of members of councils.

frivolous – includes without limitation, a matter of little weight or importance, or lacking in seriousness.

misbehaviour – is defined in section 262E of the *Local Government Act 1999* as:

- (a) A failure by a member of a council to comply with a requirement of the council under section 262C(1); or
- (b) A failure by a member of a council to comply with a provision of, or a requirement under, the council's behavioural management policy; or
- (c) A failure by a member of a council to comply with an agreement reached following mediation, conciliation, arbitration or other dispute or conflict resolution conducted in relation to a complaint under Division 1

person responsible for managing the complaint means, subject to any resolution of the Council to the contrary –

1. the Mayor;
2. if the complaint relates to or involves the Mayor, the Deputy Mayor;
3. if the complaint relates to or involves the Mayor and Deputy Mayor, another council member appointed by Council.

repeated misbehaviour – is defined in section 262E of the *Local Government Act 1999* as a second or subsequent failure by a member of a council to comply with Chapter 5 Part 4 Division 2 (Ch 5-Members of council, Pt 4-Member integrity and behaviour, Div 2-Member behaviour)

serious misbehaviour – is defined in section 262E of the *Local Government Act 1999* as a failure by a member of a council to comply with section 75G (Health and safety duties)

trivial – includes without limitation, a matter of little worth or importance; that is trifling; or insignificant.

vexatious – includes a matter raised without reasonable grounds or for the predominate purpose of causing annoyance, delay or detriment, or achieve another wrongful purpose

3. Principles

Nothing in this Policy is intended to prevent council members from seeking to resolve disputes and complaints in a proactive, positive and courteous manner before they are escalated.

The following principles will apply:

- Where a council member considers there has been behaviour that is inconsistent with the **behavioural requirements** is, a council member may, in appropriate circumstances, seek to respectfully and constructively raise this issue with the member concerned, without the need to lodge a complaint under this Policy;
- If a matter proceeds to a complaint, all council members will continue to comply with the procedures set out in this Policy and support the person responsible for managing the complaint;
- a consistent approach to the assessment, investigation and resolution of complaints will be adopted to facilitate timely and efficient resolution and minimisation of costs;

- Where required, Council may engage the assistance of skilled advisors and support persons in the assessment, investigation and resolution of complaints and avoid adopting an unreasonably legalistic approach.
- ongoing training and relevant resources will be provided to all council members to ensure they have the skills and knowledge necessary to perform their role in accordance with the **behavioural requirements** and the *Local Government Act 1999*.
- training and relevant support will be provided to persons with specific obligations under this Policy to facilitate the management, reporting and resolution of complaints alleging a breach of the **behavioural requirements**.

Council will manage complaints under this Policy with as little formality and technicality and with as much expedition as the requirements of the matter and the Local Government Act allow and with proper consideration of the matter. Council is not bound by rules of evidence but will inform itself in the manner considered most appropriate given the nature of the complaint.

4. The Complaint Management Process

This Policy sets out the procedures for dealing with an allegation of a breach of the **behavioural requirements** applying to council members. These procedures do not apply to complaints about council employees or the council as a whole.

A complaint made in accordance with this Policy must be lodged within 6 months of the behaviour that is inconsistent with the **behavioural requirements** occurring. A decision may be made to accept a complaint lodged more than 6 months after the behaviour that is inconsistent with the **behavioural requirements** occurring on a case-by-case basis, at the discretion of the person responsible for managing the complaint.

Community members can lodge a complaint with the Council in accordance with this Policy but cannot lodge a complaint directly with the Behavioural Standards Panel.

4.1. Dispute versus Complaint

It is important to distinguish between a dispute and a complaint. A dispute is generally a difference of opinion or disagreement between two parties. It may involve a heated discussion or some other unsatisfactory exchange between parties but may not amount to conduct inconsistent with the **behavioural requirements**. Ideally disputes will be handled directly by the parties involved and will not escalate to a complaint requiring action (even informal action) under this Policy. The Mayor (or another person) may play a role in facilitating a resolution to a dispute.

This Policy is intended to deal with matters where conduct is alleged to have been inconsistent with the **behavioural requirements**, rather than where members of council have differences of opinion, even when robustly put.

4.2. Confidentiality

Complaints made in accordance with this Policy will be managed on a confidential basis until such a time as they are required to be reported to Council in a public meeting in accordance with this Policy or are otherwise lawfully made public or disclosed.

Access to information relating to complaints and information about complaints will be limited to parties to the complaint and individuals with a responsibility within the complaint handling process or as otherwise provided for within this Policy³.

A person who has access to information about a complaint (including the complainant and the person complained about) must not directly, or indirectly disclose to any person (including to a council member) that information except:

- For the purpose of dealing with the complaint
- Where required by law
- For the purpose of obtaining legal advice or legal representation, or medical or psychological assistance from a medical practitioner, psychologist or counsellor
- Where the disclosure is made to an external party, investigating the complaint, or mediator/conciliator engaged in accordance with this Policy
- Where the information has been made public in accordance with this Policy or this Policy otherwise authorises or requires the disclosure of the information.

This is not to be confused with formal consideration at a Council Meeting of any matter arising from application of this Policy. Items presented to Council must be assessed on a case-by-case basis in accordance with the requirements of section 90 of the *Local Government Act 1999*.

A complainant may request their identity be kept confidential from the person complained about. This does not constitute an anonymous complaint. The person responsible for managing the complaint will consider such requests on a case-by-case basis, having regard to any applicable legal requirements.

4.3. Stages of Action

This Policy has three distinct stages to the approach that will be taken to address complaints about the behaviour of Council Members:

- Part 1: Informal Action: Where the matter can be resolved directly between the parties.
- Part 2: Formal Action: Where the matter cannot be resolved using informal action and a formal process of consideration is required.
- Part 3: Referrals to the Behavioural Standards Panel: the circumstance under which the Mayor, the Council or other authorised person(s) will make a referral.

4.4. Part 1: Informal action

Council encourages informal resolution of concerns regarding behaviour alleged to be contrary to the **behavioural requirements**. A person may therefore consider raising the matter directly with the council member concerned.

Alternatively, a person may raise their concern with the Mayor on an informal basis. If the concerns relate to or involve the Mayor the person may raise the matter with the Deputy Mayor (if appointed) or

³ There are circumstances in the *Work Health and Safety Act 2012* where information must be disclosed, for example where the health and safety of an employee is at risk.

other council member appointed by the Council as the person responsible for managing complaints under this Policy.

If the Mayor or person responsible for managing the complaint considers that access to resources to support impacted parties and facilitate early resolution of the matter should be provided, the Mayor or person responsible for managing the complaint will request the CEO to facilitate access to relevant resources. The CEO will not refuse any reasonable request for resources made in accordance with this Policy.

4.4.1. Record keeping

Where the Mayor or person responsible for managing the complaint addresses the matter through informal action, a record should be made setting out:

- Details of the complainant
- Details of the person complained about
- A summary of the matter
- A summary of actions taken in response
- Details of agreed actions (if any)

If informal action does not successfully resolve the matter, the record may be made available to an investigation process as provided for under this Policy or to the Behavioural Standards Panel.

4.5. Part 2: Formal action

This Part sets out the process for formal action in response to a complaint regarding the behaviour of council members and addresses the manner in which a complaint will be:

- Received
- Assessed
- Investigated
- Resolved
- Recorded

A complaint made under the Behavioural Management Policy must:

- be received in writing. Subject to an alternative resolution of the Council, a complaint should be marked with "Confidential Council Member Complaint" and forwarded to the relevant email or physical address as published on the Council's website.
- Provide the name of the council member who has allegedly breached the **behavioural requirements**, the name and contact details of the complainant, the name and contact details of the person submitting the complaint (if different to the complainant) and the name and contact details of any witnesses or other persons able to provide information about the complaint.
- Be specific (including identifying the **behavioural requirements** the complainant alleges have been breached)

- Provide as much supporting evidence as possible to assist an investigation, including the grounds and circumstances of the complaint (e.g. where, when, impact of the behaviour, actions taken to try to resolve the issue, relevant records or documents)
- Identify the outcome being sought
- Be lodged within six (6) months of the alleged conduct occurring on the basis that it is important to address alleged breaches of **behavioural requirements** in a timely manner (with discretion provided to the person responsible for managing the complaint to allow a longer time limit to apply in particular cases. This will be assessed on a case-by-case basis).

4.5.1. Receipt of a Complaint

This step is an administrative process undertaken by the CEO or delegate:

- receipt
- initial acknowledgement
- record keeping; and
- allocation of the matter to the person responsible for managing the complaint.

The CEO or delegate does not undertake an assessment of the merits of the complaint.

Receipt of the complaint will be acknowledged within 2 business days or as soon as reasonably practicable and a copy of this Policy will be provided to the person making the complaint.

The complaint should be directed to the person responsible for managing the complaint in accordance with this Policy.

A complainant may withdraw their complaint at any stage.

4.5.2. Initial complaint assessment

An initial assessment is not an investigation or adjudication of a complaint and no findings as to the merits of the complaint will be made at this stage.

Step 1

The person responsible for managing the complaint will undertake an assessment of it to determine whether the content of the complaint relates to the **behavioural requirements** and whether the conduct occurred in the context of the council member carrying out their official functions and duties.

In undertaking the assessment, the person responsible for managing the complaint will have regard to the following matters⁴:

- the person that is making the complaint (or on whose behalf the complaint has been made) has a sufficient interest in the matter
- the complaint is trivial, frivolous or vexatious or not made in good faith

⁴ The person responsible for managing the complaint will also have regard to whether the council has obligations to report the matter to either the Local Government Association Mutual Liability Scheme (LGAMLS) or the Local Government Association Workers Compensation Scheme (LGAWCS), pursuant to the Rules of those Schemes and council's agreement with those bodies.

- the complaint has been lodged with another authority
- the subject matter of the complaint has been or is already being investigated by the Council or another body
- it is unnecessary or unjustifiable for the Council to deal with the complaint
- the council has dealt with the complaint adequately.

Step 2

If the person responsible for managing the complaint considers the matter warrants further consideration, the person complained about should be advised that a complaint has been received and is undergoing an initial assessment in accordance with this Policy. They should be provided a summary of the matter, at a sufficient level of detail, to understand the nature of the allegations and enable them to provide a preliminary response. This may be achieved by a discussion between the person responsible for managing the complaint and the person complained about, taking into account the principles of this Policy. The person complained about may have a support person present during any discussions.

The person complained about should be given a reasonable opportunity, but no more than ten business days, to provide a response to support the initial assessment. The person responsible for managing the complaint may provide a longer period of time for provision of a response at their discretion. The person responsible for managing the complaint should have regard to any response provided in determining the action resulting from the initial assessment.

Action from initial assessment

The person responsible for managing the complaint will determine what action will result from the initial assessment. A matter may proceed to formal consideration under this Policy, unless there are grounds to take one of the following actions pursuant to section 262B(2)(b):

- refusing to deal with the complaint⁵
- determining to take no further action
- referring to an alternative resolution mechanism or to propose training for relevant parties (e.g. facilitated discussion, provision of training, mediation, arbitration, conflict resolution, etc.)
- referring the matter to another body or agency (e.g., the Ombudsman SA or the Behavioural Standards Panel)

The outcome of the initial assessment will be advised to the complainant and person complained about in writing as far as is permitted by law.

Refusing to deal with the complaint/Determining to take no further action

Where the person responsible for managing the complaint makes a decision not to proceed with formal consideration of the matter the following steps should be taken:

⁵ Section 270(4a)(a)(i) of the *Local Government Act 1999* precludes a review of a decision to refuse to deal with the complaint

- the complainant must be provided written reasons explaining the decision⁶
- the person complained about should be provided with a brief summary of the complaint and the reasons for not proceeding.
- A record of these steps and the decision not to proceed should be made.

Whilst a matter may not proceed, the person responsible for managing the complaint may discuss the issues informally with the parties and identify strategies to build skills, facilitate positive relationship development and reduce the likelihood of repeat occurrences.

Decision to refer to alternative resolution mechanism:

The person responsible for managing the complaint may form the view that the optimal way to deal with the complaint is to implement an alternative resolution mechanism such as facilitated discussion, mediation, arbitration, conflict resolution or training.

The person responsible for managing the complaint should discuss the use of a proposed alternative resolution mechanism with the complainant and the person complained about to determine whether there is support for this approach.

If so, the person responsible for managing the complaint should request the CEO take steps to facilitate access to appropriate internal or external support (not being for the purposes of obtaining legal advice) for parties to the complaint. The CEO will not refuse any reasonable request for resources made in accordance with this Policy.

The complainant and the person complained about should be provided written confirmation of the alternative resolution mechanism to be used for the purposes of resolving the complaint.

Decision to refer to another body or agency

Where the person responsible for managing the complaint makes a decision to refer the matter to another body or agency the person will follow any direction from that body or agency regarding what information is to be provided to the complainant and the elected member complained about regarding the referral.

Decision to proceed to formal consideration:

Where the person responsible for managing the complaint makes a decision to proceed to formal consideration the following steps should be taken:

- the person complained about should be provided with a copy of this Policy, contact details of the person responsible for managing the complaint and a summary document setting out:
 - the specific provision(s) of the ***behavioural requirements*** alleged to have been breached; and
 - the circumstances where this breach is alleged to have occurred.

In circumstances where the complainant has not requested their identity be kept confidential, a copy of the complaint may be provided in full.

⁶ Section 262D, *Local Government Act 1999*

- the complainant should be advised of the decision to proceed and the contact details of the person responsible for managing the complaint.

4.5.3. Formal consideration

Where a decision to formally consider the complaint has been made the person responsible for managing the complaint will determine how to proceed:

- The person responsible for managing the complaint may determine that they are the appropriate person to formally consider the complaint; or
- The person responsible for managing the complaint may determine to engage a third party to formally consider the complaint, for example:
 - an investigator who will report to the person responsible for managing the complaint; or
 - an external service provider with skills relevant to the matter who will report to the person responsible for managing the complaint.

If the person responsible for managing the complaint determines a third party should be engaged, they will request the CEO to facilitate engagement of an appropriate service provider. The CEO will not refuse any reasonable request for resources made in accordance with this Policy.

The person responsible for managing the complaint will advise both the complainant and the person complained about that they are able to have a support person accompany them during discussions relating to the complaint.

It is the expectation of Council that both the complainant and the person complained about will cooperate with any such process to consider the complaint and, if requested, participate in meetings in a timely manner.

Failure by the elected member complained about to comply with this requirement may be taken into account when considering the actions to be taken under section 262B(2)(e) of the Local Government Act and may constitute grounds for referral to the Behavioural Standards Panel for misbehaviour.

Further consideration by the person responsible for managing the complaint (or the third party engaged), may (at the discretion of that person) involve:

- explore the complaint with the complainant and the person who is the subject of the complaint
- speaking with other persons who have been nominated by the parties to have observed the behaviour
- speaking directly with witnesses to the conduct complained about
- requesting the provision of information or documents relevant to the investigation, which may include access to audio or video recordings of meetings.

During the formal consideration of a matter appropriate records should be kept by the person responsible for managing the complaint.

4.5.4. Report

The person responsible for managing the complaint (or the third party engaged) should ensure a report is prepared summarising the matter and setting out their findings, conclusions and recommendations. The report should set out:

- Allegations made in the complaint
- Summary of evidence to which the investigation had regard
- Findings
- Conclusions
- Recommendations

A report will generally include a recommended action for the parties to consider and/or participate in such as, but not limited to the imposition of sanctions as per the Local Government Act:

- discussions with parties to the complaint to seek agreement
- formal mediation if not already undertaken
- Conciliation
- Arbitration
- Education and further training

A copy of the draft report should be provided to the parties to the complaint who should be given a reasonable opportunity, but no more than ten business days, to make submissions in relation to the draft report. The person responsible for managing the complaint (or the third party engaged) may provide a longer period of time for lodgement of submissions to the draft report at their discretion. The person responsible for managing the complaint (or the third party engaged) should have regard to any submissions made in preparing a final report.

Outcome – No breach found

Where the finding is that no breach of the **behavioural requirements** has occurred a final report should be prepared by the person responsible for managing the complaint (or third party engaged) and provided to the complainant and the person complained about.

The complaint will remain confidential in accordance with the requirements of this Policy, except at the request of the person complained about. If such a request is made, a copy of the final report will be tabled⁷ at the next practicable Council meeting. If no such request is received, no further action will be taken.

⁷ Note that the complainants identity may need to be redacted.

Outcome – agreed actions (breach found)

Where the finding is that a breach of the **behavioural requirements** has occurred and the complainant and the person complained about⁸ agree to a path for resolution, that agreement will be documented including matters such as:

- actions to be undertaken
- responsibility for completing actions
- timeframes for completion of actions
- what will occur if there is a repeat of the behaviours complained about
- monitoring arrangements for completion of actions
- what will occur if the actions aren't completed
- confirmation that the matter is considered resolved

The agreement reached will be made in writing, including a commitment by parties to the complaint to abide by the agreement (which may be by electronic means). A copy of the agreement will be retained by each party and a copy held in Council records.

The complaint will remain confidential in accordance with the requirements of this Policy except at the request of the person complained about. If such a request is made, a copy of the final report will be tabled⁹ at the next practicable Council meeting.. The matter must be reported in the Council's Annual Report which must contain the information required by the regulations.¹⁰

Outcome – no agreed action (breach found)

Where the finding is that a breach of the **behavioural requirements** has occurred and the parties to the complaint have failed to reach agreement as to the resolution of the matter a final report should be presented to Council for determination. The person responsible for managing the complaint should request the CEO to include the final report in the Council Agenda as soon as practicable.

4.5.5. Actions of Council

Where the parties are not able to agree on an approach to resolve the matter, the matter will be provided to Council for determine the actions to be taken which may include:

- taking no further action
- passing a censure motion in respect of the member;
- requiring the member to issue a public apology (in a manner determined by the Council)
- requiring the member to undertake a specified course of training or instruction;

⁸ Where the conduct complained about is not raised by the person directly affected by the conduct it will usually be appropriate to discuss the proposed resolution with that person prior to finalising agreement. This is intended to apply in a circumstance where the 'victim' is not the complainant to provide them a reasonable opportunity to have input into the resolution.

⁹ Note that the complainants identity may need to be redacted.

¹⁰ Schedule 4(1)(d), *Local Government Act 1999*



- removal or suspension from one or more offices held in the member's capacity as a member of the Council or by virtue of being a member of the Council – but not the office of Member of the Council;

If Council determines to take action, a report on the matter must be considered at a meeting open to the public¹¹.

Where Council determines to take no further action, the complainant will be advised of this along with reasons, which may include:

- (a) the ground that, having regard to all the circumstances of the case, it is unnecessary or unjustifiable for the council to deal with or continue to deal with the complaint;
- (b) the ground that the subject matter of the complaint has been or is already being investigated, whether by the council or another person or body; or
- (c) the ground that the council has dealt with the complaint adequately.

In making a determination under section 262C(1) Council should be reasonably prescriptive about the manner and time periods in which the action must be completed. Section 262E defines a failure to comply with a requirement of the council under 262C(1) as 'misbehaviour' which may result in a referral to the Behavioural Standards Panel.

The matter must be reported in the Council's Annual Report which must contain the information required by the regulations.¹²

4.6. Behavioural Standards Panel

The Behavioural Standards Panel is an independent statutory authority consisting of three members and has powers to impose sanctions on council members who breach the **behavioural requirements**.

In accordance with section 262Q of the *Local Government Act 1999* a complaint alleging misbehaviour, repeated misbehaviour or serious misbehaviour may be made to the Panel by certain persons as set out below. The Panel's jurisdiction arises in the circumstances set out below:

Legislative definition	Plain language explanation
<p>misbehaviour means—</p> <ul style="list-style-type: none"> (a) a failure by a member of a council to comply with a requirement of the council under section 262C(1); or (b) a failure by a member of a council to comply with a provision of, or a requirement under, the council's behavioural management policy; or (c) a failure by a member of a council to 	<p>Misbehaviour means:</p> <ul style="list-style-type: none"> (a) a council member fails to take the action required by council; or (b) a council member fails to comply with this policy; or

¹¹ Section 262C(2), *Local Government Act 1999*

¹² Schedule 4(1)(d), *Local Government Act 1999*



comply with an agreement reached following mediation, conciliation, arbitration or other dispute or conflict resolution conducted in relation to a complaint under Division 1;	(c) a council member fails to comply with an agreement reached pursuant to this policy
<i>repeated misbehaviour</i> means a second or subsequent failure by a member of a council to comply with Chapter 5 Part 4 Division 2;	A second or subsequent breach of the behavioural requirements
<i>serious misbehaviour</i> means a failure by a member of a council to comply with section 75G.	A breach of health and safety duties (including sexual harassment) as set out in section 75G of the <i>Local Government Act 1999</i>

A complaint alleging misbehaviour, repeated misbehaviour or serious misbehaviour by a member of council may be referred to the Panel by¹³:

- A resolution of the council;
- the Mayor; or
- at least 3 members of the council
- Responsible person under 75G – direction not to attend meeting.

Behavioural Standards Panel Contact Officer

Council must appoint a person as the contact officer for matters referred to the Behavioural Standards Panel. The contact officer is responsible for the provision of information to and receipt of notice from the Behavioural Standards Panel.

5. Responsibilities

The Mayor, Deputy Mayor (if appointed) or other council member appointed by the council as the person responsible for managing complaints is responsible under this Policy to:

- Perform the tasks bestowed upon the person responsible for dealing with a complaint pursuant to this Policy
- In consultation with the CEO, facilitate access to resources to support impacted parties and resolve the concerns raised in a timely manner prior to the matter becoming serious, or escalating to a formal complaint.
- In consultation with the CEO, engage external resources to assist with investigation and resolution of matters.

The CEO (or delegate) is responsible under this Policy to:

¹³ Section 262Q, *Local Government Act 1999*

- manage the administrative receipt, acknowledgement, record keeping and allocation of a complaint lodged in accordance with this Policy
- facilitate access to external resources to support the resolution of complaints lodged in accordance with this Policy.

The Behavioural Standards Panel Contact Officer (appointed by the council) is responsible under this Policy to:

- comply with any lawful request of the Panel for information related to a matter under consideration.
- Receive and respond to notices relating to matters under consideration by the Panel.

Where the Behavioural Standards Panel Contact Officer is not the CEO, the Contact Officer should keep the CEO informed of the status of matters under consideration by the Panel.

6. Related Legislation

Independent Commission Against Corruption Act 2012

Local Government Act 1999

Ombudsman Act 1972

Public Interest Disclosure Act 2018

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Version: 5, Version Date: 31/10/2022



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Version: 5, Version Date: 31/10/2022

23 CORPORATE AND COMMUNITY SERVICES

23.1 THE PINES COMMUNITY ASSOCIATION - COMMUNITY GRANT EXTENSION

Document #: 23/44437

Department: Corporate and Community Services

PURPOSE

For Council to consider an extension for the acquittal of the Community Grant received by The Pines Community Association in 2022/2023.

RECOMMENDATION

That Council endorse an extension until 31 October 2023 for the acquittal of the \$4,500 Community Grant awarded to The Pines Community Association in August 2022; to upgrade the boat ramp with seating and raised deck area.

LINK TO STRATEGIC PLAN

Goal: 4 Community Engaged and Supported

Strategy: 4.3 Continue providing community grants, donations and sponsorships

BACKGROUND

At the August 2022 meeting, Council approved The Pines Community Association (PCA) community grant application to upgrade the boat ramp with seating and raised deck area.

The PCA were awarded \$4,500 under this program.

Due to awaiting building approval, they are unable to spend the funds during the allocated 2022/2023 financial year. These delays have impacted PCA's ability to complete their project in time to acquit the grant by 31 May 2022, as specified in Council's Policy PO149 Community Grants Scheme Policy.

DISCUSSION

Due to the abovementioned reasons PCA have therefore requested an extension until 31 October 2023 for acquittal. The request is outlined in Attachment 1.

As per Section 4.1(p) of Council's PO149 Community Grants Scheme Policy, exceptional circumstances for late lodgement of acquittals will be considered on a case by case basis.

COMMUNITY ENGAGEMENT PLAN

Level 1 - Inform

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Manager Financial Services

In preparing this report, the following external parties were consulted:

- The Pines Community Association

POLICY IMPLICATIONS

PO149 Community Grants Scheme Policy

BUDGET AND RESOURCE IMPLICATIONS

The \$4,500 allocation will be rolled over from 2022/2023 into the 2023/2024 budget. No additional funding is required.

