



Yorke Peninsula Council

NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of Council
will be held on Wednesday 20th January 2016,
in the Council Chambers,
57 Main Street, Minlaton commencing at 5.30pm

Andrew Cameron
CHIEF EXECUTIVE OFFICER

A G E N D A

- ITEM 1 YORKE PENINSULA COUNCIL
- 1.1 Welcome by Mayor – meeting declared opened
- 1.2 Opening Prayer
- 1.3 Present
- 1.4 Leave of absence
Cr Stock 12/01/2016 – 27/01/2016
- 1.5 Apologies

1.6 Conflict of Interest

CONFLICT OF INTEREST

Elected 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 accordance with Section 73 of the Local Government Act in items listed for consideration on the Agenda. Section 74 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 prior to consideration of that item on the Agenda.

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 conflict of interest.

1.7 Minutes of previous meeting – for confirmation

1.7.1 Council meeting held on Wednesday 20th January 2016 at 5.30pm

1.7.2 Confidential Council meeting held on Wednesday 9th December 2015 at 6.39pm

1.7.3 Confidential Council meeting held on Wednesday 9th December 2015 at 6.46pm

1.7.4 Confidential Council meeting held on Wednesday 9th December 2015 at 6.56pm

1.8 Motions on Notice

Nil

1.9 Questions on Notice

Nil

1.10 Questions without Notice

1.11 Petitions

Nil

ITEM 2 MAYOR

Mayor Monthly Report

Pages 4 - 5

ITEM 3 COUNCILLORS' REPORT

Nil

ITEM 4 **INFORMATION AGENDA**

Page 6

4.1 Items for exclusion

4.2 Receipt of Information Reports

4.3 Chief Executive Officer

Pages

1. CEO Activities – to be tabled at the meeting

2. Action List

7 - 11

3. Correspondence Steven Griffiths

12 - 20

4.4 Corporate and Community Services

1. Audit Committee Minutes

21 - 26

2. Art Exhibition Working Party Minutes

27 - 32

4.5	<u>Assets and Infrastructure Services</u>	Pages
1.	Construction and Maintenance Works	33 - 35
4.6	<u>Development Services</u>	Pages
1.	Inspectorial Activity Report	36 - 38
2.	Environmental Health Activity Report	39 - 40
3.	Development Application Decisions	41 - 49
4.	Wastewater System Application Decisions	50 - 53
5.	Dog & Cat Management Plan	54 - 56
6.	Development Plan Amendment	57 - 60
ITEM 5	<u>VISITORS TO THE MEETING</u> Nil	
ITEM 6	<u>DEBATE AGENDA</u>	Page 61
6.1	<u>CHIEF EXECUTIVE OFFICER</u>	
1.	John Legoe Nomination	62
6.2	<u>CORPORATE AND COMMUNITY SERVICES</u>	Pages
1.	Financial Report 31 st December 2015	63 - 67
2.	Annual Business Plan and Budget Preparation Timetable	68 - 70
3.	External Grant Funding Policy	71 - 75
4.	Naming of Locality – Parsons Beach	76 - 78
5.	Maitland Progress Association request for late payment of Community Grant	79 - 82
6.3	<u>ASSETS AND INFRASTRUCTURE SERVICES</u>	
1.	Clinton Road Material Supply	83 - 85
6.4	<u>DEVELOPMENT SERVICES</u>	Pages
1.	Building Fire Safety Committee	86 - 89
2.	Draft EPA Air Quality Policy 2016	90 - 112
ITEM 7	<u>GENERAL BUSINESS</u> Council has resolved that an Agenda Item “General Business” be included on the Council Agenda to enable members to raise matters of a minor nature for