RISKS/LEGAL/LEGISLATIVE/ IMPLICATIONS

Local Government Act 1999

ATTACHMENTS

1. **Request for Community Grant Extension 2022/2023 - The Pines Community Association**
 

THE PINES COMMUNITY ASSOCIATION INC



ABN: 45860057223

2 Ti-Tree Road, THE PINES. S.A. 5577
PO Box 8, WAROOKA. S.A. 5577

Chairperson: Phil Walker
Mobile: 0408826193
Secretary: Tony Reynolds
Mobile: 0491614496
Email: tpca5577@gmail.com

Yorke Peninsula Council
PO Box 57
MAITLAND SA 5578

To whom it may concern

We are still waiting for approval of our building application to build a shade area at our boat ramp, so it looks like we will be unable to complete our Community Grant Project by the required acquittal date 31st May 2023.

The planning department are still waiting for an engineering report from the supplier of the shade. Hence, we are asking for an extension of time to submit our acquittal for this project.

Regards

Tony Reynolds
Secretary
The Pines Community Association Inc.

23.2 FINANCIAL REPORT AS AT 30 APRIL 2023**Document #:** 23/42529**Department:** Corporate and Community Services**PURPOSE**

For Council to consider the financial report and capital projects update report as at 30 April 2023.

RECOMMENDATION

That Council receive the financial report and capital projects update report as at 30 April 2023.

LINK TO STRATEGIC PLAN**Goal:** 5 Responsible Governance and Leadership**Strategy:** 5.1 Openness and transparency of reporting Council's performance

5.2 Effective leadership and informed decision making

5.3 Meet all legislative requirements and compliance with Council's internal controls

5.4 Seek alternate income streams and ensure financial sustainability

BACKGROUND

A financial report and capital projects update report (projects over \$25,000) is presented monthly for Council's consideration in accordance with Policy PO142 Budget Reporting and Amendment. These reports encompass results to the end of the calendar month preceding each scheduled Council meeting.

DISCUSSION

The attached financial reports are submitted with the following qualifications, comments and notes:

- Actuals included in the Uniform Presentation of Finances (UPF) are as incurred at close of business on the last day of the month being reported and may be subject to end of month adjustments. Any such adjustments will be incorporated into the following monthly report.
- The reports do not include year-end income and expense accruals.
- Both reports include year to date commitments i.e. orders raised but not yet paid for.
- **Attachment 1 - Uniform Presentation of Finances (UPF)**
 - Note 1 - Rates, Service Charges (Waste CWMS Water), Landscape Levy and Rate Rebates, totalling approximately \$25.6m, have been raised for the 2022/2023 financial year but are only due and payable either in full in September 2022 or by quarterly instalments in September 2022, December 2022, March 2023 and June 2023.
 - Note 1 - grants, subsidies and contributions of \$4.3m received to date.
 - Note 1 - \$103,000 in dog and cat control income received to date.
 - Note 1 - income from building and planning activity of approximately \$216,000 and septic tank registration and inspection fees of approximately \$76,000.
 - Note 1 - also included is approximately \$458,000 of reimbursements and miscellaneous income.

- Note 1 - \$5.2m collected for user charges (boat ramps, bush camping, caravan parks, cemetery fees, hall hire, etc.) are included in the total income.
- Note 2 - the following expenditure has been paid for (in advance) as per the required payment terms with the goods and services to be delivered or consumed over the remainder of the financial year:
 - Memberships/Subscriptions/Contributions/Donations: \$459,000
 - Community Care and Transport Inc. annual contribution: \$92,000
 - YP Tourism annual contribution: \$52,000
 - Regional Development Australia: \$34,000
 - Progress annual contributions: \$50,000
 - Minlaton library toilet upgrade contribution (30%): \$9,000
 - Various Council annual subscriptions/memberships: \$155,000
 - Various staff professional accreditations/memberships: \$5,000
 - Phone Tower Lease Contributions: \$6,000
 - Caravan Parks memberships, online booking system: \$51,000
 - Business Enhancement Program: \$5,000
 - IT Licence Fees (including cloud services): \$247,000
 - Plant & Equipment Registration: \$134,000
- Note 2 - commitments of approximately \$1.8m with \$0.7m being for waste management services.
- Note 2 - depreciation for eight months of the financial year has been included in the YTD expenditure being approximately 83% of the 2022/2023 annual budget estimate.
- Notes 3 and 4 - commitments of approximately \$9.8m (including rollovers) for various capital projects, details of which can be found in Attachment 2 of this report.
- **Attachment 2 – Capital Projects Update Report**
 - All Year-to-Date expenditure in this report includes invoices paid to date and orders outstanding. The total of this amount is then compared against the current budget to provide the budget remaining.
 - It should be noted that the month end balances in the capital report are different to those in Attachment 1 – UPF. This is due to the UPF reflecting the actuals as at the last day of the month, whereas the capital report includes some month end adjustments, correction to existing purchase orders and raising of new ones, backdated journals and correction of incorrectly allocated amounts. Making these adjustments means the report shows expenditure incurred as well as expenditure forecast for the remainder of the year along with budget remaining for each project.

COMMUNITY ENGAGEMENT PLAN

Level 1 - Inform

CONSULTATION PROCESS

- Manager Financial Services
- Budget and Project Managers
- Accountant Financial Management

In preparing this report, the following external parties were consulted:

- Nil

POLICY IMPLICATIONS

PO142 Budget Reporting and Amendment Policy

BUDGET AND RESOURCE IMPLICATIONS

With two months of the financial year remaining adjustments to the budget at third quarter are required to ensure overall financial performance is forecast to remain on track against an endorsed Budget.

It should be noted that Council's 2021/2022 Annual Financial Statements have been finalised and will impact Council's 2022/2023 forecast financial position and ratios. Council's audited 2021/2022 Annual Financial Statements and the 2022/2023 September quarterly budget review were endorsed by Council at the November 2022 meeting. The 2022/2023 December quarterly budget review was endorsed at the February 2023 meeting. All adjustments are included in the reports attached. Council's 2022/2023 March quarterly budget review has been completed and will be considered by Council at the May 2023 meeting following this report. 2022/23 March adjustments are not currently included in the reports attached to this Council report.

Expenditure on capital projects including commitments has continued to increase with less than two months of the financial year remaining with numerous projects nearing completion. After ten months of the 2022/2023 financial year, 7% of the 2022/2023 budgeted capital funds remain uncommitted.

Projects that were not commenced or incomplete (for various reasons) at the end of 2021/2022 have been rolled over to 2022/2023 for completion. Council endorsed the rollovers at its August 2022 meeting. These amounts have been included in both the Capital Projects Update report and the UPF. Projects not commenced or incomplete as at 30 June 2023 will be considered by Council in August 2023 for roll over to 2023/2024.

RISKS/LEGAL/LEGISLATIVE/ IMPLICATIONS

Monthly financial reporting provides a transparent and comprehensive reporting regime that allows Council to track performance against financial targets established in its annual budget.

Council risks being perceived as not being transparent if financial performance is not reported periodically and Elected Members could be asked to make decisions without knowing the impact on Council's financial position.

There is a significant risk that non-achievement of agreed milestones for grant funded capital projects could result in a delay in Council receiving grant funds, not receiving funds, or having to return funds already received. This would have a significant negative impact on Council's budget and cash flow.

Local Government Act 1999

Local Government (Financial Management) Regulations 2011

ATTACHMENTS

1. **Uniform Presentation of Finances as at 30 April 2023** [↓](#) 
2. **Monthly Capital Projects Update Report as at 30 April 2023** [↓](#) 

YORKE PENINSULA COUNCIL UNIFORM PRESENTATION OF FINANCES AS AT 30 APRIL 2023							
	2022/23 YTD Actuals \$'000	2022/23 Commitments \$'000	2022/23 YTD Expenditure (Incl Commitments) \$'000	Notes	2022/23 Full Year Revised Budget \$'000	2022/23 Full Year Budget Revisions \$'000	2022/23 Full Year Adopted Budget \$'000
Income	36,444		36,444	1	37,699	3,150	34,549
less Expenses	(28,887)	(1,783)	(30,669)	2	(37,882)	(1,752)	(36,130)
Operating Surplus/ (Deficit) before Capital Amounts	7,557	(1,783)	5,774		(183)	1,398	(1,581)
Net Outlays on Existing Assets							
Capital Expenditure on renewal and replacement of Existing Assets	(11,000)	(4,716)	(15,716)	3	(16,299)	(4,924)	(11,375)
add back Depreciation, Amortisation and Impairment	9,265		9,265		11,116	1,000	11,115
add back Proceeds on Sale of Assets	391		391		437	94	343
	(1,343)	(4,716)	(6,059)		(4,745)	(4,828)	83
Net Outlays on New and Upgraded Assets							
Capital Expenditure on New and Upgraded Assets	(2,958)	(5,052)	(8,010)	4	(8,471)	(7,811)	(660)
add back Amounts received specifically for New and Upgraded Assets	3,496		3,496		5,247	4,491	756
add back Proceeds for Sale of Surplus Assets							
	537	(5,052)	(4,514)		(3,225)	(3,321)	96
NET LENDING / (BORROWING) FOR FINANCIAL YEAR	6,751	(11,551)	(4,800)		(8,153)	(6,751)	(1,402)

Note : Totals may not add due to rounding

Yorke Peninsula Council Monthly Capital Projects Update as at 30 April 2023																
Project Details by Asset Class	Responsible Directorate	Expected Finish Date	Project Management Stages Complete						YTD Actuals	Commitments	YTD Expenditure (incl Commitments)	Total Budget	Budget Remaining (\$)	Budget Remaining (%)	Comments	
			LEGEND													
			1	●	Activity currently completed or on schedule											
			2	●	Activity currently up to 2 months behind schedule											
			3	●	Activity currently more than 2 months behind schedule											
			0	●	Activity currently not started											
				Planning	Design	Approval	Services	Procurement	Delivery							
									\$13,935,111	\$9,117,619	\$23,052,731	\$24,769,857	\$1,717,126	7% TOTAL		
Buildings & Other Structures																
44660 - Foreshore - Point Turton Groynes [PIRSA]	AIS	Apr-23	●	●	●	N/A	●	●		\$34,300	\$0	\$34,300	\$33,270	-\$1,030	-3%	[Rolled over from 2021/22] Completed, budget adjustment to be requested in final quarter.
45046 - Port Moorowie Beach Shelters [LRCIP Phase 3]	AIS	Jun-23	●	●	●	N/A	●	●		\$14,495	\$12,128	\$26,623	\$25,000	-\$1,623	-6%	[Rolled over from 2021/22] Completed, shelters installed, concrete slabs to be laid in May-23. Budget adjustment to be requested in final quarter.
45049 - Coastal Management - Resilient Coast	AIS	Jun-23	●	N/A	N/A	N/A	●	●		\$0	\$7,791	\$7,791	\$122,800	\$115,009	94%	[Rolled over from 2021/22] Engaged contractor for propagation component of project. Planting, weed control and pedestrian access control components of the project yet to commence. Budget rollover to be request at 22/23 year end, grant acquittal due in 23/24.
45750 - Interment Wall - Port Vincent Cemetery	DS	Jun-23	●	●	N/A	N/A	●	●		\$0	\$23,091	\$23,091	\$25,400	\$2,309	9%	[Rolled over from 2021/22] Contractor engaged, works yet to commence due to trade availability.
45794 - Port Rickaby CP - Water Supply Development & Augmentation	CCS	Jun-22	●	N/A	N/A	N/A	●	●		\$5,275	\$0	\$5,275	\$77,795	\$72,520	93%	[Rolled over from 2021/22] Tender awarded, negotiation commenced with successful tenderer to prepare contract and establish timelines. Expected start July 23. Further budget to be allocated in 2023/24 pending endorsement of proposed budget.
47522 - Port Vincent Hall Disability Access - Breezeway [LRCIP Phase 3]	DS	Jun-23	●	●	●	N/A	●	●		\$0	\$34,795	\$34,795	\$48,800	\$14,005	29%	[Rolled over from 2021/22] Completed.
47525 - Minlaton Child Care Centre [BSBRGP]	ES	Mar-24	●	N/A	N/A	N/A	●	●		\$1,068,721	\$3,072,018	\$4,140,739	\$4,450,000	\$309,261	7%	[Rolled over from 2021/22] Completed, progressing in accordance with staged construction timeline.
49043 - Bushfire Safety Signage [BSBRGP]	DS	Jun-23	●	●	N/A	N/A	●	●		\$6,397	\$9,481	\$15,878	\$40,080	\$24,202	60%	[Rolled over from 2021/22] Orders raised for campground signage. Township signage to be arranged prior to year end.
49087 - Stansbury Oval Grandstand repairs [LRCIP Phase 3]	DS	Jun-23	●	●	●	N/A	●	●		\$90,418	\$0	\$90,418	\$87,024	-\$3,394	-4%	[Rolled over from 2021/22] Completed, budget adjustment requested at third quarter.
57520 - Minlaton Town Hall Fire Indicator Panel [LRCIP Phase 3]	DS	Jun-23	●	●	N/A	N/A	●	●		\$63,650	\$0	\$63,650	\$80,000	\$16,350	20%	[Rolled over from 2021/22] Completed, budget adjustment requested at third quarter.
60019 - Port Vincent Kiosk CWMS Connection	DS	Jun-22	●	●	●	N/A	●	●		\$19,051	\$62,502	\$81,553	\$81,000	-\$553	-1%	[Rolled over from 2021/22] Works delayed to commence in May-23.
60040 - Maitland Plane Tree Root Control (Robert Street Concept Design)	AIS	Jun-20	●	●	N/A	N/A	●	●		\$21,842	\$0	\$21,842	\$159,523	\$137,681	86%	[Rolled over from 2021/22] Survey of Robert Street, design plans and consultation with Department for Infrastructure Transport completed. Investigating options for grant funding to enable physical project works. Budget rollover to be request at 2022/23 year end
60050 - Council Caravan Parks Emergency Works	CCS	Jun-23	N/A	N/A	N/A	N/A	●	●		\$11,055	\$3,550	\$14,605	\$26,186	\$11,581	44%	Emergency expenditure allocated to specific parks as required, budget adjustment requested at third quarter review.
60102 - Port Vincent Caravan Park - Refurbish managers residence.	CCS	Jun-23	●	●	N/A	N/A	●	●		\$0	\$0	\$0	\$45,000	\$45,000	100%	Completed, budget adjustment requested at third quarter review.
60201 - Point Turton CP Bedroom Blinds; Rangehood Replacements & Air conditioner Replacements	CCS	Dec-22	●	N/A	N/A	N/A	●	●		\$14,570	\$8,109	\$22,679	\$34,915	\$12,236	35%	Original project completed. Pending review of any further works required at the park a budget adjustment is to be requested in final quarter review.
60205 - Point Turton CP - Upper Level Amenities	CCS	Jun-23	●	●	●	●	●	●		\$4,900	\$0	\$4,900	\$225,656	\$220,756	98%	[Rolled over from 2021/22] Quotations currently being reviewed outside of tender process per Council decision. Budget adjustment has been requested at third quarter review for additional funds which are required to undertake the project.
60308 - Marion Bay Caravan Park - refurbish amenities & HWS replacement	CCS	Jun-23	●	N/A	N/A	N/A	●	●		\$25,081	\$17,752	\$42,833	\$57,000	\$14,167	25%	Contractors engaged or selected to be engaged across multiple trades. Aiming for completion by year end.
60410 - Bush Camping Amenities [PIRSA] & [LRCIP Phase 3]	AIS	Apr-23	●	●	●	N/A	●	●		\$224,641	\$36,364	\$261,005	\$259,031	-\$1,974	-1%	[Rolled over from 2021/22] Majority of works completed in relation to PIRSA project with minor works to be completed prior to payment of final invoices. LRCIP works have commenced, anticipate completion prior to year end.
44656 - Marion Bay Boating Facility (Design, Cost Plans and Studies)	AIS	Jun-23	●	●	●	N/A	●	●		\$22,880	\$16,600	\$39,480	\$0	-\$39,480	100%	Completed, budget adjustment requested at third quarter review.
Total Buildings & Other Structures									\$1,731,658	\$3,325,454	\$5,057,112	\$6,022,015	\$964,903	16%		
CWMS Infrastructure																
44250 - Adrossan - Rising Main & Jetty Pump Station	AIS	Jan-23	●	N/A	N/A	N/A	●	●		\$34,378	\$29,414	\$63,792	\$63,792	\$0	0%	Contractor engaged and materials received for rising main project. Jetty pump project completed.
44253 - Yorketown - Memorial Drive Pump Station S/B & Jacob Street S/B	AIS	Jun-23	●	N/A	N/A	N/A	●	●		\$0	\$59,420	\$59,420	\$59,500	\$80	0%	Complete, awaiting payment of final invoices.
44254 - Maitland CWMS - Gravity Drain Replacement & Treatment Plant Aerators	AIS	Jun-23	●	N/A	N/A	N/A	●	●		\$16,208	\$1,818	\$18,026	\$27,178	\$9,152	34%	Project will be ongoing during the year.
44260 - Port Vincent - Alarm Modern, PLC Upgrade & Gravity Drain Upgrade	AIS	May-23	●	N/A	N/A	N/A	●	●		\$5,909	\$6,450	\$12,359	\$29,829	\$17,470	59%	Gravity drain repairs completed, sourcing quotations for remaining projects.
Total CWMS Infrastructure									\$78,625	\$99,139	\$177,764	\$220,288	\$42,524	19%		
Land																
45797 - Charles Street - Yorketown	DS	Jun-20	N/A	N/A	N/A	N/A	●	●		\$0	\$0	\$0	\$100,000	\$100,000	100%	[Rolled over from 2021/22] Purchase not going ahead, land in question has been sold. Currently investigating options for other Main Street beautification works.
Total Land									\$0	\$0	\$0	\$100,000	\$100,000	100%		
Plant, Equipment & Other Assets																
40026 - Various Coastal Management Strategy Projects [LRCIP Phase 3]	AIS	Jun-23	●	●	N/A	N/A	●	●		\$66,263	\$53,709	\$119,972	\$200,000	\$80,028	40%	[Rolled over from 2021/22] Beach access stairs at Magazine Bay completed. Contractors engaged for repairs to Wool Bay stairs. Other Coastal Management Projects in progress (i.e. - scoping works and sourcing quotations).
40030 - Equipment - Computer & Monitor Replacements	CCS	Dec-22	●	N/A	N/A	N/A	●	●		\$40,134	\$26	\$40,160	\$35,900	-\$4,260	-12%	Progressing replacements where possible, further monitors to be sourced for works depot replacement, budget adjustment requested at third quarter.
40034 - IT Drone & Licensing	CCS	Jun-23	●	N/A	N/A	N/A	●	●		\$45,396	\$160	\$45,556	\$35,691	-\$9,865	-28%	Completed, budget adjustment requested at third quarter review.
40036 - Information Technology - Portable Devices	CCS	Dec-22	●	N/A	N/A	N/A	●	●		\$77,257	\$617	\$77,874	\$55,701	-\$22,173	-40%	All devices received, deployment contingent on rollout of hardware management protocol. Budget adjustment to be requested in final quarter.
61200 - Fleet Vehicles	CCS	Jun-23	●	N/A	N/A	N/A	●	●		\$342,051	\$126,915	\$468,966	\$411,481	-\$57,485	-14%	7 x vehicles received, 3 x vehicles on order. Budget adjustment requested at third quarter review. Final trade-in amounts to be confirmed closer to delivery dates, with budget to be reconciled at year end and rollover for at least 1 x vehicle to be requested due to delay on supply.
62000 - Major Plant - Vibration Roller	AIS	Jun-23	●	N/A	N/A	N/A	●	●		\$0	\$175,000	\$175,000	\$175,000	\$0	0%	Order placed and expect delivery May 23.
62000 - Major Plant - John Deere Tractor	AIS	Jun-22	●	N/A	N/A	N/A	●	●		\$31,740	\$0	\$31,740	\$31,740	\$0	0%	[Rolled over from 2021/22] Completed.
62002 - Major Plant - Patrol Grader	AIS	Jun-23	●	N/A	N/A	N/A	●	●		\$450,000	\$0	\$450,000	\$450,000	\$0	0%	Completed.
62011 - Major Plant - Front End Loader	AIS	Jun-23	●	N/A	N/A	N/A	●	●		\$350,000	\$0	\$350,000	\$350,000	\$0	0%	Completed.
62014 - Major Plant - Isuzu NPR Truck - Senior Mechanic - Replacing P#579	AIS	Jun-22	●	N/A	N/A	N/A	●	●		\$81,969	\$0	\$81,969	\$81,969	\$0	0%	[Rolled over from 2021/22] Completed.
62018 - Major Plant - Isuzu NPR Truck - Replacing P#591	AIS	Mar-22	●	N/A	N/A	N/A	●	●		\$86,615	\$0	\$86,615	\$86,615	\$0	0%	[Rolled over from 2021/22] Completed.
62019 - Major Plant - Hydro-Vac	AIS	Jun-22	●	N/A	N/A	N/A	●	●		\$21,225	\$147,280	\$168,505	\$164,555	-\$3,950	-2%	[Rolled over from 2021/22] Completed, budget adjustment to be requested in final quarter.
62020 - Major Plant - Water Tanker	AIS	Jun-23	●	N/A	N/A	N/A	●	●		\$11,170	\$100,530	\$111,700	\$95,000	-\$16,700	-18%	Order placed for delivery in June 23, budget adjustment to be requested in final quarter.
62021 - Major Plant - Low Loader	AIS	Jun-23	●	N/A	N/A	N/A	●	●		\$10,530	\$94,770	\$105,300	\$105,300	\$0	0%	Equipment on order, expect delivery May 23.
62022 - Major Plant - Jet patcher Bin Replacement	AIS	Jun-23	●	N/A	N/A	N/A	●	●		\$0	\$32,764	\$32,764	\$32,764	\$0	0%	Equipment received, to be installed prior to year end.
Total Plant, Equipment & Other Assets									\$1,715,616	\$733,844	\$2,449,460	\$2,399,115	-\$50,345	-2%		

Yorke Peninsula Council
Monthly Capital Projects Update
as at 30 April 2023

Table with columns: Project Details by Asset Class, Responsible Directorate, Expected Finish Date, Project Management Stages Complete, YTD Actuals, Commitments, YTD Expenditure (incl Commitments) (\$), Total Budget (\$), Budget Remaining (\$), Budget Remaining (%), Comments. Rows are categorized into Transport Infrastructure, Stormwater Infrastructure, and Water Scheme Infrastructure.

Note : Totals may not add due to rounding.

23.3 MARCH QUARTERLY BUDGET REVIEW 2022/2023**Document #:** 23/42574**Department:** Corporate and Community Services**PURPOSE**

For Council consideration and endorsement of the March quarterly budget review (as at 31 March 2023) of Council's 2022/2023 Budget and associated financial statements, ratios and amendments.

RECOMMENDATION

That Council endorse the 2022/2023 March Budget Review changes as presented in the attached Summary of Changes, Statement of Comprehensive Income and Uniform Presentation of Finances and receive the updated Statement of Financial Position, Statement of Cash Flows, Statement of Changes in Equity and Financial Indicators (Ratios).

LINK TO STRATEGIC PLAN**Goal:** 5 Responsible Governance and Leadership**Strategy:** 5.1 Openness and transparency of reporting Council's performance

5.2 Effective leadership and informed decision making

5.3 Meet all legislative requirements and compliance with Council's internal controls

5.5 Undertake effective risk and emergency management

BACKGROUND

Regulation 9(1) (b) of the Local Government (Financial Management) Regulations 2011 requires that Council undertake one comprehensive budget review each financial year. This review must include preparation of four principal financial statements (excluding notes) and show a revised full year forecast of each item in the budgeted financial statements compared to estimates set out in the original budget.

Council's policy PO142 Budget Reporting and Amendment requires quarterly budget reviews i.e. September, December and March. This means Council undertakes two (2) budget reviews more than required by the Regulations. This is the final, or third (as at 31 March 2023), of the three (3) quarterly budget reviews scheduled for the 2022/2023 financial year.

DISCUSSION

Budget managers in all directorates have completed a review of their 2022/2023 budgets as at 31 March 2023 with all adjustments allowed for, in accordance with policy PO142, being included in the attached documents (refer attachments 1 - 7).

Budgets have been reviewed taking the following into consideration (as applicable):

- Additional income likely to be generated or received
- Income and expenditure to date and forecasts for the remainder of the year
- New grants and contributions
- Changes to user and statutory fee income forecasts
- Review of staffing levels to those originally budgeted
- Changes due to amendments in legislation

- Changes to Government fees and charges
- Council decisions made since the adoption of the original budget
- Status of capital projects taking into account projects carried forward from 2021/2022 for completion in the current financial year (refer Council decision in August 2022)

A full list of adjustments with reasons for the changes is attached to this report (refer Attachment 1).

Budgeted Operating Surplus/ (Deficit)

As a result of proposed budget adjustments in this budget review, previously endorsed adjustments from the first and second quarter and unspent budgets rolled over from 2021/2022, Council's revised forecast Operating Surplus for 2022/2022 is \$0.7m.

This is an improvement of \$0.9m to the previously endorsed 2022/2023 forecast Operating Deficit at quarter two and an overall improvement of \$2.3m to the forecast Deficit at the start of the year. The improvement at quarter three can be attributed to largely to increases to statutory income \$0.2m, user charges income \$0.7m and investment income \$0.3m less increases to materials, contracts and other expenditure \$0.5m.

Major Impacts

Listed below are the major adjustments (generally >\$25k) included in this Budget review.

Operating Income

- **Rate income: Waste management service charge** - \$32,000 increase due to change in practice of adding new services directly to rates assessments rather than invoicing as a user charge (corresponding \$19,000 decrease to user charges).
- **Statutory income: Building, planning and septic tank fees** - \$0.15m increase due to higher than anticipated number of development, building and septic applications compared to budget.
- **User charges: Council operated caravan parks** – \$0.35m increase due to greater level of occupancy than anticipated in the adopted 2022/2023 budget. It should be noted that additional operating costs have incurred as a result of increased patronage.
- **User charges: Council operated bush camping** - \$0.29m increase due to greater level of occupancy than anticipated in the adopted 2022/2023 budget. It should be noted that additional operating costs have incurred as a result of increased patronage.
- **User charges: YP Leisure Options** - \$42,632 increase to income based on forecasts to year (net positive increase after associated costs increases of \$24,470).
- **Grants, subsidies and contributions: Regional Transport Subsidies Program** - \$31,551 increase due to receipt of subsidy to off-set a portion of costs associated with provision of kerbside recycling services.
- **Grants, subsidies and contributions: Regional Airports Program (Minlaton Airstrip)** – \$0.14m decrease to grant funding due to savings in project costs. Note: related decrease to capital expenditure for project cost savings.
- **Investment income: Interest on deposits** – \$0.35m increase due to higher than anticipated cash balances (result of incomplete 2021/2022 projects rolled into 2022/2023) and significant increases to investment interest rates since the 2022/2023 budget was set.

Operating expenditure

- **Materials, contracts and other expenses: Diesel fuel** – \$0.18m increase to diesel fuel costs forecast to year end due to sustained price increase exceeding that foreseen at 2022/2023 budget formation.
- **Materials, contracts and other expenses: Contractual maintenance of plant and machinery** – \$0.16m increase to fund vehicle maintenance outsourced to contractors due to difficulty increasing the number of mechanics employed by Council.

- **Materials, contracts and other expenses: Council operated caravan parks** – \$84,871 increase to management fees relating to caravan parks due to increased level of income generated by the parks.

Capital expenditure

- **New/upgrade: Sealing of North Coast Road (Stage 1)** – \$0.51m increase to fund increase cost following design amendments and project variations (refer attachment – Major capital expenditure adjustments explained).
- **New/upgrade: Regional airports program (Minlaton airstrip)** – \$0.29m decrease due to savings realised in upgrade of the Minlaton airstrip from a gravel surface to a bitumen sealed surface.
- **New/upgrade: Edithburgh stormwater Flooding** – \$44,977 increase to fund completion of both stages 1 and 2 of project including additional allowance required for use of heavy-duty vehicles to undertake rock breaking.
- **Renewal: Heavy vehicle access (Gardner Street and Fowler Terrace, Price)** – \$0.32m increase to fund project variations (refer attachment – Major expenditure adjustments explained).
- **Renewal: Clinton Road (emergency works)** – \$0.24m increase to undertake emergency heavy patching and stabilisation works on Clinton Road (refer attachment – Major capital expenditure adjustments explained).
- **Renewal: Reseal allocation** – \$0.24m decrease to fund Clinton Road (emergency works). Current year budget allocation for reseals able to be redirected to fund unbudgeted works as sealing contractor is unlikely to fulfil complete commitment prior to the end of financial year. Effectively reducing budget to be rolled over into 2023/2024 for reseal program.
- **Renewal: Black Point boat ramp** – \$0.19m decrease due to savings realised in undertaking renewal of Black Point Boat Ramp. Due to savings made on this grant funded project \$93,400 in grant funding received in advance was refunded to the funding body.
- **Renewal: Point Turton Caravan Park (Upper-level amenities)** – \$0.1m increase to budget to increase project budget to the level required to undertake project. Increase funded by bringing forward 2023/2024 Caravan Park Management Framework budget allocation.
- **Renewal: Outdoor workforce vehicle** - \$35,836 increase (net \$25,336 after trade-in) to fund changeover of aged outside worker utility.
- **Renewal: Regional commodity & freight roads** – \$57,727 increase to fund overspend on project completion.

More detailed information on the changes to Council's proposed Operating Deficit (and income and expenditure budgets) is available in the attached reports and statements in particular the Budgeted Statement of Comprehensive Income (refer Attachments 1 - 7).

Budgeted Capital Expenditure

Council's forecast capital expenditure after this budget review, previously endorsed quarterly reviews and previously adopted projects/budgets rolled over from 2021/2022, is \$25.4m. This includes the initially adopted budget of \$12m to which projects/expenditure rolled over from 2021/2022 worth \$8.3m were added in August 2022. Projects worth a further \$4.4m were added at the quarter one and two budget reviews. An increase of approximately \$0.6m is proposed in this budget review.

Details of all capital adjustments can be found in the reports and updated Statements in particular the Budgeted Statement of Cash Flows (refer Attachments 1 - 7).

Of the proposed budget of \$25.4m, \$16.5m is budgeted to be spent on renewal and replacement of existing assets while \$8.9m is budgeted to be spent on upgrade of existing assets and acquisition of new assets.

Budgeted Cash Flow & Net Lending/ (Borrowing)

Following proposed adjustments in this budget review, previously endorsed quarterly budget reviews, roll over expenditure being included in this year's budget and adjustment of opening balances in line with 2021/2022 audited General Purpose Financial Statements, Council's forecast closing cash and cash equivalents as at 30 June 2023 is \$3.8m which is an increase of approximately \$0.6m to the original adopted budget. This increase can be generally attributed to a better than anticipated closing cash position at 2021/2022 year end plus increased cash flows provided through operating activities (\$1.2m) less the increased cash used by investing activities (\$8.9m) and financing activities (\$0.6m).

The proposed end of year Net Borrowing position will decrease by \$0.2m due to adjustments proposed this quarter. However, the original adopted Net Borrowing position of \$1.4m has increased by \$6.6m to \$8.0m over 2022/2023. This is due to budgets rolled over from 2021/2022 majority for grant projects yet to be completed (net impact negative \$3.4m) and net impact of increased to 2022/23 capital project budgets and associated grant income (net impact negative \$3.2m).

More detail on the movements in net lending/ (borrowing) for the financial year can be found in the Budgeted Uniform Presentation of Finances (refer Attachment 6).

Budgeted Financial Indicators (Ratios)

As a result of proposed changes in this budget review, previously endorsed September and December quarter adjustments and inclusion of expenditure rolled over from 2021/2022, Council's Financial Indicators have had some movement.

Council's Operating Surplus Ratio is forecast to be 1.8%, an improvement of 2.3% compared to Council's original adopted Budget. The reasons for this have been detailed earlier in this report.

The Net Financial Liabilities Ratio forecast is forecast to be 18.9%, a decline of 3% compared to Council's original adopted Budget. It remains well within Council's LTFFP maximum target of 100%.

Council's forecast Asset Renewal Funding Ratio is 67.5%, a 24.5% increase to the original forecast. The increase is primarily due to projects/budgets rolled over from 2021/2022 for completion in 2022/2023. This ratio will be achieved if Council completes all budgeted capital renewal projects in 2022/2023. The forecast ratio is 32.5% lower than Council's LTFFP minimum target of 100%.

More information on Council's Financial Indicators can be found in Attachment 7.

COMMUNITY ENGAGEMENT PLAN

Level 1 - Inform

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Manager Financial Services
- Budget Managers
- Accountant – Financial Management

In preparing this report, the following external parties were consulted:

- Nil

POLICY IMPLICATIONS

PO142 Budget Reporting and Amendment Policy

BUDGET AND RESOURCE IMPLICATIONS

Budget and resource implications are as detailed in this report and as presented in the attached reports and statements (refer Attachments 1 – 7).









RISKS/LEGAL/LEGISLATIVE/ IMPLICATIONS

Council's budget is a fundamental instrument of accountability and an essential pre-requisite to deciding the annual rate impost on the community. As such it is important that material variations compared with the original budget be disclosed and explained.

Local Government Act 1999

Local Government (Financial Management) Regulations 2011

ATTACHMENTS

1. **Proposed Summary of Changes - March Budget Review 2022-2023** [↓](#) 
2. **Budgeted Statement of Comprehensive Income 2022-2023** [↓](#) 
3. **Budgeted Statement of Financial Position 2022-2023** [↓](#) 
4. **Budgeted Statement of Cash Flows 2022-2023** [↓](#) 
5. **Budgeted Statement of Changes in Equity 2022-2023** [↓](#) 
6. **Budgeted Uniform Presentation of Finances 2022-2023** [↓](#) 
7. **Budgeted Financial Indicators (Ratios) 2022-2023** [↓](#) 
8. **Major Capital Expenditure Adjustments Explained - March Budget Review 2022-2023** [↓](#) 

YORKE PENINSULA COUNCIL 2022/2023 BUDGET SUMMARY OF PROPOSED CHANGES - MARCH (QUARTER 3) BUDGET REVIEW			
Type	Note #	Amount Increase/ (Decrease)	Reason for Variance
OPERATING INCOME			
Rates	1	\$ 4,984	Utilise savings in mandatory rebates (allocation not fully utilised) to cover increased accounting services costs (refer note 65)
	2	\$ 14,697	Increase budget for CWMS service charge income based on growth in service charge numbers between budget formation and processing of rates notices.
	3	\$ 32,000	Increase waste management income due to growth in number of services provided and shift to charge for new services via rates notices where possible as opposed to invoicing (reduction to user charges waste income). The balance of increase to waste management income used to increase waste expenditure budget (refer notes 14 and 71).
Statutory Charges	4	\$ 154,562	Net increase adjustment to statutory income budget across multiple Development Services income lines based on conservative forecast to year end result.
User Charges	5	\$ 22,790	Budgeted leased caravan park income increased to reflect actual annual income.
	6	-\$ 3,000	Decrease cemeteries income budget based on forecast year end result.
	7	\$ 287,000	Increase income budget for bush camping based on conservative forecast year end result. Portion of increase to be offset against increased costs in managing bush camping sites such as: additional cleaning, waste collection, bank fees and septic tank and dump point pump outs (refer note 51 and 67).
	8	-\$ 10,000	Reduce boat ramp permits income budget based on conservative forecast to year end result.
	9	\$ 6,583	Increase dog control income budget based on conservative forecast to year end result.
	10	-\$ 600	Decrease septic tank income line based on conservative forecast to year end result.
	11	-\$ 9,200	Decrease rental income for Yorketown Hall and Doctor's residence based on year to date results.
	12	\$ 32,653	YP Leisure Options income budget increase to reflect review of operations and forecast income to year end. A portion of this increased income has been applied to increase associated expenditure budgets (refer note 35 and 59)
	13	\$ 339,486	Increase income budgets across Council operated Caravan Parks to reflect actual income for year to date. Offset in part by increased Caravan Park management fee expenditure (refer note 66).
	14	-\$ 19,000	Decrease waste management income received through user charges to account for change in practice of charging directly for new services via rates notice where possible (refer note 3 and 71).
	15	\$ 22,500	Marion Bay Desalination Plant water sales increased to match forecast year end sales figure. Corresponding increase to Marion Bay Caravan Park water usage (refer note 72).
	16	\$ 7,000	Utilise increase in Point Turton Caravan Park income to cover increased cost of refuse collection due to increase patronage and price increases for waste collection (refer note 73).

YORKE PENINSULA COUNCIL 2022/2023 BUDGET SUMMARY OF PROPOSED CHANGES - MARCH (QUARTER 3) BUDGET REVIEW				
Type	Note #	Amount Increase/ (Decrease)	Reason for Variance	
Grants, subsidies and contributions	17	-\$ 2,796	Decrease grant funding on return of excess Australia Day grant due to cost savings on Australian Day celebrations (refer note 44)	
	18	\$ 20,000	Increase for funding received from SA Water for further water tower mural activity (refer note 53).	
	19	\$ 598	Increase YP Leisure Options grant income budget to reflect actual grant income received to third quarter.	
	20	\$ 31,551	Increase to budget on receipt of transport subsidy funding for waste recycling services. Corresponding increase to waste recycling expenditure budget requested (refer note 61).	
	21	\$ 26,980	Unbudgeted HR subsidies for trainees used to fund increased expenditure on staff training, protective clothing and other HR related activities (refer note 70).	
Investment income	22	\$ 344,379	Increase investment interest budget based on forecast interest to be received to year end.	
Reimbursements	23	\$ 9,600	Increase income on number of building applications to fund additional ICT equipment purchases to assist in building inspections (refer note 91).	
	24	\$ 8,523	Unbudgeted HR trainee subsidy income to be used to fund town hall evacuation map project (refer note 56).	
	25	\$ 9,492	Insurance reimbursement received in relation to jetty damage claim (refer note 49).	
	26	\$ 3,000	Unbudgeted HR income to fund to purchase of new air conditioner for Minlaton Town Hall facility new group room space.	
	27	\$ 25,196	increase development Services reimbursement income budget lines relating to building and development, environmental health, general inspectors, animal and fire control based on forecast to year end.	
	28	\$ 500	Increase reimbursement income in relation to use of Council Halls for year to date.	
	29	\$ 5,500	Unbudgeted reimbursement income received by Council in relation to Edithburgh Rural Zone Code amendment. Reimbursed funds required to be refunded to applicant, corresponding increase to expenditure to reflect refund relevant ratepayer (refer note 55).	
	Other Income	30	\$ 10,000	Increase income budget to account for funding received from LGRS to go towards expenditure on revaluations of buildings and structures (refer note 48).
		31	\$ 5,915	Adjust budget to account for insurance reimbursement for damage repairs to Minlaton Airstrip (refer note 47).
		32	\$ 16,944	Adjust budget to account for insurance reimbursement for damaged jetties (refer note 50).
33		-\$ 200	Decrease community library donation income with corresponding decrease to library expense budget (refer note 57).	
34		\$ 20,699	Unbudgeted Risk income utilised to fund playground inspections and bush fire kits (refer note 70).	
	35	\$ 9,381	Increase YP Leisure Options other income budget to reflect actual donations received to third quarter.	

YORKE PENINSULA COUNCIL 2022/2023 BUDGET SUMMARY OF PROPOSED CHANGES - MARCH (QUARTER 3) BUDGET REVIEW			
Type	Note #	Amount Increase/ (Decrease)	Reason for Variance
OPERATING EXPENDITURE			
Employee Costs	36	\$ 3,326	Increase protective equipment expenditure, fully funded by increased HR related income (refer note 21).
Materials, contracts & other expenses	37	\$ 4,050	Transfer from caravan park emergency fund budget to Port Rickaby Caravan Park budget fund installation of air-conditioner in Port Rickaby Caravan Park office (refer note 76).
	38	\$ 5,600	Transfer portion caravan park emergency fund budget to Point Turton Caravan Park to address emergency works to amenities (refer note 77).
	39	\$ 17,946	Reallocation of budget for Port Vincent Caravan Park Road Resurfacing to fund electrical works, repainting and recarpeting of managers residence on changeover of park managers (refer notes 78 and 79).
	40	\$ 957	Increase budget for LRCIP Phase 3 Stansbury Cemetery Fence Replacement funded by LRCIP Phase 3 Coastal Management Strategy budget reduction (refer note 92).
	41	\$ 178,800	Increase to diesel fuel budget forecast to year end due to sustained price increase exceeding that foreseen at 2022/2023 budget formation.
	42	\$ 1,646	Increase Port Vincent Caravan Park maintenance budget to fund replacement of failed septic pump. Funded by emergency works budget (refer note 82).
	43	-\$ 22,000	Reclassification of budget for Marion Bay boat ramp detailed design, development and cost plans for anticipated Tender and Stage 2 SABFAC application movement from operating to capital budget (refer note 93).
	44	-\$ 58,768	Decrease budgets across Executive Services for savings in relation to Australia Day Celebrations, 2022 local government elections, seminar and conference travel costs and Star Club officer support due to vacancy in role (refer note 17 and 90).
	45	-\$ 27,000	Reduce roadside weed control budget allocation to fund additional expenditure required to undertake both stage one & two of Edithburgh Stormwater Flooding (Park Terrace) project. Due to seasonal conditions full allocation for roadside weed control had not been expended (refer note 94).
	46	-\$ 17,977	Decrease allocation for stormwater drainage operating budget to fund additional expenditure required to undertake both stage one & two of Edithburgh Stormwater Flooding (Park Terrace) project (refer note 95).
	47	\$ 5,915	Adjust budget to account for insurance reimbursement for damage to Minlaton Airstrip (refer note 31).
	48	\$ 10,000	Increase expenditure budget to account for use of funding received from LGRS relating to partially offset revaluation costs (refer note 30).
	49	\$ 9,492	Increase budget to cover cost to repair damage to jetties, funded by insurance reimbursement (refer note 25).
	50	\$ 16,944	Adjust budget to account for insurance reimbursement for damaged jetties (refer note 32).

YORKE PENINSULA COUNCIL 2022/2023 BUDGET SUMMARY OF PROPOSED CHANGES - MARCH (QUARTER 3) BUDGET REVIEW			
Type	Note #	Amount Increase/ (Decrease)	Reason for Variance
	51	\$ 61,000	Increase bush camping operating expenditure budget to cover additional cleaning, bank fees for online bookings, waste management and septic management requirements due to increased patronage (refer note 7).
	52	-\$ 11,406	Decrease budget for Executive Services to fund purchase of video conferencing units and Teams Licences for Maitland office (refer note 96).
	53	\$ 20,000	Increase water tower mural budget due to receipt of unbudgeted contribution from SA Water towards activity (refer note 18).
	54	-\$ 57,727	Transfer portion of unspent budget allocation for consultants to conduct materials testing on unsealed roads to fund overspend on completed upgrade of Regional Commodity Freight Roads project (refer note 85).
	55	\$ 5,500	Unbudgeted reimbursement to rate payer in relation to rejected Edithburgh Rural Zone Code amendment (refer note 29).
	56	\$ 8,523	Unbudgeted HR trainee subsidy income to be used to fund town hall evacuation map project (refer note 24).
	57	-\$ 200	Decrease community library expenditure due to reduced donation income (refer note 33).
	58	-\$ 22,900	Transfer portion of unspent budget allocation for consultants to conduct materials testing on unsealed roads to fund a portion of overspend on North Coast Road (Stage 1) project (refer note 98).
	59	\$ 16,208	Increase YP Leisure Options operating expenditure budget due to increased service use (refer note 12 and 49).
	60	\$ 22,500	Increase to cleaning contractual budget to assist in covering increased costs in relation to school and public holiday cleaning.
	61	\$ 31,551	Budget increased to account for receipt of transport subsidy for waste recycling services (refer note 20).
	62	\$ 9,008	Increasing adjustment to fund balance of Council contribution to SA Water in relation to mains upgrades at Gardner St & Fowler Tce, Price.
	63	\$ 116,000	Increase to budget to fund vehicle maintenance costs outsourced to contractors due to difficulty securing the employment of a full quota of employed Council mechanics.
	64	\$ 10,000	Increase budget to fund emergency/unforeseen works at Maitland Childcare Facility to meet accreditation standards to operate as childcare facility. Future adjustment may be required once full scope of works has been costed (refer note 89).
	65	\$ 4,984	Increased budget for accounting services subscriptions, ad-hoc legal advice and grant acquittal audit fees, Funded by savings in mandatory rebates (refer note 1).
	66	\$ 84,871	Increase to Caravan Parks to management fees to reflect commission payable on adjusted income (refer note 13).

YORKE PENINSULA COUNCIL 2022/2023 BUDGET SUMMARY OF PROPOSED CHANGES - MARCH (QUARTER 3) BUDGET REVIEW			
Type	Note #	Amount Increase/ (Decrease)	Reason for Variance
	67	\$ 5,800	Increase dump point expenditure budget to cover additional septic management requirements due to increased use (refer note 7).
	68	\$ 14,622	Increase budget to fund unbudgeted increase to vehicle repair and maintenance contribution costs per service agreement with Care in Motion Community Care & Transport.
	69	\$ 1,990	Net increase due to minor adjustments across multiple Development Services budget lines.
	70	\$ 46,582	Increase to various HR and risk related expenditure budgets. Fully funded by increased HR and risk related income (refer notes 21 and 34).
	71	\$ 13,000	Increase to waste collection budget based on overall increase to match increased income (refer note 3 and 14).
	72	\$ 22,500	Increase expenditure line for water use for Marion Bay Caravan Park to match forecast water purchases from Desalination Plant to year end (refer note 15).
	73	\$ 7,000	Increase budget to fund cost of refuse collection increases (refer note 16).
CAPITAL INCOME			
Sale of Renewed/Replaced Assets	74	\$ 10,500	Increase vehicle trade-in income in relation to changeover one outside worker utility vehicle (refer note 87).
Amounts Received Specifically for New/Upgrade Assets	75	-\$ 143,651	Decrease grant income budget in relation to Regional Airports Program Round 1 project to upgrade the Minlaton Airstrip due to completion of the project underbudget. A reduction for the unspent capital component of the project is also to be requested (refer note 100).
CAPITAL EXPENDITURE - RENEWAL			
	76	-\$ 4,050	Transfer portion caravan park emergency fund budget to Port Rickaby Caravan Park budget fund installation of air-conditioner in Port Rickaby Caravan Park office (refer note 37).
	77	-\$ 5,600	Transfer portion caravan park emergency fund budget to Point Turton Caravan Park to address emergency works to amenities (refer note 38).
	78	-\$ 29,310	Reallocation of budget for Port Vincent Caravan Park road resurfacing to fund renewal of park cleaning van and works to managers residence on changeover of park managers works include electrical, painting and carpets (refer note 39).
	79	\$ 11,364	Create budget line to fund renewal of park cleaning van at Port Vincent Caravan Park funded from Port Vincent Caravan Park road resurfacing project (refer note 39).
	80	\$ 3,437	Increased budget for renewal of Stansbury Grandstand funded from Minlaton Town Hall renewal budget (refer note 81).
	81	-\$ 3,437	Reallocate portion of capital budget for Minlaton Town Hall to fund increased expenditure on Stansbury Grandstand (refer note 80).

YORKE PENINSULA COUNCIL 2022/2023 BUDGET SUMMARY OF PROPOSED CHANGES - MARCH (QUARTER 3) BUDGET REVIEW			
Type	Note #	Amount Increase/ (Decrease)	Reason for Variance
	82	-\$ 1,646	Transfer portion caravan park emergency fund budget to Port Vincent Caravan Park budget to fund replacement of failed septic pump (refer note 42).
	83	\$ 237,678	Budget increase to undertake emergency heavy patching and stabilisation works on Clinton Road (refer attachment – Major capital expenditure adjustments explained) (refer note 84).
	84	-\$ 237,678	Decrease to fund Clinton Road (emergency works). Current year budget allocation for reseals able to be redirected to fund unbudgeted works as sealing contractor is unlikely to fulfil complete commitment prior to the end of financial year. Effectively reducing budget to be rolled over into 2023/2024 for reseal program (refer note 83).
	85	\$ 57,727	Increase budget for upgrade of Regional Commodity Freight Roads project funded through transfer of unspent budget allocation for consultants to conduct materials testing on unsealed roads (refer note 54).
	86	-\$ 188,703	Decrease budget due to savings realised in undertaking renewal of Black Point Boat Ramp. Due to savings made on this grant funded project \$93,400 in grant funding received in advance was refunded to the funding body.
	87	\$ 316,769	Gardner St & Fowler Tce, Price increase to fund project variations (refer attachment – Major expenditure adjustments explained).
	88	\$ 35,836	Increase vehicle trade-in income in relation to changeover one outside worker utility vehicle (refer note 74).
	89	\$ 10,000	Increase budget to fund emergency/unforeseen works at Maitland Childcare Facility to meet accreditation standards to operate as childcare facility. Future adjustment may be required once full scope of works has been costed (refer note 64).
	90	\$ 10,108	Adjustment to fund purchase of elected member iPads (12.9" screen opted for over 11" screen). Increase funded by savings in election expenditure budget (refer note 44).
CAPITAL EXPENDITURE - NEW/UPGRADE			
	91	\$ 9,600	Utilise increased building application income in fund additional ICT equipment purchases to assist in building inspections (refer note 23).
	92	-\$ 957	Decrease budget for LRCIP Phase 3 Coastal Management Strategy to fund LRCIP Phase 3 Stansbury Cemetery Fence Replacement (refer note 40).
	93	\$ 37,000	Reclassification and increase to budget for Marion Bay boat ramp detailed design, development and cost plans for anticipated Tender and Stage 2 SABFAC application from operating to capital (refer note 43).
	94	\$ 27,000	Apply budget funds from roadside weed control budget allocation to fund additional expenditure required to undertake both stage one & two of Edithburgh Stormwater Flooding (Park Terrace) project (refer note 45).

YORKE PENINSULA COUNCIL 2022/2023 BUDGET SUMMARY OF PROPOSED CHANGES - MARCH (QUARTER 3) BUDGET REVIEW			
Type	Note #	Amount Increase/ (Decrease)	Reason for Variance
	95	\$ 17,977	Apply budget funds from stormwater drainage operating budget allocation to fund additional expenditure required to undertake both stage one & two of Edithburgh Stormwater Flooding (Park Terrace) project (refer note 46).
	96	\$ 11,406	Increase budget to fund purchase of video conferencing units and Teams Licences for Maitland office (refer note 52).
	97	\$ 100,000	1m increase to budget to increase project budget to the level required to undertake project. Increase funded by bringing forward 2023/2024 Caravan Park Management Framework budget allocation.
	98	\$ 510,822	North Coast Road (Stage 1) increase budget to fund increased cost following design amendments and project variations (refer attachment – Major capital expenditure adjustments explained)
	99	\$ 1,954	Increase YP Leisure Options capital expenditure budget to fund purchase of iPads.
	100	-\$ 290,674	Decrease capital budget for Regional Airports Program Round 1 Grant Funded Project to upgrade the Minlaton Airstrip to match actual final expenditure (refer note 74).

YORKE PENINSULA COUNCIL 2022/2023 BUDGET BUDGETED STATEMENT OF COMPREHENSIVE INCOME							
	2022/2023	2022/2023	2022/2023	2022/2023	2022/2023	2022/2023	
	Revised Budget	March Budget Adjustments	December Budget Adjustments	September Budget Adjustments	Rolled Over Budget Adjustments	Adopted Budget	Notes
	\$(‘000)	\$(‘000)	\$(‘000)	\$(‘000)	\$(‘000)	\$(‘000)	
INCOME							
Rates	25,649	52				25,597	1-3
Statutory Charges	556	155			7	394	4
User Charges	5,317	676				4,641	5-16
Grants, subsidies, contributions	6,714	76	1,930	32	1,109	3,567	17-21
Investment Income	447	345		(1)		103	22
Reimbursements	249	62	20	28		139	23-29
Other Income	196	63	12	13		108	30-35
Total Income	39,128	1,429	1,962	79	1,109	34,549	
EXPENSES							
Employee costs	10,493	3	1	17		10,472	36
Materials, contracts & other expenses	16,481	536	187	74	1,455	14,229	37-73
Depreciation	11,116		1			11,115	
Finance Costs	331		17			314	
Total Expenses	38,421	539	206	91	1,455	36,130	
OPERATING SURPLUS/(DEFICIT) BEFORE CAPITAL AMOUNTS	707	890	1,756	(12)	(346)	(1,581)	
Amounts received specifically for New or Upgrade assets	5,103	(144)	(667)		5,157	756	75
Asset disposal and fair value adjustments	0					0	
NET SURPLUS/(DEFICIT)	5,810	746	1,089	(12)	4,811	(825)	
Other Comprehensive Income							
Changes in revaluation surplus - IPP&E	0					0	
Total Other Comprehensive Income	0			0	0	0	
TOTAL COMPREHENSIVE INCOME	5,810	746	1,089	(12)	4,811	(825)	

Note: Totals may not add due to rounding

YORKE PENINSULA COUNCIL 2022/2023 BUDGET BUDGETED STATEMENT OF FINANCIAL POSITION							
	2022/2023 Revised Budget \$(’000)	2022/2023 March Budget Adjustments \$(’000)	2022/2023 December Budget Adjustments \$(’000)	2022/2023 September Budget Adjustments \$(’000)	2022/2023 Rolled Over Budget Adjustments \$(’000)	2022/2023 Adopted Budget \$(’000)	Notes
ASSETS							
Current Assets							
Cash & Equivalent Assets	3,791	193	(3,342)	(22)	3,792	3,170	
Trade & Other Receivables	1,908	49	(117)	4	246	1,726	
Inventories	479	15	7	2	31	424	
Total Current Assets	6,178	257	(3,452)	(16)	4,069	5,320	
Non-Current Assets							
Financial Assets	246				1	245	
Infrastructure, Property, Plant & Equipment	290,129	626	4,367	30	(1,310)	286,416	
Total Non-Current Assets	290,375	626	4,367	30	(1,309)	286,661	
Total Assets	296,553	883	915	14	2,760	291,981	
LIABILITIES							
Current Liabilities							
Trade & Other Payables	3,715	105	452	21	887	2,250	
Borrowings	1,256		(264)			1,520	
Provisions	2,289		2	1	(56)	2,342	
Total Current Liabilities	7,260	105	188	21	831	6,112	
Non-Current Liabilities							
Trade & Other Payables	98	32	38	3	3	22	
Borrowings	5,805		(399)		(160)	6,364	
Provisions	194		(3)		(23)	220	
Total Non-Current Liabilities	6,097	32	(364)	3	(180)	6,606	
Total Liabilities	13,357	137	(176)	24	651	12,718	
NET ASSETS	283,196	746	1,091	(10)	2,109	279,263	
EQUITY							
Accumulated Surplus	(7,614)	746	1,089	(11)	1,351	(10,789)	
Asset Revaluation Reserve	286,700					286,700	
Other Reserves	4,110				758	3,352	
TOTAL EQUITY	283,196	746	1,089	(11)	2,109	279,263	

Note: Totals may not add due to rounding

YORKE PENINSULA COUNCIL 2022/2023 BUDGET BUDGETED STATEMENT OF CASH FLOWS							
	2022/2023 Revised Budget \$('000)	2022/2023 March Budget Adjustments \$('000)	2022/2023 December Budget Adjustments \$('000)	2022/2023 September Budget Adjustments \$('000)	2022/2023 Rolled Over Budget Adjustments \$('000)	2022/2023 Adopted Budget \$('000)	Notes
CASH FLOWS FROM OPERATING ACTIVITIES							
<i>Receipts</i>							
Operating Receipts	25,471	50	48		(180)	25,553	1-3
Statutory Charges	574	149	3	7	19	396	4
User Charges	5,467	650	36		146	4,635	5-16
Grants, subsidies, contributions	5,709	92	2,437	35	(423)	3,568	17-21
Investment Receipts	446	341			3	102	22
Reimbursements	253	62	20	26	4	141	23-29
Other Income	211	127	47	24	(46)	59	30-35
<i>Payments</i>							
Employee Costs	(10,425)	(3)	27	(15)	22	(10,456)	36
Materials, contracts & other expenses	(16,686)	(504)	(246)	(69)	(1,612)	(14,255)	37-73
Finance Costs	(331)		(17)			(314)	
Net Cash provided by (or used in) Operating Activities	10,689	964	2,355	8	(2,067)	9,429	
CASH FLOWS FROM INVESTING ACTIVITIES							
<i>Receipts</i>							
Amounts Specifically for New/Upgraded Assets	5,103	(144)	(667)		5,158	756	75
Sale of Renewed/Replaced Assets	448	11			94	343	74
Repayments of Loans by Community Groups	91					91	
<i>Payments</i>							
Expenditure on Renewal/Replacement of Assets	(16,512)	(213)	(359)	22	(4,587)	(11,375)	76-90
Expenditure on New/Upgraded Assets	(8,895)	(424)	(4,008)	(52)	(3,751)	(660)	91-100
Net Cash Provided by (or used in) Investing Activities	(19,764)	(770)	(5,034)	(30)	(3,086)	(10,845)	
CASH FLOWS FROM FINANCING ACTIVITIES							
<i>Receipts</i>							
Proceeds from Borrowings	0		(756)			756	
<i>Payments</i>							
Repayments of Borrowings	(1,229)		92		16	(1,337)	
Repayment of Finance Lease Liabilities	0		1		(1)		
Net Cash provided by (or used in) Financing Activities	(1,229)	0	(663)	0	16	(581)	
Net Increase/(Decrease) in cash held	(10,304)	194	(3,342)	(22)	(5,137)	(1,997)	
Opening cash, cash equivalents or (bank overdraft)	14,096		5,443	3,487		5,166	
Closing cash, cash equivalents or (bank overdraft)	3,793	194	2,101	3,465	(5,137)	3,170	

Note: Totals may not add due to rounding

YORKE PENINSULA COUNCIL 2022/2023 BUDGET BUDGETED STATEMENT OF CHANGES IN EQUITY					
2022/2023 Revised Budget	Accumulated Surplus \$('000)	Asset Revaluation Reserve \$('000)	Other Reserves \$('000)	Total Equity \$('000)	Notes
Balance at end of previous reporting period	(13,424)	286,700	4,110	277,386	
Net Surplus/ Deficit for Year	5,810	0	0	5,810	
Total Comprehensive Income	5,810	0	0	5,810	
Balance at end of period	(7,614)	286,700	4,110	283,196	
2022/2023 Budget Adjustments	Accumulated Surplus \$('000)	Asset Revaluation Reserve \$('000)	Other Reserves \$('000)	Total Equity \$('000)	Notes
Balance at end of previous reporting period	(3,460)	0	758	(2,702)	
Net Surplus/ Deficit for Year	6,635	0	0	6,635	
Total Comprehensive Income	6,635	0	0	6,635	
Balance at end of period	3,175	0	758	3,933	
2022/2023 Adopted Budget	Accumulated Surplus \$('000)	Asset Revaluation Reserve \$('000)	Other Reserves \$('000)	Total Equity \$('000)	Notes
Balance at end of previous reporting period	(9,964)	286,700	3,352	280,088	
Net Surplus/ Deficit for Year	(825)	0	0	(825)	
Total Comprehensive Income	(825)	0	0	(825)	
Balance at end of period	(10,789)	286,700	3,352	279,263	

Note: Totals may not add due to rounding

YORKE PENINSULA COUNCIL 2022/2023 BUDGET BUDGETED UNIFORM PRESENTATION OF FINANCES							
	2022/2023 Revised Budget	2022/2023 March Budget Adjustments	2022/2023 December Budget Adjustments	2022/2023 September Budget Adjustments	2022/2023 Rolled Over Budget Adjustments	2022/2023 Adopted Budget	Notes
Operating Revenues	39,128	1,429	1,962	79	1,109	34,549	1-35
<i>less Operating Expenses</i>	(38,421)	(539)	(206)	(91)	(1,455)	(36,130)	36-73
Operating Surplus/(Deficit) before Capital Amounts	707	890	1,756	(12)	(346)	(1,581)	
Less: Net Outlays on Existing Assets							
Capital Expenditure on Renewal/Replacement of Existing Assets	(16,512)	(213)	(359)	22	(4,587)	(11,375)	76-90
<i>less Depreciation, Amortisation & Impairment</i>	11,116	0	1	0	0	11,115	
<i>less Proceeds from Sale of Replaced Assets</i>	448	11	0	0	94	343	74
	(4,947)	(202)	(358)	22	(4,493)	83	
Less: Net Outlays on New and Upgraded Assets							
Capital Expenditure on New/Upgraded Assets	(8,895)	(424)	(4,008)	(52)	(3,751)	(660)	91-100
<i>less Amounts Specifically for New/Upgraded Assets</i>	5,103	(144)	(667)	0	5,157	756	75
<i>less Proceeds from Sale of Surplus Assets</i>	0	0	0	0	0	0	
	(3,792)	(568)	(4,675)	(52)	1,406	96	
Net Lending / (Borrowing) for Financial Year	(8,033)	120	(3,277)	(42)	(3,433)	(1,402)	

Note: Totals may not add due to rounding

YORKE PENINSULA COUNCIL 2022/2023 BUDGET BUDGETED FINANCIAL INDICATORS (RATIOS)						
	2022/2023	2022/2023	2022/2023	2022/2023	2022/2023	
	Revised Budget	March Budget Adjustments	December Budget Adjustments	September (including roll overs) Budget Adjustments	Adopted Budget	Notes
Operating Surplus Ratio (OSR)	1.8%	2.3%	4.2%	(0.1%)	(4.6)%	1-73
<i>Operating Surplus - \$'000</i>	707					
<i>Total Operating Income - \$'000</i>	39,128					
Net Financial Liabilities Ratio (NFLR)	18.9%	(1.0%)	(10.0%)	8.0%	21.9%	
<i>Net Financial Liabilities - \$'000</i>	7,412					
<i>Total Operating Income - \$'000</i>	39,128					
Asset Renewal Funding Ratio (ARFR)	67.5%	0.9%	(1.4%)	25.0%	43.0%	76-90
<i>Asset Renewals - \$'000</i>	16,512					
<i>Asset Renewal Commitments per AMP - \$'000</i>	24,470					

Note: Totals may not add due to rounding

MAJOR CAPITAL EXPENDITURE ADJUSTMENTS EXPLAINED

MARCH BUDGET REVIEW 2022-2023

The table below presents the reasons for major expenditure variations of the following capital projects during the 2022/2023 year to date: North Coast Road (Stage 1); Heavy vehicle access (Gardner Street and Fowler Terrace, Price); and Clinton Road (Emergency Works).

FACT	REASON FOR OVERSPENDING	RESULTANT THIRD QUARTER BUDGET ADJUSTMENT
NORTH COAST ROAD (STAGE 1)		
2022/23 Approved budget \$1,791,823 (added at December Quarter Review)		Third quarter adjustment requested \$510,822 increase. Total revised budget to be \$2,302,645 (i.e. Accepted tender price + variations)
Accepted tender price \$1,791,823 endorsed by Council at 21 September 2022 meeting. September 2022 tender for concept design only and as such would need to be updated after detailed design per Council resolution 196/2022. Note: Detailed design for NCR was completed in December 2022 and revised price for NCR Stage 1 was received 13 January 2023. Council provided an updated contract and raised a purchase order for \$2,097,015.74 (ex GST) based on final detailed design and September 2022 Council endorsed \$1,791,823 Letter of Acceptance.		

FACT	REASON FOR OVERSPENDING	RESULTANT THIRD QUARTER BUDGET ADJUSTMENT
<p>Variation 1 – \$20,000 (approx.) for fencing pending result of request for quote.</p>	<p>Much of the rural fence line to the north (approximately 1km) was mixed up with vegetation in need of removal as part of the project.</p> <p>Fence removal and replacement was NOT priced in the construction contract. The onsite agreement made was for the contractor to remove fencing and absorb project delays at their cost. Council would incur the fence reinstatement costs.</p>	
<p>Variation 2 – \$76,732</p> <ol style="list-style-type: none"> 1. Ch1170 revision to road drainage to drain to the south rather than to the north through coastal reserve and over existing seawall. Note: Crown Lands response to questions and approvals re: drainage remain unanswered. Above interim solution necessitated additional culverts and soakage areas. 2. In field provision of HDPE pipe vent of crossroad culvert exit points to ensure drainage at 3 culvert locations. 3. Rock breaking at Ch 300 to facilitate culvert crossing of road. 	<p>2022/2023 Delivery program extremely compressed with insufficient time to review detailed design and resolve consultant design oversights before construction. (i.e. detailed design completed late December 2022, contractor repriced detailed design first 2 weeks of 2023, construction contract started end January 2023 to deliver by SLRP deadline of June 2023).</p>	
<p>Design – \$108,897</p> <p>Consultant detailed design and geotechnical analysis for Stages 1-3 to support project development for grant purposes and construction delivery.</p>	<p>Unbudgeted expenditure.</p>	

FACT	REASON FOR OVERSPENDING	RESULTANT THIRD QUARTER BUDGET ADJUSTMENT
HEAVY VEHICLE ACCESS (GARDNER STREET AND FOWLER TERRACE, PRICE)		
2022/2023 Adopted budget \$1,512,000		Third quarter adjustment requested \$316,769 increase. Total revised budget to be \$2,133,419 (i.e. Accepted tender price + variations). Total project costs up \$621,419 on original budget. Pursuing additional grant funding at 50% (approx. \$310,700) in relation to cost overrun.
Accepted tender price \$1,816,650, date of Council resolution 21/9/2022 resolution number 196/2022. December quarter budget adjustment increase budget by \$304,650 per Council resolution 015/2023 dated 08/02/2023.		
Variation 1 - \$36,697.50 Replace existing broken kerb and channel along Gardner Street	Requirement was not picked up in design, is small in nature but was done to present a finished professional complete outcome.	
Variation 2 - \$9,410 Construction of reinforced spoon drain	Not identified in original design.	
Variation 3 - \$4,460 Backfill box culvert crossovers, SEPs and headwalls with cement treated quarry sand due to subgrade flooded with groundwater.		
Variation 4 - \$125,092.30 rock and geotextile bridging platform in place of saturated unsuitable subgrade material in Fowler Terrace.	This was what is known as latent condition whose risk of existence rests with Council.	

FACT	REASON FOR OVERSPENDING	RESULTANT THIRD QUARTER BUDGET ADJUSTMENT
Variation 5 - \$26,430 Extra 2% lime and cement stabilisation to failing subgrade (total area 1800m2).	As above.	
Variation 6 - \$6,162.50 Lower SA Water Cross Over near Price Pub.	Undertaken to ensure profiler and pavement work continued	
Variation 7 - \$6,134.50 Gardner Street surface drain - Effect table drain installation on Gardner Street.	Consultant design did not give enough attention to dealing with roadside table drainage needs and did not pick up utilities in the same locality. The variation work done negated extra expenditure of relocating Telstra and SA Water whilst providing better roadside drainage than was pre-existing and or was shown in consultant detailed design.	
Variation 8 - \$17,352 Gardner Street Intersections Bitumen Removal and Pavement & Spray Seal Works (110m2).	Not identified in original design	
Variation 9 - \$25,030 Remove and replace unsuitable foundation clay subgrade and replace with better quality material over additional depth in the HV tie down area at the end of Fowler Terrace.	This was what is known as latent condition whose risk of existence rests with Council.	
Variation 10- \$60,000 (cost estimate) Additional asphalt work towards the end of Fowler Terrace to deal truck access.	Whilst a pre-existing old stiff sealed surface well integrated into the base course worked at the location in the past, road levels had to change, and the screwing of triaxles have demonstrated that a fresh seal is not likely to last long (i.e. torn seal in places). The best remediation is 50mm of asphalt over milled roughened surface.	

FACT	REASON FOR OVERSPENDING	RESULTANT THIRD QUARTER BUDGET ADJUSTMENT
Variation - \$116,792.50 50% contribution to SA Water for relocation of old SA Water infrastructure in the way of works.	Inadequate information available at time of design and construction to precisely know the extent of this aged pipe risk and quantum until the limited fault rectification resources of SA Water were engaged. Council contributed 50% towards this SA Water work.	Works undertaken on SA Water infrastructure represent are not capital works by Council. Budget overspend funded through existing Assets and Infrastructure department operating budget allocations.
CLINTON ROAD (EMERGENCY WORKS)		
\$237,678- Heavy patching stabilisation after 2022 rains.	Unbudgeted item undertaken at Elected Members request.	Third quarter adjustment requested \$237,678 increase (with corresponding decrease to reseal budget).

24 ASSETS AND INFRASTRUCTURE SERVICES

24.1 FOOD ORGANICS GREEN ORGANICS SERVICE

Document #: 23/40958

Department: Assets and Infrastructure Services

PURPOSE

For Council to close out the Assets and Infrastructure Services review of waste management and endorse the introduction of a food organics/green organics (FOGO) waste management collection service.

RECOMMENDATION

That Council endorse the introduction of a fortnightly food organics/green organics (FOGO) waste management collection service for the townships, with co-mingled yellow-lidded bin waste collection to remain at fortnightly, and general red-lidded bin waste to be collected at a frequency as per model number of the report.

LINK TO STRATEGIC PLAN

Goal: 3 Valued and Restored Environment

Strategy: 3.2 Continue to effectively manage the collection, recycling and disposal of waste
3.4 Partner with other tiers of government and non-government organisations to improve environmental outcomes

BACKGROUND

At the Meeting of Council held on 14 December 2022, Council endorsed “progressing to the next stage of the possible implementation of a food organics/green organics (FOGO) waste management collection service, including costings, contract management, and policy review, to be presented to Council at a future meeting, and ratification of inclusion in the 2023/2024 budget”.

Informing this decision was the following Council reports: Feasibility Study of Food Waste Management Options; Community Views of Food Waste Collection (Focus Groups – Qualitative Research); and Food Waste Collection Research (Panel Surveys – Quantitative Research).

Additionally, Council had received the Legatus Group’s Waste and Resource Recovery Strategy 2021 to 2026, in which Council is set a landfill diversion target. Meeting this target will depend on the introduction of a FOGO collection service and the transition from a weekly general waste collection service to a fortnightly general waste collection service. Council’s landfill diversion target is increased from the current estimated 35% to 45%.

At the Environment Ministers’ Meeting of 21 October 2022 (comprising the Commonwealth Minister for Environment, and the environment minister from each Australian state and territory), updates were agreed to the National Waste Policy Action Plan, and reflected in the National Waste Policy Action Plan Annexure 2022. An included update is to introduce FOGO collection services to all metropolitan households and businesses, from end of 2023, to 2030.

The South Australian Government addresses management of food waste in its document ‘Valuing Our Food Waste; South Australia’s strategy to reduce and divert household and business food waste 2020 – 2025’. Whilst no action is suggested for regional areas, a proposed action is:

“Pursue regulatory interventions to ensure segregated food and organic waste collection systems exist for residential, commercial and industrial premises in the Adelaide metropolitan

area (as relevant to areas prescribed in the Environment Protection [Waste to Resources] Policy 2010)".

At the 14 December 2022 meeting of Council, staff suggested the following action for management of FOGO:

- Short-term (over three years): With the existing waste collection contractor, introduce a FOGO collection service in 2023/2024 utilising the existing three bin system (i.e. food organics may be disposed of in the green-lidded bin, along with the current approved green organics i.e. garden clippings). The nearest existing commercial FOGO processing and waste disposal site is near Dublin and hence, for the short-term option, FOGO waste will require transport to it.
- Medium-term (three to six years): Consider the outcomes of the regional organics (FOGO) processing facility (Pilot Organics Processing Plant at Peterborough Project) and whether or not it is more cost effective than the short-term arrangement. Consider joining a Waste Management Authority (WMA) if it has been established. Review technology as it advances (i.e. innovative composting solutions). N.B. The Legatus Group Waste Management Advisory Committee will consider and investigate WMA's further in 2023.
- Long-term (six to ten years): Council to cut transportation costs of FOGO, consider evolving processing technology, and reconsider the relative economics of FOGO processing at two locations (Warooka and Central Yorke Peninsula – Arthurton) in the Council area, for reuse by Council.

DISCUSSION

Council's current green organics collection service is provided to residential properties within the town service area (who subsequently pay the three bin system service charge).

The current three bin service sees the red-lidded bin (general waste) being serviced weekly, yellow-lidded bin (co-mingled recycling) serviced fortnightly, and green-lidded bin (green organics only) serviced once per month.

To introduce a FOGO collection service in 2023/2024 to these properties, a change in bin collection frequency is required. FOGO bins must be collected fortnightly at a minimum per legislation. For Council, this would result in both the green-lidded bin (FOGO), and the yellow-lidded bin (co-mingled), collected fortnightly. However, due to the varying service areas and entitlements, there are options for the frequency of collection of the red-lidded bin (general waste). No change is suggested to the current weekly street bin and bush camp bin bank (both general waste) collection frequencies, even though many municipalities across Australia adopt a fortnightly collection frequency for these public bins.

The current red-lidded bin collection service standard entitlement of once per week, is provided to all properties that are entitled to receive the service:

- residential properties within the town service area (8,534 properties); and
- residential properties within the rural service area and commercial/industrial/other/non-rateable properties (2,000 properties).

NB: green-lidded bins total 8,470 properties; yellow-lidded bins total 10,500 properties.

As per Council's PO125 Waste and Recycling Policy, some properties apply for an additional service(s) per week, subject to the payment of the appropriate fee(s), as set out in Council's Fees and Charges Register (R011).

As stated, to achieve the diversion targets of the Legatus Group's Waste and Resource Recovery Strategy 2021 to 2026 (the Strategy), the Strategy states it **depends on an introduction of a FOGO collection service and the transition from a weekly general waste collection service to a fortnightly general waste collection service**. The introduction of a FOGO collection service needs to be provided as all or nothing service. An opt in system is not feasible for multiple reasons, including its limitations in achieving the waste diversion targets, its implications to determining costing models,

increased administration time managing options, and the complications it creates for the waste contractor in delivery.

However, for consideration is:

- the influx of visitation during the peak holiday season (six weeks over December and January), and hence increase in waste production;
- the frequency of collection service to residential properties within the rural service area and commercial/industrial/other/non-rateable properties (rural/business); and
- during consultation for this report, Council's existing contractor has indicated to achieve a better environmental outcome, and for logistical purposes, it would be better to provide extra bins in exceptional circumstances/where there is need, and deliver a fortnightly collection as opposed to a weekly collection.

As such, the following models of red-lidded bin collection services are provided:

1. Red-lidded bin at weekly for all service types.
2. Red-lidded bin at fortnightly for all service types (no change in peak season).
3. Red-lidded bin at fortnightly for all service types, with a change to weekly in peak season.
4. Red-lidded bin at fortnightly (no change in peak season) for residential properties within the town area (residential), and rural/business to remain weekly.
5. Red-lidded bin at fortnightly, with a change to weekly in peak season for residential, and rural/business to remain weekly.

The costing for these collection models, **including costs for fortnightly collection of both yellow-lidded bin and green-lidded bin**, is provided in the table below:

Model #	Description	Cost (\$s)
One	Red weekly all service types	2,791,735
Two	Red fortnightly all service types	2,440,957
Three	Red fortnightly all service types, weekly in peak	2,481,371
Four	Red fortnightly residential – rural/business weekly	2,520,977
Five	Red fortnightly residential, weekly in peak – rural/business weekly	2,552,211

For comparison purposes, the current baseline (without FOGO) annual cost for the weekly collection of red-lidded bins (excluding overheads to allow comparison), fortnightly collection of yellow-lidded bins, and monthly collection of green-lidded bins is approximately \$2,317,680 (please note the high level estimated costs are modelled from calculation provided by Council's existing waste contractor, which are subject to rise and fall in several price indexes and variance in number of services provided).

Regardless of model chosen relative to the red-lidded bin (general waste) collection frequency, the introduction of a FOGO collection service means it is highly likely Council's existing contractor will require additional resources to implement the resultant amendments to the existing contract. Hence for model number two, whilst the collection frequency of the green-lidded bin substitutes for a decrease in the collection frequency of the red-lidded bin (when compared to the current system), the overall cost will increase. However this substitution and bin frequency alteration aims to minimise the costs of change and encourage ratepayer segregation of waste at source (behaviour change), delivering efficient services and achievement of the landfill diversion target. This is the ideal model to aim towards.

A change in red-lidded bin collection frequency in peak season increases cost and complexity, requiring additional communication, and will likely create added opportunity for complaints. Additionally, it works against the purpose of introducing a FOGO collection, which is to increase diversion of waste from landfill.

Whilst one could recommend going straight to fortnightly red bin collection coupled with introduction of a FOGO collection service, the following “transition” is suggested. **Council could commence the journey of FOGO waste diversion away from red-lidded to green-lidded bins by providing the service, and then in three years’ time, have the conversation of reducing red-lidded bin frequency from weekly to fortnightly, based on observed diversion and the potential to reduce user charges.**

Kitchen containers and education

Government of South Australia’s Green Industries SA has thoroughly researched high performing food waste management systems, and evidence from their food organics pilot shows that the use by householders of kitchen containers increases the diversion of food organics. When combined with educational material and awareness raising efforts, the containers act as a prompt located in the right place and time. The pilot showed that the use of liners in association with a bench-top container increases the diversion of food organics. As such, Green Industries provide a Kerbside Performance Plus Food Organics Incentives Program (Program). This Program contributes funds towards the cost of introducing and maintaining a FOGO collection; this includes up to 50% of the cost of containers, and “welcome pack” education material. Green Industries SA meet the cost of a roll of 75 compostable liner bags. The Program can be applied for retrospectively. Therefore a Council may introduce a FOGO collection at any time, and apply for up to 50% reimbursement of the eligible costs, when the Program is open.

The upfront capital cost of supplying and delivering kitchen containers (caddies), and an education program (including “welcome pack” education material), to those on the three bin system, is provided in the table below:

Service	Cost (\$s)
Kitchen caddy	34,303
Assembly and distribution (by waste contractor)	123,577
Compostable liners (150 bag)	86,309
Possible education program (to be tailored), indicative costing	42,500
- FOGO wrap on trucks	\$5,000
- Community workshops	\$8,000
- School incursions	\$7,000
- Annual waste guide	\$13,000
- Community engagement	\$5,500
- Bin audit	\$4,000
Total	286,689

NB: the costs above do not include reimbursement of eligible costs (up to 50%) from the Program.

Other Councils have engaged community groups to assemble and distribute the kitchen caddy, to achieve a significant reduction in cost.

Over a time period, the level of education, and the need to supply or re-supply kitchen caddies, would reduce. A percentage of kitchen caddy stock would be required (for replacements/new builds).

NB: in 2019, Green Industries SA and the City of Holdfast Bay piloted an alternative model of distribution for compostable bags, via supermarkets (allowing customers to purchase their fruit and vegetables in a compostable bag then reuse the bag at home to dispose of their food waste into the FOGO bin). The response was overwhelmingly positive. Green Industries SA have since worked with the Foodland supermarket chain, who now provide the compostable bags in their fruit and vegetable departments, with the intent to work with others.

Summary – High Level Estimated Costs

Please note the following information provides high level estimated costs modelled from calculation provided by Council's existing waste contractor, which are subject to rise and fall in several price indexes and variance in number of services provided.

Table below models estimated impact to draft 2023/24 service charge where FOGO implemented in January 2024. Assumes recovery of implementation costs over three years through three bin system service charge.

Summary Table - FOGO from 1 January 2024 (6 months of increased costs only)

Scenario	Three bin system			Two bin system	
	Impact on Service Charge	Implementation Cost (Year 1 of 3)*	Recommended 2023/24 Service Charge	Impact on Service Charge	Recommended 2023/24 Service Charge
One	\$ 26.87	\$ 11.24	\$ 303.11	\$ 4.29	\$ 230.29
Two	\$ 10.95	\$ 11.24	\$ 287.19	-\$ 15.73	\$ 210.27
Three	\$ 12.78	\$ 11.24	\$ 289.03	-\$ 13.42	\$ 212.58
Four	\$ 10.95	\$ 11.24	\$ 287.19	\$ 4.29	\$ 230.29
Five	\$ 12.78	\$ 11.24	\$ 289.03	\$ 4.29	\$ 230.29

* Estimated implementation cost of approximately \$287,000 to be recovered over three years through three bin system service charge.

NB: the costs above do not include reimbursement of eligible costs (up to 50%) from the Program.

Table below provides the estimated overall cost increase to provide FOGO and models the estimated impact to draft 2023/24 service charge on an annual basis excluding the effect of implementation costs.

Summary Table - Annual FOGO Cost Increase and Annual Impact on Service Charge

Scenario	Estimated Cost Increase Per Annum*	Increase/(Decrease) 3 Bin Service Charge	Increase/(Decrease) 2 Bin Service Charge
One	\$474,056	\$ 53.74	\$ 8.58
Two	\$123,277	\$ 21.89	-\$ 31.46
Three	\$163,692	\$ 25.57	-\$ 26.84
Four	\$203,297	\$ 21.89	\$ 8.58
Five	\$234,532	\$ 25.57	\$ 8.58

* Excludes impact of implementation costs (estimated one-off cost approximately \$287,000).

Please note draft 2023/24 service charges are currently:

- Three bin system \$265.
- Two bin system \$226.

Experience of Neighbouring Councils

Copper Coast Council and Barunga West Council have both introduced FOGO collection services, with red-lidded bins changed to a fortnightly collection. Their staff were approached to provide advice on the implementation of a FOGO collection service and share their experiences (previously

provided to Council). Both Councils have kept the collection of red-lidded bins consistent throughout the year at fortnightly, with no increase during peak season. They have experienced no issues with community acceptance of this framework. A general comment made was that they have not experienced complaints from holiday homeowners (approximately 40% holiday dwellings versus 60% permanent).

Under the Copper Coast Council Waste Management Policy, under exceptional circumstances provisions, households are able to apply for a variation to the collection service each year, by purchasing an additional bin that is collected on the normal fortnightly collection day. Other than large families (see below), this includes households that produce nappies, and households with special medical needs. This is a model that Council could adopt, and can be considered should Council introduce a FOGO collection service that includes fortnightly collection of red-lidded bins.

The exceptional circumstances provisions originally included large families, however this is to be transitioned-out over the next two years. Copper Coast Council staff recommend non-inclusion of this entitlement at the start, due to challenges with transition later (modifying an existing behaviour). It is intended large families can instead apply to receive an additional recycling bin; this encourages the avoidance of general waste production and hence the need for an additional red-lidded bin.

Other considerations

The introduction of a FOGO collection service will require amendment to the contract with Council's existing waste collection contractor. Revision of Council's PO125 Waste and Recycling Policy, including kerbside collection framework, will also be required, dependant on the collection service model Council selects.

Proposed timeline

Should Council select a preferred model of waste collection frequency that results in the introduction of a FOGO collection to those on the three bin system, it is anticipated education will occur for the remainder of 2023. Kitchen caddies and "welcome pack" education material are anticipated to be delivered early 2024, followed shortly after by the introduction of the kerbside collection.

COMMUNITY ENGAGEMENT PLAN

Level 1 - Inform

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Operations Manager
- Manager Financial Services
- Environment Officer

In preparing this report, the following external parties were consulted:

- Waste and Management Service Pty Ltd
- Veolia Australia and New Zealand

POLICY IMPLICATIONS

Council's PO125 Waste and Recycling Policy will require review to implement a FOGO waste management collection service.

BUDGET AND RESOURCE IMPLICATIONS

The costs of introducing a FOGO collection service for various models of delivery, are detailed in the discussion.

Currently, a service charge is levied on all properties to which the service is made available.

There is a different service charges for a “two bin system” and “three bin system”, as determined by Council annually, with rural properties charged based on a sliding scale determined by the distance from the property (being the identified rural property address) to the nearest collection location.

Where additional bins are provided fees are calculated on an annual basis, as set out in Council’s Fees and Charges Register (R011), and invoiced separately to the annual service charge.

The service charge is set each year by Council and will cover the costs necessary to **establish**, operate and maintain, improve and replace the service. Income from the service charge will only be used to fund costs associated with the waste and recycling service.

As such, it is suggested that the cost of introducing a FOGO collection service, including the delivery of kitchen caddies and education program, is included in the service charges.

The potential mismatch in timing between recovery of FOGO implementation costs may result in minor (\$100k to \$250k) variance to Council’s financial performance during the first three years following implementation of the program. Over/(Under) recovery through the service charge will continue to be tracked by Council’s financial services team.

RISKS/LEGAL/LEGISLATIVE/ IMPLICATIONS

Not proceeding with the recommendation of this report will see Council’s failure to meet initiatives of the Waste and Resource Recovery Strategy 2021 to 2026, endorsed by the Legatus Group.

ATTACHMENTS

Nil

25 DEVELOPMENT SERVICES**25.1 PROPOSED COMMUNITY LAND MANAGEMENT PLAN AMENDMENTS - COMMUNITY ENGAGEMENT****Document #:** 23/38204**Department:** Development Services**PURPOSE**

For Elected members to receive the submissions in relation to the community engagement process for proposed amendments to the Community Land Management Plans, to reclassify land more commonly known as the Port Vincent Wharf and Jetty area, and give consideration to proceeding with the reclassification.

RECOMMENDATION

That Council receive the written submissions in response to the community engagement process for the proposed amendment to the Community Land Management Plans to reclassify land more commonly known as the Port Vincent Wharf and Jetty area.

and

RECOMMENDATION A

That Council endorse proceeding to reclassify land more commonly known as the Port Vincent Wharf and Jetty area Section 207 PLN: 131400, Crown Record Volume 5848 Folio 650 from Category 3 – Public and Community Facilities to Category 4 – Business and Commercial.

or

RECOMMENDATION B

That Council endorse not to proceed to reclassify land more commonly known as the Port Vincent Wharf and Jetty area Section 207 PLN; 131400, Crown Record Volume 5848 Folio 650 from Category 3 – Public and Community Facilities to Category 4 - Business and Commercial.

or

RECOMMENDATION C

That Council defer from making a decision to reclassify the land until a Wharf Structures Condition Assessment Manual (WSCAM) load rating has been carried out by the State Government.

LINK TO STRATEGIC PLAN**Goal:** 1 Economically Prosperous Peninsula**Strategy:** 1.2 Deliver strategic and responsible land use planning**Strategy:** 1.9 Seek out, develop and deliver on economic development opportunities**BACKGROUND**

At the 8 March 2023 Council meeting, Council endorsed proceeding with a community engagement process for proposed amendments to the Community Land Management Plans to reclassify land more commonly known as the Port Vincent Wharf and Jetty area, Section 207 PLN: 131400, Crown Record Volume 5848 Folio 650 from Category 3 – Public and Community Facilities to Category 4 - Business and Commercial.

Due to unauthorised business and commercial operations being undertaken on the Port Vincent Wharf, it is considered necessary for consideration to be given to the land where the jetty and wharf are located (the land) to accommodate business and commercial activities.

DISCUSSION

Pursuant to Section 198 (2) of the Local Government Act, a council may only adopt a proposal for amendment to, or revocation of, a Community Land Management Plan after the council has carried out the public consultation that would be required if the proposal were for a new management plan.

The community engagement process commenced 9 March and concluded 17 April 2023. A total of 18 submissions were received (refer Attachment 1).

Most submissions have not addressed whether they would like to see the Community Land Management Plan changed from Category 3 – Public and Community Facilities to Category 4 – Business and Commercial. However it is very clear the majority of the submissions would like to see Jordan Judd and other commercial fishermen have permission from Council to use the wharf for loading and unloading commercial fishing vessels and to sell fresh fish from the wharf.

There is also an indication from submissions that they would also like to see the area remain a recreational area, to be a shared space for all users.

None of the representations have indicated that they wish to be heard.

In the Council Report of 8 March 2023, staff identified that business activities on the wharf and jetty area may be contrary to the Crown dedication, being recreation, jetty and access purposes. Crown Lands have since responded to the enquiries and don't foresee a change in the dedicated purpose being required. (refer Attachment 2).

To allow for business activities, Council must endorse the proposal to reclassify the land more commonly known as the Port Vincent Wharf and Jetty area, Section 207 PLN: 131400, Crown Record Volume 5848 Folio 650 from Category 3 – Public and Community Facilities to Category 4 - Business and Commercial.

Should Council endorse the re-classification, Council must ensure the area remains a safe shared space for all users. Any request for business activities on the wharf or jetty must be assessed carefully due to the wharf and jetty not holding a current Wharf Structures Condition Assessment Manual (WSCAM) load rating.

Assessment of business activities on the wharf and jetty may include, and not limited to:

- What section of the wharf and jetty will be required for use
- What will be the load bearing on each area of wharf
- Risk Assessment Plan
- Traffic Management Plan
- Times required for access to the area
- Adequate public liability insurance
- How will the activity impinge on recreational users of the area
- How will the activity impinge on the Department of Education Aquatic Centre programs

At the 8 March 2023 Council meeting, Council endorsed:

1. Halting any further Council expenditure on leased state government owned jetties within the Council area until state government funded WSCAM inspection reports are made available this financial year, and until after the state government commits to funding WSCAM load rating of all the jetties/wharfs it has leased to Council.
2. Requesting the state government fund additional strengthening works consistent with commercial use.

3. Handing back the Port Vincent Wharf and Port Vincent Jetty in November 2023, as per Clause 43 of the Memorandum of Lease between the state government and Council, and other state leased jetties in 2025, unless the state government commits to a sustainable maintenance funding arrangement that translates into Council's annual contribution not exceeding its current jetty maintenance expenditure of \$200,000 per year.

It may be prudent of Council to delay issuing agreements for use of the wharf and jetty until a WSCAM load rating has been carried out. The WSCAM report will be an important tool for Council when carrying out assessment of business activities on the wharf and jetty. Council wrote to the Premier on 28 March 2023 and is yet to receive a response.

COMMUNITY ENGAGEMENT PLAN

Level 2 - Consult

A public notice was advertised in the Yorke Peninsula Times on 14 March 2023, on Council's website and social media sites.

Facebook Views	1,643 views including 14 reactions, 2 comments and 7 shares
Website Views	294
Submissions	18

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Corporate Management Team
- Property Tenure Officer
- Manager Building & Compliance
- Senior Compliance Officer

In preparing this report, the following external parties were consulted:

- Department for Environment & Water

POLICY IMPLICATIONS

PO057 Community Engagement Policy

BUDGET AND RESOURCE IMPLICATIONS

Public Notice \$304 GST Inclusive

Council's Assets and Infrastructure Services Department has raised structural concerns with the wharf, particularly where vehicles are accessing the wharf over-hang. Solutions to allow vehicles to use the overhang have the potential to be costly for Council.

RISKS/LEGAL/LEGISLATIVE/ IMPLICATIONS

Reclassifying Section 207 PLN: 131400, Crown Record Volume 5848 Folio 650 from Category 3 – Public and Community Facilities to Category 4 - Business and Commercial may result in the area being used for commercial activities that may not be consistent with the current and future needs of the community.

Crown Land Management Act 2009

Local Government Act 1999

Yorke Peninsula Council's Local Government By-Laws 2020

- By-Law No 1 – Permits and Penalties

- By-Law No 2 – Local Government Land Harbors & Marine Regulations 2009

ATTACHMENTS

1. **Submissions** [↓](#) 
2. **Crown Land Response** [↓](#) 
3. **Community Engagement Plan** [↓](#) 



From: Tammy Greenwood [Redacted]
Sent: Friday, 10 March 2023 4:52 AM
To: Corporate Email Address
Subject: Community Consultation Community Land Management Plan Amendments

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Community Consultation
Community Land Management Plan Amendments

RE- Jordan Judd - Port Vincent Wharf usage

I Tammy Greenwood, being a local Yorke Peninsula Council resident and rate payer fully support Jordan Judd and any other commercial fisher to utilise the Port Vincent Wharf for its intended purposes of being a facility to load and offload commercial fishing vessels.

Commercial fisherman are an asset to the community and tourism alike and should not be treated with such disregard.

I am a frequent visitor to Port Vincent and enjoy watching Jordan's vessel unload and more recently enjoy watching both locals and tourist alike making wharf side purchases.

Jordan and his crew are neat and professional in their duties and friendly to the public. When using the Port Vincent wharf facilities, Jordan answers a multitude of questions without hesitation and often gives tips and advice to anyone that asks in relation to the commercial fishing industry, recreational fishing and the Yorke Peninsula in general. Proving himself to be an asset to the community.

The wharf side sales have proven to be a hit and enjoyed by many. This should be embraced as it draws not only locals but tourists, who then go on to support the broader community while visiting the area.

The usage of the wharf allows Jordan to provide fish in its freshest quality to many food and hospitality businesses within the Yorke Peninsula and soon to his new seafood shopfront at Minlaton, just a short distance away from Port Vincent.

To deny Jordan access to use the Port Vincent Wharf facilities for its intended built purposes of being a loading and offloading point for commercial vessels is nothing short of ludicrous.

Regards
Tammy Greenwood

From: Port Vincent Auto & Tyre Services [REDACTED]
Sent: Friday, 10 March 2023 10:24 AM
To: Corporate Email Address
Subject: Support for Jordan Judd Wharf use

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, please contact the Council's IT Team.

Susan Beech
Property Tenure Officer,

Dear Susan,
I am writing as a local business owner and operator in Port Vincent in support of Jordan Judds' use of the town wharf.

The benefit to our town and local community by being able to purchase fish locally direct from the fisherman sees lots of people coming to town to purchase fish, the spin off from this benefits all our town businesses.

As to the load limit mentioned for the wharf not being suitable for a forklift I find this ridiculous, during the warmer months it is common to see up to 100 people on the wharf, fishing, swimming and jetty jumping etc.

If the wharf cant handle the load of a forklift it certainly can't handle the load of 100 people either.

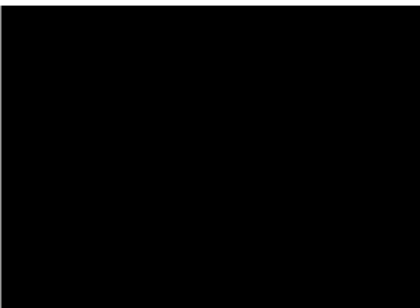
I find the council's reaction to Mr Judd typical of your anti business, anti development attitude.

I personally have not heard of any objections to Mr Judds' use of the wharf, in fact the opposite is true, many of my customers have praised his business acumen and insight in providing our community with this valuable service.

It's time for the council to open their eyes and support small business on Yorks, not stifle it as usual.

sincerely,

Geoff Kilpatrick



[Redacted]

From: Denise Gaskell [Redacted]
Sent: Friday, 10 March 2023 11:01 AM
To: Corporate Email Address
Subject: Community Consultation Community Land Management Plan Amendments

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[Redacted]

Community Land Management Plan Amendments – Category 3 & 4.

I'm in support of the change of category of the Pt Vincent Wharfe from a category 3 to a category 4. Firstly, without this facility the crew of this boat will not have work, but this spectacle is a drawcard for the town. I have been down to buy straight off the boat as have many others. It is a well managed operation and there has been changes made to the way they manage the loading and unloading of the boat in order to comply with Council requirements so far. This will not be a deterrent to other users as the boat will not be tied to the wharf for an extended period of time.

Regards,

Denise Gaskell
[Redacted]

[REDACTED]

From: Caroline McClure [REDACTED]
Sent: Friday, 10 March 2023 1:11 PM
To: Corporate Email Address
Subject: Port Vincent Fisherman

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, please contact the Council's IT Team.

To Whom It May Concern,

My family have a home at [REDACTED] Port Vincent and are rate payers in the Council area. We love the area and respect the community and its surroundings and environment.

My husband Paul McClure is a volunteer at Tidy Towns in Port Vincent.

We want to register our objection to the council's ban on Mr Judd (shark fisherman) using the facilities at the wharf to unload his catch. This is so unreasonable.

It is our understanding that he has accommodated the requirements that the Council has put to him so far and yet the Council still wants to ban him from using the facilities.

The area needs businesses to thrive and things for tourists and locals to see and do and Council should be promoting this rather than putting in blocks.

We have watched him unload and don't see any problems with the way he carries out his work.

PLEASE RECONSIDER this decision and let him proceed with his business.

Yours Faithfully
Caroline and Paul McClure

Monday, March 13, 2023

Community Consultation
Community Land Management Plan Amendments
PO Box 57
MAITLAND SA 5573
admin@yorke.sa.gov.au

**Re: Community Land Management Plan Amendments – Category 3 & 4
Port Vincent Wharf and Community Facilities**

Dear Sir/Madam,

I wish to express my support for the above-mentioned amendment of the Port Vincent Wharf to a Category 4, to enable the area to be used for business and commercial activities. I am aware that this has been put up for community submissions due to the use by Mr Jordan Judd.

As he is a small business owner, I would like to point out the importance of small businesses in local community. Small businesses like Mr Judd's are not only economically beneficial to the local community but offer access to fresh and healthy foods. The number of commercial fishing enterprises on the Yorke Peninsula is very quickly dwindling which means the community will be at a loss without access to fresh fish.

The fact that Mr Judd has chosen to base his business in our community is a vote of confidence in us and he deserves the same level of respect in the form of support for his small business and its ability to operate in our community by use of the Wharf facilities at Port Vincent.

I would like to also offer the following points for your consideration with regards to small businesses:

- 97.5% of Australia's population is employed by small businesses and by supporting them we are supporting the potential for employment growth in our area.¹
- Small Business makes up 99.8% of all Australian Businesses and they contribute to more than half of our national GDP.²
- These businesses provide many of the building blocks of prosperous and healthy communities in the form of essential goods, services, volunteering, sporting groups and civic life. Family-owned and operated businesses like Mr Judd's are deeply invested in the future of the communities in which they operate.
- When money is spent with local businesses, they in turn re-spend that money within the local community through salaries, rates, maintenance industries, fuel and other local businesses.

¹ https://www.asbfeo.gov.au/sites/default/files/2022-08/Contribution%20to%20Australian%20Business%20Numbers_August%202022%20_4.pdf

² <https://www.csiro.au/en/news/news-releases/2022/small-and-medium-businesses-key-to-driving-growth-in-australia>

- They reduce environmental impact - by keeping the supply of food local, it diminishes the impact created by transportation.
- They also offer a point of difference for tourists in the form of “food tourism”, local food industries would benefit from access to fresh fish. And as we know, everyone must eat during their holiday and research increasingly suggests tourists are interested in culinary experiences and, in particular, fresh food. We have already seen evidence of this in the form of the support that Widara Pork currently sees from visitors to our area.

I believe that the above points highlight the necessity for the wharf to be opened for business and commercial activities.

Your sincerely,

Belynda Redding





From: Jack M [Redacted]
Sent: Monday, 13 March 2023 2:02 PM
To: Corporate Email Address
Subject: Port vincent wharf

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, please contact the Council's IT Team.

To whom it may concern,

My names Jack Kelaher, ive beena resident of port vincent for 3 years now and love this town and our peninsula. As a sailor apart of the local yacht club and a very average fisherman i am in full support of the port vincet wharf being used commercially by local fisherman!

This town was built on fishing and farming with the wharf being used for decades to supply and support cargo and fishing vessles. Not allowing a born and bred local to operate his buisness from our town is quite silly in my opinion.

I understand the coulcils stand on allowing the port vincent wharf to be used commercially which could open up other towns wanting to use the jettys for simillar ventures. The history of shipping and fishing is rich on the YP and letting that opportunity for a small local businesses not to operate out of Port Vincent is very silly.

The interest and tourism gained from activity on the wharf is incredible! My partner runs and local kiosk and if she was able to purchase fresh fish direct from the local fisherman at the wharf would add incredible value to the buisness within the tourists wanting fresh local fish.

Kind regards Jack Kelaher

Monday 13th March 2023

Community Consultation
Community Land Management Plan Amendments
PO Box 57
MAITLAND SA 5573
admin@yorke.sa.gov.au

**Re: Community Land Management Plan Amendments – Category 3 & 4
Port Vincent Wharf and Community Facilities**

Dear Sir/Madam,

I wish to express my support for the above-mentioned amendment of the Port Vincent Wharf to a Category 4, to enable the area to be used for business and commercial activities. I am aware that this has been put up for community submissions due to the use by Mr Jordan Judd.

As he is a small business owner, I would like to point out the importance of small businesses in local community. Small businesses like Mr Judd's are not only economically beneficial to the local community but offer access to fresh and healthy foods. The number of commercial fishing enterprises on the Yorke Peninsula is very quickly dwindling which means the community will be at a loss without access to fresh fish.

The fact that Mr Judd has chosen to base his business in our community is a vote of confidence in us and he deserves the same level of respect in the form of support for his small business and its ability to operate in our community by use of the Wharf facilities at Port Vincent.

I would like to also offer the following points for your consideration with regards to small businesses:

- 97.5% of Australia's population is employed by small businesses and by supporting them we are supporting the potential for employment growth in our area.¹
- Small Business makes up 99.8% of all Australian Businesses and they contribute to more than half of our national GDP.²
- These businesses provide many of the building blocks of prosperous and healthy communities in the form of essential goods, services, volunteering, sporting groups and civic life. Family-owned and operated businesses like Mr Judd's are deeply invested in the future of the communities in which they operate.
- When money is spent with local businesses, they in turn re-spend that money within the local community through salaries, rates, maintenance industries, fuel and other local businesses.

¹ https://www.asbfeo.gov.au/sites/default/files/2022-08/Contribution%20to%20Australian%20Business%20Numbers_August%202022%20_4.pdf

² <https://www.csiro.au/en/news/news-releases/2022/small-and-medium-businesses-key-to-driving-growth-in-australia>

- They reduce environmental impact - by keeping the supply of food local, it diminishes the impact created by transportation.
- They also offer a point of difference for tourists in the form of “food tourism”, local food industries would benefit from access to fresh fish. And as we know, everyone must eat during their holiday and research increasingly suggests tourists are interested in culinary experiences and, in particular, fresh food. We have already seen evidence of this in the form of the support that Widara Pork currently sees from visitors to our area.

I believe that the above points highlight the necessity for the wharf to be opened for business and commercial activities.

Your sincerely,

Shane Redding



[REDACTED]

From: Peter Catton [REDACTED]
Sent: Wednesday, 15 March 2023 4:22 AM
To: Corporate Email Address
Subject: Community feedback

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, please contact the Council's IT Team.

Good morning,

Re; use of the wharf

Let me prequel my feedback by stating I own a house in Port Vincent.

I can see no logical reason why a small business offering locals and tourists an opportunity to purchase locally sourced produce should be barred from using a purpose built facility.

If anything, it should be promoted as a tourist attraction, thus increasing traffic and peripheral turn over for other businesses within the region.

Admit you had got it wrong, make the right decision and allow this business to continue offering this service at the Port Vincent wharf.

Regards

Peter Catton
[REDACTED]

From: Tom Salmon [REDACTED]
Sent: Monday, 20 March 2023 9:52 AM
To: Corporate Email Address
Subject: Community Consultation Community Land Management Plan Amendments - Port Vincent Wharf and Community Facilities (Section 207 PLN: 131400, Crown Record Volume 5848 Folio 650).

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Attn: Sue Beech

I strongly object to the council's plan to rezone this area.

This area is a focal point for visitor and local resident social and recreation activities and should be left as such.

Port Vincent is already suffering from business closures that have occurred in recent times and there are more pending.

The last thing this community needs is to have one of our last open public areas built out with additional buildings that will block the view, limit accessibility and probably remain empty most of the time.

The council already neglects most of their earlier projects in the area. Why would we expect any change?

Leave the foreshore alone!

The new marina development has proposed the inclusion of commercial sites in their project. Perhaps Council could look to them if they are in need of prising more funds from the community.

Respectfully, (but with disdain)

Tom Salmon

Port Vincent

[REDACTED]

From: Amanda D [REDACTED]
Sent: Tuesday, 21 March 2023 9:12 PM
To: Corporate Email Address
Subject: Submission: Port Vincent Wharf

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To Whom It May Concern,

Please accept this email as my feedback/submission regarding the above and my vote for commercial boat unloading.

I visit Port Vincent for holidays and would love to see commercial boats to be able to unload.

I'm certain majority of the community would be in agreeance to this also. Here's to hoping these rules can be changed to support local fishermen and the community.

Many thanks,
Amanda Dato

Sent from my iPhone

From: Jan Polkinghorne [REDACTED]
Sent: Friday, 24 March 2023 8:45 AM
To: Corporate Email Address
Subject: Community Land Management Plan Amendments. Community Consultation.

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To Whom it may Concern,

Port Vincent Wharf was originally built for loading grain from farms in the area.

There is a great deal of history surrounding this wharf and jetty.

Locals and tourists are always using the area for many different activities.

Jordan Judd a local fisherman uses this wharf for unloading his catch, locals and many tourists come to watch this and buy fresh fish straight from the boat.

Where else can you buy fresh fish on Yorke Peninsula?

Why would anyone want to shut this down!

Council should be working WITH people especially anything to do with tourism as it brings people and money to our towns.

At present it is Councils responsibility to maintain this wharf area and that has not been done properly. (No marine engineering report after new pylons were put in place).

Port Vincent needs this wharf and jetty kept in good condition because without it there will be no town!

This is in the best interest of our community.

Jan & Noel Polkinghorne.

Sent from my iPad

Submission to Council on Community input for use of the Port Vincent Wharf and Jetty.

Firstly it seems unnecessary to seek full “commercialisation” of the Port Vincent Wharf and Jetty.

I believe the terms of the existing lease with DIT allows for “community benefit” which adequately covers the issue of use of the Wharf by a local fisherman (Mr Judd) to unload and sell fish.

The strong community reaction where approximately 500 people have signed a petition in support of Mr Judd more than adequately demonstrates that the Port Vincent community believes there is a very real “benefit”.

The CLMP does not adequately make provision for this specific condition which would give Council a greater degree of flexibility

From my observations “commercialisation” is not specifically mentioned in the DIT lease agreement although it may be implied by the benefit to the community wording.

Furthermore, I believe any commercial development of this significant historical asset might run foul of SA Heritage provisions.

Finally unless alleged safety issues are addressed any use of the wharf; commercial, recreational or otherwise can be restricted or banned at any time.

Council has not recognised the reality of this problem and community endorsement of commercialisation will achieve nothing.

I suggest:

1. limiting load limits to the wharf to enable unloading and sale of fish under the lease provision of “community benefit”.
2. Recognition of the fundamental importance of the Wharf and Jetty to the town and people of Port Vincent.
3. A change in Councils priorities addressing jetty and wharf maintenance and prompt action be taken even as a stop gap measure.

Finally, limited “commercial” or public benefit use might be allowed via a conditional permit. Specific provisions to address structural issues, insurance and community safety would be specific terms of this permit.

Peter Lehman



[REDACTED]

From: Helen [REDACTED]
Sent: Monday, 27 March 2023 4:10 PM
To: Sue Beech
Subject: Port Vincent wharf

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, please contact the Council's IT Team.

Hi,

We are writing to you to express our concern about the proposed reclassification of the Port Vincent wharf from Community Land Management Plan (CLMP) Category 3 – Public and Community Facilities to CLMP Category 4 – Business and Commercial.

We are particularly concerned that this proposed reclassification will have a devastating impact for the tourists and holidaymakers that visit the town, particularly after reading your response to Sue Hall's email:

We cannot confirm that recreational use will be the prime activity for the wharf in the future. Nor can we confirm that commercial boats will not disturb the recreational use of the wharf.

Given that these holidaymakers support the small businesses in the town, the impact will have a huge flow on effect.

We have been holidaying in Port Vincent for over 40 years, and our children and grandchildren now holiday there too.

There are many families like ours, who over the years have bought holiday homes in Port Vincent so that they can holiday there more often, and we always use the wharf for fishing and jetty jumping.

We urge the Council not to change the classification of the Port Vincent Wharf.

Yours sincerely,

Glenn, Helen, Alex and Tamara Williams

Sent from [Mail](#) for Windows

Helen Joraslafsky

13 April 2023

Community Consultation
Community Land Management Plan Amendments
PO Box 57 Maitland SA 5573
Email: admin@yorke.sa.gov.au

Attention: Sue Beech
Property Tenure Officer

Dear Sue

I wish to object to the proposed amendment to Section 207 Marine Parade Port Vincent from Category 3 "Public and Community Facilities" to Category 4 "Business and Commercial" use.

I do so in the interests of local residents and visitors to the town.

Since ceasing to be a commercial port the wharf has served locals and visitors as a wonderful recreational feature of the town for swimming, fishing, crabbing, etc. Indeed, I spent many happy hours as a child and teenager during summer swimming and jumping from what remains of the original wharf (my grandchildren continue to do so) and the "jetty" which was added, I believe, for the use of the many local commercial and recreational fishermen.

Sadly, it is some time since commercial fishing flourished in Port Vincent, but the wharf has remained very popular for fishing etc and "jetty jumping", particularly for holiday makers, some of whom include several generations.

- **Port Vincent has few enough facilities to attract visitors to the town and, thus, stimulate the local economy.**

In addition, with the addition of shelters and barbecue facilities, this area has become the focus of family and local community activities throughout the year.

- As Section 207 only includes the actual wharf and land to the edge of Marine Parade, all of which is taken up by the existing facilities, what "additional uses for business and commercial activities" could be added to this area, which would not interfere with the existing uses? Surely its current use fulfils the "objectives for the management of the land" while the examples of allowable developments/modifications listed for Category 4 (caravan park, airstrip, commercial premises, marinas, waste depots, weighbridges) are certainly not possible.

2

- DIT's structural concerns about the wharf are, no doubt, well founded, considering the age of the structure, and major repairs/upgrade would, indeed, be very costly. Therefore, it seems that allowing vehicular access would be uneconomic, to say the least. Indeed, what additional activities would raise anywhere near the expense of the required upgrade?

Thank you for considering my point of view.

Regards

Helen Joraslafsky

[REDACTED]

From: julie adams [REDACTED]
Sent: Monday, 17 April 2023 2:08 PM
To: Corporate Email Address
Subject: Port Vincent wharf

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As a resident of Port Vincent I endorse the proposal to change the status of our wharf.
The wharf is the centre of our history and town activities able to be used for swimmers, recreational fishers
And commercial fishers.
Council and community should be able to come to a resolution on this matter without destroying Port Vincent.
Regards
Julie Adams

Sent from [Mail](#) for Windows

Yorke Peninsula Council | Community Consultation
Community Land Management Plan Amendments
PO Box 57
Maitland SA 5573

via email: admin@yorke.sa.gov.au

16th April 2023

As a community member with a long history in local tourism, specifically in working directly with visitors and with a number of associated organisations, I offer my full support to **JDF Seafood** in seeking to use the Port Vincent Wharf and Community Facilities: Section 207 PLN:131400, Crown Record Volume 5848 Folio 650 by changing its use from Category 3 – Public and Community Facilities to Category 4 – Business and Commercial.

South Australian Tourism Commission and Yorke Peninsula Tourism both specifically identify authentic experiences and story telling opportunities as priorities to grow our market and increase the visitor economy towards 2030. As a destination so well known for fishing, there is no greater authenticity than to be able to see commercial fishers unload their catch in a local public space. The practice should in fact be encouraged, supported and nurtured. For visitors, and locals alike, to be able to purchase fish so fresh that it still has the wriggle in its tail, the opportunity for a quick chat with a local fisherman, and feeling that you really are eating locally is authenticity of the highest standard. The ability to use public facilities is not just a convenience to commercial fishers, it is a multifaceted tool of economic growth.

At least four generations of Judd fisherpeople have called Yorke Peninsula home, with the youngest still set to grow into their responsibilities but for now soak up knowledge of their family's business like a sponge. It is these genuine stories of fascinating personalities, experiences and knowledge that help to sell the peninsula as a holiday destination. They strike a chord, are relatable and help guide potential visitors to seek out our region as one that is authentic, in demand and of a colourful and vibrant nature that can be genuinely experienced.

In fact Yorke Peninsula Council's Strategic Management Plan, under '*Economically Prosperous Peninsula: Create an environment that encourages and supports a strong, diverse economy that attracts more businesses, residents and visitors. Success will mean revitalisation of our towns and retaining young, active and working future generations*' reinforces this exact theme.

Further, Yorke Peninsula Council's Economic Development and Tourism Strategy 2022-2026 makes the following points: '*Current challenges for the visitor economy of Yorke Peninsula include: Poor linkage of local produce and tourism: contradicting the rich agriculture and seafood resources of Yorke Peninsula, the region's local produce is not recognised at tourists' touchpoints.*' And goes on to say '*Advocate for food manufacturing, processing and retailing opportunities through: Land zoning and availability; Business cases promotion; Connections facilitation ... Desirable outcome Indicator of success: Food products sourced and processed from Yorke Peninsula are available in the wholesale, retail and tourism markets.*'

As outlined above, Council has already identified the type of experience, service and economic contribution that JDF Seafood can deliver as a priority in two of its strategic documents. Furthermore, this young family is of the type we would wish to youthfully populate our region; they've already displayed a commitment to contribute to the community from a young age, their children have begun attending local schools, they employ a number of people, they've bought and value added to a retail premises utilising local tradesmen, they live and shop locally and we, as a community, should be very proud of them.

It is without reservation that I offer my full support to this young family in building their business as proposed by changing the land use of Port Vincent wharf to Category 4, and wish them every success for the future.



Cathy Glazbrook

Yorke Peninsula Council / Community Consultation

Community Land Management Plan Amendments

PO Box 57

Maitland SA 5573

As a business owner that utilises the Port Vincent Wharf, I strongly support the wharf to be used commercially.

My business JDF Seafood relies on me being able to unload in Port Vincent since that is my only place or mooring on Yorke Peninsula.

The locals love when I unload my catch, they get a affordable feed of fresh seafood direct of the boat. The last unload we did, we made 53 sales in under an hour. I have had minimal bad response from public and the one person that did respond poorly to me using the wharf had no reason behind his negative opinion, I asked what the issue was, and he replied, "you just shouldn't be doing it".

When using the wharf my forklift does not go on the overhang, only my eskys do. The weight of my esky is approx. 250kg spread over 1.1m2. a group of larger blokes would have more impact of the structural integrity of the wharf, so if I am not permitted to use it due to structural concerns then it should be closed to all.

I can only see benefit to the community allowing commercial vessels to unload, it creates good tourism and an attraction for Port Vincent.

Regards, Jordan Judd & Natalie Judd



From: Sue Hall [REDACTED]
Sent: Monday, 17 April 2023 5:35 PM
To: Sue Beech
Subject: RE: Response - Port Vincent wharf Public Consultation

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Hi Sue,

My apologies for not replying to your email until now – I had appointments this afternoon.

If you could please pass on the following to the council's elected members. This response is based on my limited knowledge of the situation.

We would like the Port Vincent Wharf area to remain as a recreational space, we are very happy for the government to take over the repairs and maintenance. We feel that there is currently a provision which would allow for Jordan Judd to use the wharf area with restrictions placed on the length of time of the usage, etc

Many Thanks

Sue Hall

[REDACTED]

From: Thompson, Renee (DEW) [REDACTED]
Sent: Wednesday, 22 March 2023 11:51 AM
To: Sue Beech
Cc: Horsell, Stephen (DEW)
Subject: Re: Query

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OFFICIAL

Okay, thank you for the update Sue.

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From: Sue Beech <Sue.Beech@yorke.sa.gov.au>
Sent: Wednesday, March 22, 2023 9:14:20 AM
To: Thompson, Renee (DEW) [REDACTED]
Cc: Horsell, Stephen (DEW) [REDACTED]
Subject: RE: Query

Hi Renee,

Thank you for your advice. We are currently going through the public consultation process to change the community land classification. Once the consultation period has been completed we will have a better understanding of what the community would like to see happen with this area.

Kind regards, Sue

From: Thompson, Renee (DEW) [REDACTED]
Sent: Wednesday, 22 March 2023 10:29 AM
To: Sue Beech <Sue.Beech@yorke.sa.gov.au>

Cc: Horsell, Stephen (DEW) [REDACTED]
Subject: RE: Query

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OFFICIAL

Hi Sue,

Sorry for the delay. We do not think this would require a change in the dedicated purpose. The use of the jetty by the fisherman could be via a non-exclusive license or Council permit which could restrict the hours of access that the fisherman can occupy part or all of the jetty.

Also it may be worth asking the fisherman if he is legally able to access the jetty as some of the commercial fishing licenses restrict where fisherman can unload their catch. Prior to offering him a license/permit it may be worth requesting evidence that he is permitted by fisheries to unload his catch at this location.

Kind regards

Renee Thompson

Team Leader, Central and Kangaroo Island

[Chat with me in Teams \(only available for internal staff\)](#)

National Parks and Crown Land Programs | National Parks and Wildlife Service

Department for Environment and Water

81-95 Waymouth Street

Adelaide SA 5001

P (08) 8429 7656

environment.sa.gov.au



Government of South Australia

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From: Sue Beech [<mailto:Sue.Beech@yorke.sa.gov.au>]

Sent: Friday, 24 February 2023 12:27 PM

To: Thompson, Renee (DEW) [REDACTED]

Subject: RE: Query

Thank you appreciated.

From: Thompson, Renee (DEW) [REDACTED]
Sent: Friday, 24 February 2023 11:55 AM
To: Sue Beech <Sue.Beech@yorke.sa.gov.au>
Subject: RE: Query

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OFFICIAL

Hi Sue – I am just following up on this. I hope to get back to you by early next week.

Kind regards,

Renee Thompson

Team Leader – Crown Lands Central and Kangaroo Island

[Chat with me in Teams \(only available for internal staff\)](#)

Tourism and Commercial Services Branch / National Parks and Wildlife Service

Department for Environment and Water

GPO Box 1047, Adelaide SA 5001

81-95 Waymouth Street

Adelaide SA 5001

(08) 8429 7656

environment.sa.gov.au



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From: Sue Beech <Sue.Beech@yorke.sa.gov.au>
Sent: Thursday, 23 February 2023 2:43 PM
To: Thompson, Renee (DEW) [REDACTED]
Subject: Query

Hi Renee,

I was wondering if you could give some initial advice in relation to a proposal that Council is considering.

The land in concern is Section 207 Marine Parade Port Vincent. Crown Record 5848/650
Council has management of the land, dedication is recreation, jetty and access purposes.

The subject land is listed under Council's Community Land Management Plan – Public & Community facilities.

Council are considering changing the community land classification to Business & Commercial. This has come about because a commercial fisherman has been using the area unauthorised by Council using the wharf to load & unload his fishing boat and the car park area to park his vehicle for loading. Council cannot authorise the area to be used for business purposes that is contrary to the community land management plan – public and community.

Obviously changing the community land management plan is one thing, however the crown dedication will need to be amended?

What is the likelihood of this being supported by the DEW?

Council staff are under pressure to respond to the elected members in regard to this, as it has gathered social media and television coverage. We would appreciate some initial comments at your earliest.

Please let me know if you need any other information.

Thanks, Sue

Sue Beech | Property Tenure Officer

Yorke Peninsula Council | Maitland Branch Office

Ph: 08-8832 0000

E: sue.beech@yorke.sa.gov.au | W: www.yorke.sa.gov.au



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	SF215
	Responsible Officer: Community Development & Engagement Officer

Refer: Community Land Management Plan

Amendments - Category 3 & 4

Next Review Date: December 2025

Stakeholders	Level 2 CONSULT	Responsibility	Start Date	End Date	Status	Evaluation Method
Entire community	Public Notice	Property Tenure Officer	15/03/2023	17/04/2023	C	
All residents	Website	Property Tenure Officer	9/03/2023	17/04/2023	C	
Progress Associations	Personalised Letter	Property Tenure Officer	9/03/2023	17/04/2023	C	
Entire community	Social Media	Property Tenure Officer	9/03/2023	17/04/2023	C	
Entire community	Ability to appear before Council	Property Tenure Officer	9/03/2023	17/04/2023	C	

25.2 PROPOSED NEW LEASE - PORT VICTORIA KIOSK**Document #:** 23/33960**Department:** Development Services**PURPOSE**

To seek approval to proceed with the community engagement process for a proposed new lease to Terry and Rosemary Bormann for the Port Victoria Kiosk located at Section 1, Victoria Terrace, Port Victoria.

RECOMMENDATION

That Council:

1. Give approval to commence the community engagement process for a proposed new lease to Terry and Rosemary Bormann for the Port Victoria Kiosk located at Section 1, Victoria Terrace, Port Victoria for five (5) years and a further three (3) by five (5) year rights of renewal, being a total of twenty (20) years.
2. Endorse the Community Engagement Report attached, which constitutes the information that is required to be made available to the public as part of the community engagement phase in accordance with Section 202 of the Local Government Act 1999.

LINK TO STRATEGIC PLAN**Goal:** 1 Economically Prosperous Peninsula**Strategy:** 1.8 Efficient delivery of permits, leases and licences**BACKGROUND**

The current lease is due to expire on 31 August 2023. The current Lessee, Mr and Mrs Bormann are seeking a new lease for a total term of twenty (20) years.

The kiosk has been listed for sale for some time and a secured new lease agreement with Council could be attractive to a potential purchaser.

Pursuant to Section 202 of the Local Government Act 1999, a lease or licence for a term greater than five (5) years, Council must follow the relevant steps set out in its public consultation policy.

The consultation period (minimum 21 days required) will begin on Tuesday 16 May 2023 and close at 5pm on Tuesday 6 June 2023.

A public notice will be placed in the Yorke Peninsula Country Times and on Council's social media sites. The Community Engagement Report is available for viewing at Yorke Peninsula Council offices at Maitland, Minlaton and Yorketown and on Council's website (Refer Attachment 1).

Following the consultation period, a report will be presented to Council on the outcome of the consultation for consideration.

To progress a new lease for the Kiosk, Council must:

- give approval to commence the community engagement process for a proposed new lease to Terry and Rosemary Bormann for the Port Victoria Kiosk located at Section 1, Victoria Terrace, Port Victoria for five (5) years and a further three (3) by five (5) year rights of renewal, being a total of twenty (20) years.
- endorse the Community Engagement Report attached, which constitutes the information that is required to be made available to the public as part of the community engagement phase in accordance with Section 202 of the Local Government Act 1999.

DISCUSSION

The Port Victoria Kiosk is an iconic beachside kiosk which accordingly to locals dates back some 60 (sixty) years.

The Kiosk is situated adjacent to the jetty carpark overlooking the foreshore precinct, offering takeaway food, fishing and diving supplies, general grocery supplies and all the services of an Australian Post outlet.

The Kiosk is a regular stop for tourists and locals alike.

Lease Proposal

- Term of five (5) years and a further three (3) by five (5) year rights of renewal, being a total of twenty (20) years.
- Ground only lease, containing approximately 180 square metres, the building improvements are owned by the Lessee.
- Current lease fees will be increased by CPI. CPI increases will apply at the end of each five (5) year term.
- The lease provides the Lessee with exclusive use of the premises.
- The permitted use is for Kiosk, delicatessen, general store and post office.

COMMUNITY ENGAGEMENT PLAN

Level 2 - Consult

Pursuant to Section 202 of the Local Government Act 1999, a lease or licence for a term greater than five (5) years, Council must follow the relevant steps set out in its public consultation policy.

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Corporate Management Team
- Property Tenure Officer

In preparing this report, the following external parties were consulted:

- Terry Bormann

POLICY IMPLICATIONS

PO057 Community Engagement Policy

BUDGET AND RESOURCE IMPLICATIONS

Community Engagement Public Notice estimate \$300

Lease fees to be increased by CPI. CPI Increases will apply at the end of each five (5) year term.

RISKS/LEGAL/LEGISLATIVE/ IMPLICATIONS

Pursuant to Section 202 of the Local Government Act 1999, a lease or licence for a term greater than five (5) years, Council must follow the relevant steps set out in its public consultation policy.

ATTACHMENTS

1. **Community Engagement Report** [↓](#) 
2. **Community Engagement Plan** [↓](#) 



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Community Engagement Report

Port Victoria Kiosk

Lease Proposal



The Yorke Peninsula Council is seeking public feedback on a proposal to renew the lease for the Port Victoria Kiosk located at Section 1, Victoria Terrace, Port Victoria.

Under the Local Government Act 1999, Council is required to formally undertake community consultation for a lease or licence over community land when the term is greater than five (5) years.

Lease Proposal

- Term five (5) years with a further three (3) by five (5) year rights of renewal with an overall lease term of twenty (20) years commencing on 1 September 2023.

- Ground only lease – containing approximately 180 square metres, the building improvements are owned by the lessee.
- The lease provides the lessee with exclusive use of the premises.
- The permitted use is for kiosk, delicatessen, general store and post office.

Background

The Kiosk is situated adjacent to the jetty carpark overlooking the foreshore precinct. The Kiosk offers takeaway food, fishing and diving supplies, general grocery supplies and all the services of an Australia Post outlet.

The Kiosk is a regular stop for tourists and locals alike.

The current lease is due to expire on 31 August 2023 with no further rights of renewal. The lessee, Mr Terry and Mrs Rosemary Bormann wish to enter into a new agreement for a further five (5) years with three (3) by five (5) year rights of renewal with an overall lease term of twenty (20) years commencing on 1 September 2023.

HAVE YOUR SAY

The Yorke Peninsula Council welcomes your feedback on the proposed Port Victoria Kiosk Lease.

To provide your feedback:

- By email – admin@yorke.sa.gov.au
- By Post – PO Box 57, Maitland SA 5573

All feedback must be returned by 5pm on Tuesday, 6 June 2023.

Please indicate in the submission if you wish to appear before Council on this matter.

Next Step

Following the public consultation period, all submissions received will be provided to Council for consideration.

More Information

Got a question about the lease proposal?

Contact Council's Property Tenure Officer, Sue Beech on admin@yorke.sa.gov.au or Ph: 8832 0000.



COMMUNITY ENGAGEMENT PLAN	SF215 Responsible Officer: Community Development & Engagement Officer
----------------------------------	--

Refer: Proposed New Lease - Port Victoria Kiosk

Issue Date: 09/12/2021
Next Review Date: December 2025

PROJECT NAME:

Stakeholders	Level 2 CONSULT	Responsibility	Start Date	End Date	Status	Evaluation Method
Entire community	Public Notice	Property Tenure Officer	16/05/2023	6/06/2023	NS	Report back to Council on outcome of public consultation. Elected members to make decision based on any submissions received from the public consultation process.
Entire community	Website	Property Tenure Officer	16/05/2023	6/06/2023	NS	
Entire community	Ability to appear before Council	Property Tenure Officer	16/05/2023	6/06/2023	NS	

25.3 PERMIT TO USE PUBLIC ROAD FOR EXCLUSIVE USE (CROPPING & GRAZING)**Document #:** 23/35943**Department:** Development Services**PURPOSE**

To seek permission to proceed with the community engagement process for Permits to use Public Roads for exclusive use (cropping and grazing).

RECOMMENDATION

That Council:

1. Give permission to commence the community engagement process for Permits to use Public Roads for cropping and grazing purposes.
2. Endorse the Community Engagement Report attached, which constitutes the information that is required to be made available to the public as part of the community engagement phase in accordance with 223 (c) of the Local Government Act 1999 and Section 25 (a) of the Local Government Regulations 2018.

LINK TO STRATEGIC PLAN**Goal:** 1 Economically Prosperous Peninsula**Strategy:** 1.8 Efficient delivery of permits, leases and licences**BACKGROUND**

The main purpose of issuing permits for use of unmade public roads is to provide statutory authorisation to property owners allowing them to use Council property for private business purposes.

At the Council meeting held on 14 December 2022, Council endorsed the setting of fees and charges for a Permit to Use Public Roads. (refer Minute 255/2022 (14/12/2022)).

DISCUSSION

Staff have consulted with existing Permit holders to negotiate an agreed estimation of the number of hectares being utilised. The Community Engagement Report represents those applications that have been returned for exclusive use. Once the initial phase with existing Permit holders is completed, staff will focus on following up landowners potentially occupying unmade roads without a Permit.

Exclusive use means no access by members of the public. Public consultation is required including with adjoining property owners and must be endorsed formally by Council.

A public notice will be placed in the Yorke Peninsula Country Times and on Council's social media sites. The Community Engagement Report is available for viewing at Yorke Peninsula Council offices at Maitland, Minlaton and Yorketown and on Council's website (refer Attachment 1).

The consultation period (minimum 21 days) will begin on Tuesday, 16 May 2023 and close at 5pm Tuesday, 6 June 2023.

Following the consultation period, a report will be presented to Council on the outcome of the consultation for consideration.

COMMUNITY ENGAGEMENT PLAN

Level 2 - Consult

Pursuant to the Local Government Act 1999 – Section 223

If a Council proposes to grant an authorisation or permit that:

- a) Would result in any part of a road being fenced, enclosed or partitioned so as to impede the passage of traffic to a material degree; or
- b) In relation to a use of activity for which public consultation is required under the regulations,

The Council must, before granting the authorisation or permit, follow the relevant steps set out in its public consultation policy.

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Property Tenure Officer

In preparing this report, the following external parties were consulted:

- Landowners

POLICY IMPLICATIONS

PO057 Community Engagement Policy

BUDGET AND RESOURCE IMPLICATIONS



Public Notice indicative \$300

Permit fees to be invoiced in 2023/2024 financial year as per the new fees adopted on 14 December 2022.

RISKS/LEGAL/LEGISLATIVE/ IMPLICATIONS

Section 223 (c) of the Local Government Act 1999 and Section 25 (a) of the Local Government Regulations 2018.

ATTACHMENTS

1. **Community Engagement Report** [↓](#) 
2. **Community Engagement Plan** [↓](#) 



COMMUNITY CONSULTATION

Permit to Use Public Road for Exclusive Use (Cropping or Grazing)

While most Council roads are used by the general public, our region has a large number of smaller roads that provide access to individual properties, as well as roads that have been planned but not built. These roads are commonly referred to as Unmade Public Roads.

The main purpose of issuing permits for use of unmade public roads is to provide statutory authorisation to property owners allowing them to use Council property for private business purposes.

Pursuant to the Local Government Act 1999 – Section 223

If a council proposes to grant an authorisation or permit that:

- a) would result in any part of a road being fenced, enclosed or partitioned so as to impede the passage of traffic to a material degree; or
- b) in relation to a use or activity for which public consultation is required under the regulations,

The Council must, before granting the authorisation or permit, follow the relevant steps set out in its public consultation policy.

Council has received the following renewal applications for a Permit to Use Public Road for exclusive use (cropping or grazing).

Permit No. 137	Dividing Sections 10,9,11 & 4 from 12 & 1, Dividing Sections 1,2,3,4,5 & 11 from 8 & 9	HD Clinton
Permit No. 89	Dividing Section 409 & Piece 51	HD Clinton
Permit No. 71	Dividing Sections 21,22 & 24 & 61,64,65,66,67,69,73,74 & 75	HD Tiparra
Permit No. 55	Dividing Section 350 & 352 & 343	HD Dalrymple
Permit No. 132	Dividing Sections 2 & 189	HD Muloowurtie
Permit No. 60	Dividing Sections 128, 129 and 697 & 61	HD Melville
Permit No. 46	Dividing Sections 204 & 86 and 82 & 85	HD Parawurlie
Permit No. 23	Dividing Section 526 & Piece 94	HD Clinton
Permit No. 59	Dividing Sections 480 & 17	HD Melville
Permit No. 119	Dividing Sections 2 & 116	HD Carribe
Permit No. 162	Dividing Sections 31 & 32	HD Coonarie
Permit No. 33	Dividing Sections 2, 4, 6, 8, 10, 12 & 187,188,189. Dividing Sections 188,184,180,176,172,168,163 and 189, 185, 181, 177, 173, 169, 164.	HD Curramulka
Permit No. 39	Dividing Sections 91 & 92. Dividing Sections 92 & 93. Sections 93 & 94	HD Melville
Permit No. 81	Dividing Sections 31 & 84,126,134,135, Dividing Sections 126,127,129 & 134, 133 & 130, Dividing Sections 151, 562 & 144,145 & 150.	HD Tiparra



Permit No. 37	Dividing Sections 235 & 1	HD Tiparra
Permit No. 19	Dividing Sections 345 & 287, Dividing Sections 272 & 346	HD Cunningham
Permit No. 31	Dividing Sections 160 & 145	HD Kilkerran
Permit No. 45	Dividing Sections 159 & 543	HD Kilkerran
Permit No. 12	Dividing 72 & 71S	HD Wauraltee
Permit No. 50	Dividing Sections 244 & 34,33,30	HD Kilkerran
Permit No. 1	Dividing Sections 158W, 157 & 222, 282, 210, 209E	HD Kilkerran
Permit No. 160	Dividing Sections 12 & 261	HD Minlacowie
Permit No. 4	Dividing Sections 222,221 & 219E & 220	HD Tiparra
Permit No. 82	Dividing Sections 39, 38 & 40	HD Maitland
Permit No. 72	Dividing Sections 130S & 1	HD Kilkerran
Permit No. 44	Dividing Sections 81 & 7	HD Coonarie
Permit No. 51	Dividing Sections 94,92,91 & 1155,318	HD Cunningham
Permit No. 92	Dividing Sections 55 & 69	HD Melville
Permit No. 15	Dividing Sections 192 & 1,2	HD Curramulka
Permit No. 7	Dividing Sections 210,320 & 250. Dividing Sections 250 & 249	HD Tiparra
Permit No. 155	Dividing Sections 387 & 2	HD Tiparra
Permit No. 28	Dividing Sections 85 & 229. Dividing Sections 85 & 231,230	HD Moorowie
Permit No. 31	Dividing Sections 92 & 567, 91. Dividing Sections 262,267, 272 & 263,268,273,278. Dividing Sections 452,264,269,274,279 & 570,265,270,275,280,281. Dividing Sections 452,568,567 & 526,261,262,263,264	HD Tiparra
Permit No. 27	Dividing Sections 19, 18, 17 & 14, 15. Dividing Sections 51, 23,24,25,26 & 44,30,29,27. Dividing Sections 97,353,351,348, 345,341,335 & 336, 340, 346, 347,352,96. Dividing Sections 345,343 & 342,626,341. Dividing Sections 358,360,361,362 & 335,342. Dividing Sections 336,337,123,124 & 120,121,122. Dividing Sections 627,369 & 314,313. Dividing Sections 314,313 & 120,119. Dividing Sections 46 & 47. Dividing Sections 371 & 372. Dividing Sections 350,349,348 & 344,345. Dividing Sections 343 & 358.	HD Clinton

Approved Permits will be issued for a period of five (5) years commencing on 1 July 2023 and expiring on 30 June 2028.

The consultation period (minimum of 21 days required) will begin on Tuesday, 16th May 2023 and close at 5pm Tuesday, 6 June 2023.

**How do I provide my feedback?**

All written submissions must be received by **5pm Tuesday, 6 June 2023** and should be addressed to:

Community Consultation**Permit to Use Public Roads**

PO Box 57, Maitland SA 5573 or email admin@yorke.sa.gov.au

Please indicate in your submission if you wish to appear before Council on this matter.

What happens to my feedback?

- Submissions received from the public consultation process will be collated and presented in a report to Council if required.
- The information from the public consultation process will assist Council in its deliberation associated with endorsing the proposed Permits.

How do I know my feedback has been received?

All feedback (submissions or correspondence) will be acknowledged.

Contact Person

For more information please contact Sue Beech, Property Tenure Officer on 8832 0000 or admin@yorke.sa.gov.au



COMMUNITY ENGAGEMENT PLAN

PROJECT NAME: PERMIT TO USE PUBLIC ROAD FOR EXCLUSIVE USE (CROPPING & GRAZING)

Stakeholders	Level 2 CONSULT	Responsibility	Start Date	End Date	Status
Entire community	Website	Property Tenure Officer	16/05/2023	6/06/2023	NS
Entire community	Social Media	Property Tenure Officer	16/05/2023	6/06/2023	NS
Other Visitors	Personalised Letter	Property Tenure Officer	16/05/2023	6/06/2023	NS
	Ability to appear before Council	Property Tenure Officer	16/05/2023	6/06/2023	NS

25.4 POLICY UPDATE - PO126 STREET ROAD AND PUBLIC PLACE NAMING POLICY**Document #:** 23/42782**Department:** Development Services**PURPOSE**

To seek endorsement for the proposed update of PO126 Street Road and Public Place Naming Policy.

RECOMMENDATION

That Council endorse and adopt the updated PO126 Street Road and Public Place Naming Policy for inclusion in Council's Policy Manual and on Council's website.

LINK TO STRATEGIC PLAN**Goal:** 5 Responsible Governance and Leadership**Strategy:** 5.3 Meet all legislative requirements and compliance with Council's internal controls
5.6 Continuous improvement of Council processes**BACKGROUND**

Section 219 of the Local Government Act 1999 requires Council to prepare and maintain a policy relating to the assigning of road names.

PO126 Street Road and Public Place Naming Policy (Policy) has undergone a scheduled review in consideration of:

- The Local Government Association's (LGA) Model Policy for the Selection of Road and Public Place Names;
- The legislative changes introduced by the Statutes Amendment (Local Government Review) Act 2021 (Amendment Act);
- Recent feedback offered by a member of the community relating to clarity and definitions.

DISCUSSION

The legislative changes introduced by the Amendment Act removed the requirement to make the Policy available for public inspection in hard copy (printed copies must be provided upon request and a fee may be charged) and, accordingly, the Policy has been updated.

The Policy has also been updated to better define the words/terms utilised and to define other words/terms that had not previously been defined, in response to recent feedback offered by a community member. Other minor alterations have been made to simplify the content and improve formatting.

Once adopted, the Council must give notice to the public that the Policy has been updated as follows:

- In the South Australian Government Gazette;
- In a newspaper circulating within the area of the Council;
- On Council's website.

A copy of the proposed updated Policy is provided in Attachment 1 with the changes shown in colour. A copy without mark-up is also provided as Attachment 2 for ease of reference.

COMMUNITY ENGAGEMENT PLAN

Level 1 - Inform

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Chief Executive Officer
- Director Assets and Infrastructure
- Assets Manager
- Governance Officer

In preparing this report, the following external parties were consulted:

- Nil

POLICY IMPLICATIONS

PO057 Community Engagement Policy

PO063 Records Management Policy

PO139 Treasury Management Policy

PO161 Prudential Management Policy

R008 Community Land Register

R009 - Register of Public Roads

IS112 Rural Property Addressing Frequently Asked Questions

BUDGET AND RESOURCE IMPLICATIONS

The resource and budget implications associated with decisions to name Streets, Roads and Public Places must be considered on a case by case basis, in context of the budget that has been allocated by the Council and if it is in the public interest to do so.

RISKS/LEGAL/LEGISLATIVE/ IMPLICATIONS

It is essential that Council meets its legislative obligation to prepare and adopt a policy relating to the naming of Streets, Roads and Public Places throughout the Council area, to ensure consistency and clarity and that due consideration is given to managing the associated financial, public and other risks.

Local Government Act 1999

Roads (Opening and Closing) Act 1991

Planning Development and Infrastructure Act 2016

Guidelines for the Selection of names for Roads in SA



Australian Standard 1742.5

Australian Standard 4212

Australian Standard 4590

Australian/New Zealand Standard 4819

ATTACHMENTS

1. **Attachment 1 - PO126 Street Road and Public Place Naming Policy - Draft - Track Changes** [↓](#) 
2. **Attachment 2 - PO126 Street Road and Public Place Naming Policy - Draft - No Track Changes** [↓](#) 



COUNCIL POLICY

Street, Road and Public Place Naming Policy

Policy Number:	PO126		
Strategic Plan Objective:	5. Responsible Governance and Leadership		
Policy Owner:	Chief Executive Officer	Record Number:	16/14200
Responsible Officer:	Director Development Services	Minute Reference:	3259/2016 (14.10.2016)
Date Adopted:	14/12/2016	Next Review Date:	December 2022 May 2028

1. POLICY OBJECTIVES

This policy provides guidelines for the naming of ~~s~~Streets, ~~road~~Roads and ~~public place~~Public Places throughout the Yorke Peninsula Council ~~(Council) area~~ to ensure consistency and clarity.

2. SCOPE

This policy applies to all ~~public~~Public streetsStreets/~~road~~Roads/~~public place~~Public Places within the ~~Yorke Peninsula~~-Council ~~area~~, with the exception of ~~unmade~~Unmade ~~road~~Road ~~reserves~~Reserves.

3. DEFINITIONS

Refer to Attachment 1.

4. POLICY STATEMENT

4.1. Naming and Renaming Streets/Roads/Public Places

~~The Yorke Peninsula~~ Council has the authority to assign and change the names of:

- ~~→A public~~Public ~~street~~Street;
- ~~→A public~~Public ~~road~~Road;
- ~~→A private~~Private ~~road~~Road;
- ~~→A public place~~Public Place;

by resolution of Council.

All ~~sealed~~Sealed ~~public~~Public ~~street~~Streets/~~road~~Roads and all ~~formed~~Formed ~~public~~Public ~~street~~Street/~~road~~Roads within the ~~Yorke Peninsula~~-Council ~~area~~, that are regularly accessed, will be assigned a name. This does not include ~~'u~~Unmade' ~~road~~Road ~~reserves~~Reserves.

PO126 – Street, Road and Public Place Naming Policy

All ~~formed~~ ~~Formed~~ ~~private~~ ~~Private~~ ~~street~~ ~~Streets~~ ~~/road~~ ~~Roads~~ that are accessible to the public will also be assigned a name. This may include ~~road~~ ~~Roads~~ within complexes such as ~~community/strata title arrangements~~, ~~forests-reserves~~ or parks etc.

~~Street/road~~ ~~Road~~ name signs that clearly identify each ~~public~~ ~~Public~~ ~~road~~ ~~Road~~ will, as far as practicable, be placed at ~~road~~ ~~Road~~ intersections. (While the Australian Standard stipulates that ~~road~~ ~~Road~~ name signs should be placed at every intersection, this is not practicable in rural areas).

The Department ~~of Planning, Transport and~~ ~~for~~ Infrastructure ~~and~~ ~~Transport~~ (~~DPTI~~) is responsible for naming State ~~road~~ ~~Roads~~ and the installation of any associated signage.

A ~~street~~ ~~Street~~ ~~/road~~ ~~Road~~ ~~/public~~ ~~place~~ ~~Public~~ ~~Place~~ naming process is initiated when:

- ~~▲~~ Council opens or forms a ~~street~~ ~~Street~~ ~~/road~~ ~~Road~~ ~~/public~~ ~~place~~ ~~Public~~ ~~Place~~;
- ~~▲~~ Council receives an application for a land division;
- ~~▲~~ A request is received by ~~the Yorke Peninsula~~ Council from an affected land owner or their representative;
- ~~▲~~ Council determine it is in the public interest to investigate a change in ~~street~~ ~~Street~~ ~~/road~~ ~~Road~~ ~~/public~~ ~~place~~ ~~Public~~ ~~Place~~ name.

Council will maintain ~~a~~ ~~registers~~ of ~~public~~ ~~Public~~ ~~street~~ ~~Streets~~ ~~/road~~ ~~Roads~~ ~~/place~~ ~~Public~~ ~~Places~~, which will be published on Council's website (www.yorke.sa.gov.au). Council will also provide a person with a printed copy upon request, for which a fee may be payable in accordance with Council's Fees and Charges Register, available on Council's website (www.yorke.sa.gov.au), and ensure they available for public inspection (without charge) at the principal office of the Council during ordinary office hours. ~~A person is entitled, on payment of a fee fixed by the Council, to an extract from the register, an up-to-date hard-copy is available for public inspection at all times.~~

4.2. Public ~~Street/road~~ ~~Road~~ ~~/place~~ ~~Public~~ ~~Place~~ created by Land Division

Council must assign a name to each ~~public~~ ~~Public~~ ~~street~~ ~~Street~~ ~~/road~~ ~~Road~~ created by land division.

The Director Development Services will submit a list of compliant names for each ~~public~~ ~~Public~~ ~~street~~ ~~Street~~ ~~/road~~ ~~Road~~ created by the land division to Council for consideration.

A developer may submit a list of preferred names for the ~~public~~ ~~Public~~ ~~street~~ ~~Street~~ ~~/road~~ ~~Road~~ ~~/place~~ ~~Public~~ ~~Place~~ created by the relevant land division.

The Director Development Services is responsible for ensuring that preferred names comply with this policy.

If the names do not comply with this policy, the developer will be notified by Council ~~staff~~ ~~personnel~~ and asked to submit a revised list that is in accordance with this policy.

4.3. Name Selection

A ~~street~~ ~~Street~~ ~~/road~~ ~~Road~~ ~~/public~~ ~~place~~ ~~Public~~ ~~Place~~ will have only one name and each name will be unique within an official suburb or rural locality.

Similar sounding names (e.g. Paice, Payce or Pace Roads) within a township will be avoided where possible.

Duplication of names in the Council ~~district~~ ~~area~~ will also be avoided.

PO126 – Street, Road and Public Place Naming Policy Policy

Wherever practicable, ~~street~~Street/~~road~~Road names will be continuous from the logical start of the ~~street~~Street/~~road~~Road to the logical end of the ~~street~~Street/~~road~~Road, irrespective of Council boundaries, landforms and intersecting ~~street~~Street/~~road~~Roads.

4.4. Name Sources

Sources may include:

- Aboriginal names taken from the local Aboriginal language;
- Early explorers, pioneers, and settlers;
- Prominent persons;
- Local history;
- Theme names such as flora, fauna, ships etc;
- War/casualty lists;
- Commemorative names.

Names will be appropriate to the physical, historical or cultural character of the area concerned.

The local Aboriginal Narungga community will be consulted and approval sought when choosing Aboriginal names or using words from relevant Aboriginal languages.

Names of living persons will be avoided.

- Names will not be used if they are:
 - Offensive or likely to give offence;
 - Incompatible-/out of place;
 - Inappropriate;
 - Commercial or company.

Consideration will be given to the level of difficulty in reading, spelling and pronouncing names. Unduly long names and names composed of two or more words will be avoided wherever possible.

Exceptions include:

- A given name included with a family name where it is essential to identify an individual;
- ~~Streets~~/~~road~~Roads/~~public~~~~place~~Public Places requiring a two word name because of their geographic relationship e.g. Proof Range Road.

4.5. Spelling and Form

Where the spelling of names has been changed by long established local usage, unless there is a particular request by the local community to retain the original name, the spelling that is sanctioned by general usage will be considered for adoption.

~~Street~~/~~road~~Road/~~public~~~~place~~Public Place names must not contain abbreviations e.g. the "Creek" in "Wallaby Creek Road". There are two exceptions to this rule, "St" will be used in place of "Saint" and "Mt" will be ~~used~~considered in place of "Mount".

The apostrophe mark (') will be omitted in the possessive case e.g. "Smith's Road" will be "Smiths Road".

PO126 – Street, Road and Public Place Naming Policy Policy

Hyphens will not be used except when naming a ~~streetStreet/roadRoad/public placePublic Place~~ after a person with a hyphenated name.

4.6. Suffix

The suffix will be compatible with the class and type of ~~streetStreet/roadRoad/public placePublic Place~~ and will reflect the form of the ~~streetStreet/roadRoad/public placePublic Place~~. In the case of a cul-de-sac, place, close or court will be used.

The table below provides a list of suitable ~~streetStreet/roadRoad~~ type suffixes from Australian Standards AS 1742.5 - ~~1986-2017~~ and AS 4212 – 1994. (An expanded ~~roadRoad~~ type list and acceptable abbreviations can be sourced from AS 4590-:2006). Only ~~streetStreet/roadRoad~~ types listed in the standards will be used.

No additional prefix/suffix such as “north” or “extension” will be used in naming new ~~streetStreets/roadRoads~~.

Alley	Avenue	Boulevard	Bypass
Circle	Circuit	Circus	Close
Court	Crescent	Drive	Arcade
Grove	Lane	Mews	Parade
Parkway	Place	Plaza	Promenade
Road	Row	Square	Street
Terrace	Walk	Way	

4.7. Request to Change a Street/Road/Public Place Name

Council will rectify and pay for any error made by Council. All other requests for a change to a ~~streetStreet/roadRoad/public placePublic Place~~ name must be submitted in writing to the Director Corporate and Community Services.

Requests for a change to a ~~streetStreet/roadRoad~~ name must be accompanied by written expressions of support from at least 80% of the property owners on the ~~streetStreet/roadRoad~~ and the relevant progress association.

Requests for a change to a ~~public placePublic Place~~ name must be accompanied by written expression of support from the relevant progress association.

If the proposed name does not comply with this policy, the Director Corporate and Community Services will notify the applicant(s) and request a revised name in accordance with this policy.

The Director Corporate and Community Services is responsible for submitting the request to Council for consideration.

The cost of any changes made will be borne by the applicant(s).

4.8. Consultation with Other Councils

If Council resolve to change the name of a ~~public—Public streetStreet/roadRoad/public placePublic Place~~ that runs into the area of an adjoining Council, Council will give the adjoining Council at least two months' notice

PO126 – Street, Road and Public Place Naming Policy Policy

in writing of the proposed change and consider any representations made by the adjoining Council in response to the notice.

4.9. Public Notice of Name Assignment of ~~r~~ Change

Council will give public notice of the assigning or changing of a ~~street~~~~Street/road~~~~Road/public-place~~~~Public Place~~ name. This will be by publication in the Government Gazette and by notice in a newspaper circulating generally throughout the State, as required under the Local Government Act 1999 (Act). Public notice will include the date that the new name takes effect (see 4.11) and a public notice will also be published in the Yorke Peninsula Country Times newspaper and on Council's website www.yorke.sa.gov.au(www.yorke.sa.gov.au).

4.10. Advise Relevant Parties of Name Change

Council will provide written notice of Council's decision regarding a new ~~street~~~~Street/road~~~~Road/~~~~public~~~~place~~~~Public Place~~ name to relevant parties, including:

- Registrar-General;
- Surveyor-General;
- Valuer-General;
- ~~the owner of the road~~~~Road Owner~~ (if a ~~private~~~~Private road~~~~Road~~);
- SA Police;
- SA Ambulance Service;
- SA Metropolitan Fire Service and/or Country Fire Service;

~~except in the case~~ where there has been a change of name, in which case the person(s) who submitted the application to change the name is responsible for providing written notice of Council's decision regarding a change of ~~street~~~~Street/road~~~~Road/public-place~~~~Public Place~~ name to relevant parties, including:

- Registrar-General;
- Surveyor-General;
- Valuer-General;
- the owner of the ~~road~~~~Road~~ (if a ~~private~~~~Private road~~~~Road~~);
- owners of abutting properties;
- Australia Post;
- Telstra;
- SA Water;
- ~~ETSA Utilities~~~~SA Power Networks~~;
- SA Police;
- SA Ambulance Service;
- SA Metropolitan Fire Service and/or Country Fire Service.

PO126 – Street, Road and Public Place Naming Policy**4.11. Date of Effect for New Names or Name Changes**

The date of effect of the new or changed ~~street~~Street/~~road~~Road/~~public place~~Public Place name will be determined by Council as part of the resolution at the time, in consideration of:

- Potential for confusion relating to maps and street directories becoming out of date;
- The desire of some developers to sell property 'off the plan' and the opportunity for new owners to know their future address at an early stage;
- In respect of renaming an existing ~~road~~Road, the impact on existing property owners, residents, tenants and occupiers. For example the time required to advise relevant parties to change letterhead stationary and advertising references;-
- Specific legislative requirements that may apply.

5. COMPLAINTS

~~5. Complaints relating to PO126 Street, Road and Public Place~~Public Place Naming~~this Policy can be made in writing to Council's Director Development Services. All complaints will be managed in accordance with Council's PO147 Complaints Policy.~~

6. REVIEW

This policy will be reviewed every five (5) years. Public notice, via the SA Government Gazette, a newspaper circulating within the area of the Council and Council's website, must be given of adopting or altering this policy. This policy will also be reviewed as deemed necessary in consideration of any changes to legislation and relevant standards, codes, and guidelines, audit findings, any corrective actions/controls arising from risk assessment, stakeholder feedback or changes to Councils requirements.

7. TRAINING

Council is committed to supporting employees in complying with this policy.

Training needs will be reviewed annually, during individual performance reviews and as necessary in consideration of any changes to legislation and relevant standards, codes, and guidelines, audit findings, any corrective actions/controls arising from risk assessment, stakeholder feedback or changes to Councils requirements.

8. RECORDS

Records shall be maintained as required by Council's PO063 Records Management Policy (~~PO063~~) and relevant legislation.

9. RELATED COUNCIL POLICIES/PROCEDURES AND DOCUMENTS

PO057 ~~Public Consultation~~Community Engagement Policy

PO063 Records Management Policy

PO139 Treasury Management Policy

PO161 Prudential Management Policy

R008 Community Land Register

R009 - Register of Public Roads

IS112 Rural Property Addressing Frequently Asked Questions

PO126 – Street, Road and Public Place Naming Policy Policy

10. REFERENCES AND LEGISLATION

- Local Government Act 1999
- Roads (Opening and Closing) Act 1991
- [Planning Development and Infrastructure Act 2016](#)
- Guidelines for the Selection of names for Roads in SA
- Australian Standard 1742.5
- Australian Standard [42424212](#)
- Australian Standard 4590
- [Australian/New Zealand Standard 4819](#)

11. COUNCIL DELEGATION

Details of Delegation:	Chief Executive Officer
Delegate:	Director Development Services

12. VERSION HISTORY

Version No	Issue Date	Description of Change
1	11/03/2008	New Policy
2	10/10/2012	Full Revision.
3	14/12/2016	Full Revision
4	**/**/2023	Full Revision

PO126 – Street, Road and Public Place Naming Policy Policy

ATTACHMENT 1: DEFINITIONS

Term/Reference	Definition
<u>Formed</u>	<u>Constructed/improved/alterd above the natural surface to an approved Council standard by the Council, including the general shaping of the Road and drainage.</u>
<u>Public</u> Street (for the purposes of this policy)	A public way or thoroughfare in a township, usually with a footpath or footpaths and typically with houses and/or buildings on one or both sides; <u>with the exception of Unmade Road Reserves for the purpose of this policy.</u>
Public Place (for the purposes of this policy)	An indoor or outdoor area owned or occupied by Council which the public are allowed to use, including a square, reserve, lane, footway, court, alley, thoroughfare, public watercourse, and any foreshore; <u>with the exception of Unmade Road Reserves for the purpose of this policy.</u>
<u>road-Road</u> (as defined within the Local Government Act 1999)	<u>A public or privatePrivate streetStreet, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes:—</u> (a) <u>A</u> bridge, viaduct or subway; or (b) <u>An</u> alley, laneway or walkway. <u>with the exception of Unmade Road Reserves for the purpose of this policy.;</u>
<u>pPublic rRoad</u> (as defined within the <u>Local Government Act 1999Act</u>)	<u>Means:</u> (a) <u>(a) aAny roadRoad</u> or land that was, immediately before the commencement of <u>thise</u> Act, a public <u>streetStreet</u> or <u>roadRoad</u> under the repealed Act; or (b) <u>(b) aAny roadRoad—</u> • <u>(i) that is vested in a council under this the</u> or another Act; or — <u>(ii) that is placed under a council's care, control and management as a public roadRoad after the commencement of this-the</u> Act, but not including an alley, laneway, walkway or other similar thoroughfare vested in a council; • <u>or</u> (a) <u>(c) (c) aAny roadRoad</u> or land owned by a council, or transferred or surrendered to a council, and which, subject to <u>this-the</u> Act, is declared by the council to be a public

PO126 – Street, Road and Public Place Naming Policy

Term/Reference	Definition
	<p>road<u>Road</u>; or</p> <p>(d) A(d) any land shown as a street<u>Street</u> or road<u>Road</u> on a plan of division deposited in the Lands Titles Registration Office or the General Registry Office and which is declared by the council to be a public road<u>Road</u>; or</p> <p>—A(e) any land transferred or surrendered to the Crown for use as a public road<u>Road</u> that was, immediately before the transfer, held by a person in fee simple or under a lease granted by the Crown, (and includes any such road<u>Road</u> that is within the boundaries of a public square);</p> <p>(e) and</p> <p>(f) includes any such Road that is within the boundaries of a public square, with the exception of Unmade Road Reserves for the purpose of this policy.</p>
<p>p<u>Private Street/R</u>oad (as defined within the Local Government Act 1999<u>Act</u>)</p>	<p>a <u>R</u>oad/<u>Street</u> in private ownership;</p>
<p><u>Sealed</u></p>	<p><u>A Road surface that has been permanently Formed by the use of one of several pavement treatments (i.e. bitumen etc.).</u></p>
<p><u>Street</u></p>	<p><u>A way or thoroughfare in a township, usually with a footpath or footpaths and typically with houses and/or buildings on one or both sides, with the exception of Unmade Road Reserves for the purpose of this policy.</u></p>
<p><u>Unmade</u></p>	<p><u>A common and generally accepted term used within the South Australian, Local Government sector to describe a Road that is not Sealed or Formed, which is under the care and control of a council, to which the council have made no improvements or alterations.</u></p>
<p><u>Unmade Road</u></p>	<p><u>A common and generally accepted term used within the South Australian, Local Government sector to describe a Road that is not Sealed or Formed, which is under the care and control of a council, to which the council have made no improvements or alterations and usually classified an 'Unformed Road & Track' within Council's Transport Asset Management Plan (available on Council's website www.yorke.sa.gov.au)</u></p>
<p><u>Unmade Road Reserve</u></p>	<p><u>A common and generally accepted term used within the South Australian, Local Government sector to describe a Road that is not Sealed or Formed which is under the care and control of a</u></p>

PO126 – Street, Road and Public Place Naming Policy Policy

Term/Reference	Definition
	<p><u>council, to which the council has made no improvements or alterations, that typically provides access to individual properties and generally comprises the area between the actual Road and the boundary of the properties that adjoin the Road and usually classified an 'Unformed Road & Track' within Council's Transport Asset Management Plan (available on Council's website www.yorke.sa.gov.au).</u></p>



COUNCIL POLICY

Street, Road and Public Place Naming Policy

Policy Number:	PO126		
Strategic Plan Objective:	5. Responsible Governance and Leadership		
Policy Owner:	Chief Executive Officer	Record Number:	16/14200
Responsible Officer:	Director Development Services	Minute Reference:	
Date Adopted:		Next Review Date:	May 2028

1. POLICY OBJECTIVES

This policy provides guidelines for the naming of Streets, Roads and Public Places throughout the Yorke Peninsula Council (Council) area to ensure consistency and clarity.

2. SCOPE

This policy applies to all Public Streets/Roads/Public Places within the Council area, with the exception of Unmade Road Reserves.

3. DEFINITIONS

Refer to Attachment 1.

4. POLICY STATEMENT

4.1. Naming and Renaming Streets/Roads/Public Places

Council has the authority to assign and change the names of:

- A Public Street;
- A Public Road;
- A Private Road;
- A Public Place;

by resolution of Council.

All Sealed Public Streets/Roads and all Formed Public Street/Roads within the Council area, that are regularly accessed, will be assigned a name. This does not include Unmade Road Reserves.

All Formed Private Streets/Roads that are accessible to the public will also be assigned a name. This may include Roads within complexes such as community/strata title arrangements, reserves or parks etc.

PO126 – Street, Road and Public Place Naming Policy Policy

Street/Road name signs that clearly identify each Public Road will, as far as practicable, be placed at Road intersections. (While the Australian Standard stipulates that Road name signs should be placed at every intersection, this is not practicable in rural areas).

The Department for Infrastructure and Transport is responsible for naming State Roads and the installation of any associated signage.

A Street/Road/Public Place naming process is initiated when:

- Council opens or forms a Street/Road/Public Place;
- Council receives an application for a land division;
- A request is received by Council from an affected land owner or their representative;
- Council determine it is in the public interest to investigate a change in Street/Road/Public Place name.

Council will maintain registers of Public Streets/Roads/Public Places, which will be published on Council's website (www.yorke.sa.gov.au). Council will also provide a person with a printed copy upon request, for which a fee may be payable in accordance with Council's Fees and Charges Register, available on Council's website (www.yorke.sa.gov.au).

4.2. Public Street/Road/Public Place created by Land Division

Council must assign a name to each Public Street/Road created by land division.

The Director Development Services will submit a list of compliant names for each Public Street/Road created by the land division to Council for consideration.

A developer may submit a list of preferred names for the Public Street/Road/Public Place created by the relevant land division.

The Director Development Services is responsible for ensuring that preferred names comply with this policy.

If the names do not comply with this policy, the developer will be notified by Council personnel and asked to submit a revised list that is in accordance with this policy.

4.3. Name Selection

A Street/Road/Public Place will have only one name and each name will be unique within an official suburb or rural locality.

Similar sounding names (e.g. Paice, Payce or Pace Roads) within a township will be avoided where possible.

Duplication of names in the Council area will also be avoided.

Wherever practicable, Street/Road names will be continuous from the logical start of the Street/Road to the logical end of the Street/Road, irrespective of Council boundaries, landforms and intersecting Street/Roads.

4.4. Name Sources

Sources may include:

- Aboriginal names taken from the local Aboriginal language;
- Early explorers, pioneers, and settlers;
- Prominent persons;
- Local history;

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- Theme names such as flora, fauna, ships etc;
- War/casualty lists;
- Commemorative names.

Names will be appropriate to the physical, historical or cultural character of the area concerned.

The local Aboriginal Narungga community will be consulted and approval sought when choosing Aboriginal names or using words from relevant Aboriginal languages.

Names of living persons will be avoided. Names will not be used if they are:

- Offensive or likely to give offence;
- Incompatible/out of place;
- Inappropriate;
- Commercial or company.

Consideration will be given to the level of difficulty in reading, spelling and pronouncing names. Unduly long names and names composed of two or more words will be avoided wherever possible.

Exceptions include:

- A given name included with a family name where it is essential to identify an individual;
- Streets/Roads/Public Places requiring a two word name because of their geographic relationship e.g. Proof Range Road.

4.5. Spelling and Form

Where the spelling of names has been changed by long established local usage, unless there is a particular request by the local community to retain the original name, the spelling that is sanctioned by general usage will be considered for adoption.

Street/Road/Public Place names must not contain abbreviations e.g. the "Creek" in "Wallaby Creek Road". There are two exceptions to this rule, "St" will be used in place of "Saint" and "Mt" will be considered in place of "Mount".

The apostrophe mark (') will be omitted in the possessive case e.g. "Smith's Road" will be "Smiths Road".

Hyphens will not be used except when naming a Street/Road/Public Place after a person with a hyphenated name.

4.6. Suffix

The suffix will be compatible with the class and type of Street/Road/Public Place and will reflect the form of the Street/Road/Public Place. In the case of a cul-de-sac, place, close or court will be used.

The table below provides a list of suitable Street/Road type suffixes from Australian Standards AS 1742.5 - 2017 and AS 4212 – 1994. (An expanded Road type list and acceptable abbreviations can be sourced from AS 4590-2006). Only Street/Road types listed in the standards will be used.

No additional prefix/suffix such as "north" or "extension" will be used in naming new Streets/Roads.

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Alley	Avenue	Boulevard	Bypass
Circle	Circuit	Circus	Close
Court	Crescent	Drive	Arcade
Grove	Lane	Mews	Parade
Parkway	Place	Plaza	Promenade
Road	Row	Square	Street
Terrace	Walk	Way	

4.7. Request to Change a Street/Road/Public Place Name

Council will rectify and pay for any error made by Council. All other requests for a change to a Street/Road/Public Place name must be submitted in writing to the Director Corporate and Community Services.

Requests for a change to a Street/Road name must be accompanied by written expressions of support from at least 80% of the property owners on the Street/Road and the relevant progress association.

Requests for a change to a Public Place name must be accompanied by written expression of support from the relevant progress association.

If the proposed name does not comply with this policy, the Director Corporate and Community Services will notify the applicant(s) and request a revised name in accordance with this policy.

The Director Corporate and Community Services is responsible for submitting the request to Council for consideration.

The cost of any changes made will be borne by the applicant(s).

4.8. Consultation with Other Councils

If Council resolve to change the name of a Public Street/Road/Public Place that runs into the area of an adjoining Council, Council will give the adjoining Council at least two months' notice in writing of the proposed change and consider any representations made by the adjoining Council in response to the notice.

4.9. Public Notice of Name Assignment or Change

Council will give public notice of the assigning or changing of a Street/Road/Public Place name. This will be by publication in the Government Gazette and by notice in a newspaper circulating generally throughout the State, as required under the Local Government Act 1999 (Act). Public notice will include the date that the new name takes effect (see 4.11) and a public notice will also be published in the Yorke Peninsula Country Times newspaper and on Council's website (www.yorke.sa.gov.au).

4.10. Advise Relevant Parties of Name Change

Council will provide written notice of Council's decision regarding a new Street/Road/Public Place name to relevant parties, including:

- Registrar-General;
- Surveyor-General;

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- Valuer-General;
- Road Owner (if a Private Road);
- SA Police;
- SA Ambulance Service;
- SA Metropolitan Fire Service and/or Country Fire Service;

except where there has been a change of name, in which case the person(s) who submitted the application to change the name is responsible for providing written notice of Council's decision regarding a change of Street/Road/Public Place name to relevant parties, including:

- Registrar-General;
- Surveyor-General;
- Valuer-General;
- the owner of the Road (if a Private Road);
- owners of abutting properties;
- Australia Post;
- Telstra;
- SA Water;
- SA Power Networks;
- SA Police;
- SA Ambulance Service;
- SA Metropolitan Fire Service and/or Country Fire Service.

4.11. Date of Effect for New Names or Name Changes

The date of effect of the new or changed Street/Road/Public Place name will be determined by Council as part of the resolution at the time, in consideration of:

- Potential for confusion relating to maps and street directories becoming out of date;
- The desire of some developers to sell property 'off the plan' and the opportunity for new owners to know their future address at an early stage;
- In respect of renaming an existing Road, the impact on existing property owners, residents, tenants and occupiers. For example the time required to advise relevant parties to change letterhead stationary and advertising references;
- Specific legislative requirements that may apply.

5. COMPLAINTS

Complaints relating to this policy can be made in writing to Council's Director Development Services. All complaints will be managed in accordance with Council's PO147 Complaints Policy.

6. REVIEW

This policy will be reviewed every five (5) years. Public notice, via the SA Government Gazette, a newspaper circulating within the area of the Council and Council's website, must

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be given of adopting or altering this policy. This policy will also be reviewed as deemed necessary in consideration of any changes to legislation and relevant standards, codes, guidelines, audit findings, any corrective actions/controls arising from risk assessment, stakeholder feedback or changes to Councils requirements.

7. TRAINING

Council is committed to supporting employees in complying with this policy.

Training needs will be reviewed annually, during individual performance reviews and as necessary in consideration of any changes to legislation and relevant standards, codes, guidelines, audit findings, any corrective actions/controls arising from risk assessment, stakeholder feedback or changes to Councils requirements.

8. RECORDS

Records shall be maintained as required by Council's PO063 Records Management Policy and relevant legislation.

9. RELATED COUNCIL POLICIES/PROCEDURES AND DOCUMENTS

- PO057 Community Engagement Policy
- PO063 Records Management Policy
- PO139 Treasury Management Policy
- PO161 Prudential Management Policy
- R008 Community Land Register
- R009 - Register of Public Roads
- IS112 Rural Property Addressing Frequently Asked Questions

10. REFERENCES AND LEGISLATION

- Local Government Act 1999
- Roads (Opening and Closing) Act 1991
- Planning Development and Infrastructure Act 2016
- Guidelines for the Selection of names for Roads in SA
- Australian Standard 1742.5
- Australian Standard 4212
- Australian Standard 4590
- Australian/New Zealand Standard 4819

11. COUNCIL DELEGATION

Details of Delegation:	Chief Executive Officer
Delegate:	Director Development Services

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12. VERSION HISTORY

Version No	Issue Date	Description of Change
1	11/03/2008	New Policy
2	10/10/2012	Full Revision.
3	14/12/2016	Full Revision
4	**/**/2023	Full Revision

PO126 – Street, Road and Public Place Naming Policy Policy**ATTACHMENT 1: DEFINITIONS**

Term/Reference	Definition
Formed	Constructed/improved/alterd above the natural surface to an approved Council standard by the Council, including the general shaping of the Road and drainage.
Public Street (for the purposes of this policy)	A public way or thoroughfare in a township, usually with a footpath or footpaths and typically with houses and/or buildings on one or both sides, with the exception of Unmade Road Reserves for the purpose of this policy.
Public Place (for the purposes of this policy)	An indoor or outdoor area owned or occupied by Council which the public are allowed to use, including a square, reserve, lane, footway, court, alley, thoroughfare, public watercourse, and any foreshore, with the exception of Unmade Road Reserves for the purpose of this policy.
Road (as defined within the Local Government Act 1999)	A public or Private Street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes: (a) A bridge, viaduct or subway; or (b) An alley, laneway or walkway. with the exception of Unmade Road Reserves for the purpose of this policy.
Public Road (as defined within the Act)	Means: (a) Any Road or land that was, immediately before the commencement of the Act, a public Street or Road under the repealed Act; or (b) Any Road— <ul style="list-style-type: none"> • that is vested in a council under the or another Act; or • that is placed under a council's care, control and management as a public Road after the commencement of the Act, but not including an alley, laneway, walkway or other similar thoroughfare vested in a council; or (c) Any Road or land owned by a council, or transferred or surrendered to a council, and which, subject to the Act, is declared by the council to be a public Road; or (d) Any land shown as a Street or Road on a plan of division deposited in the Lands Titles Registration Office or the General Registry Office and which is declared by

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Term/Reference	Definition
	<p>the council to be a public Road; or</p> <p>(e) Any land transferred or surrendered to the Crown for use as a public Road that was, immediately before the transfer, held by a person in fee simple or under a lease granted by the Crown, (and includes any such Road that is within the boundaries of a public square); and</p> <p>(f) includes any such Road that is within the boundaries of a public square, with the exception of Unmade Road Reserves for the purpose of this policy.</p>
Private Street/Road (as defined within the Act)	A Road/Street in private ownership.
Sealed	A Road surface that has been permanently Formed by the use of one of several pavement treatments (i.e. bitumen etc.).
Street	A way or thoroughfare in a township, usually with a footpath or footpaths and typically with houses and/or buildings on one or both sides, with the exception of Unmade Road Reserves for the purpose of this policy.
Unmade	A common and generally accepted term used within the South Australian, Local Government sector to describe a Road that is not Sealed or Formed, which is under the care and control of a council, to which the council have made no improvements or alterations.
Unmade Road	A common and generally accepted term used within the South Australian, Local Government sector to describe a Road that is not Sealed or Formed, which is under the care and control of a council, to which the council have made no improvements or alterations and usually classified an 'Unformed Road & Track' within Council's Transport Asset Management Plan (available on Council's website www.yorke.sa.gov.au)
Unmade Road Reserve	A common and generally accepted term used within the South Australian, Local Government sector to describe a Road that is not Sealed or Formed which is under the care and control of a council, to which the council has made no improvements or alterations, that typically provides access to individual properties and generally comprises the area between the actual Road and the boundary of the properties that adjoin the Road and usually classified an 'Unformed Road & Track' within Council's Transport Asset Management Plan (available on Council's website www.yorke.sa.gov.au).

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26 GENERAL BUSINESS

Section 85 of the Act requires that matters on the Agenda are described with reasonable “particularity and accuracy” and reports and other documentation to be considered at a meeting are available to the public prior to the meeting. The practice of general business should be restricted to matters of urgency.

CONFIDENTIAL AGENDA

27 CONFIDENTIAL ITEMS

Nil

RESUMPTION OF PUBLIC MEETING

28 NEXT MEETING

Wednesday 14 June 2023

29 CLOSURE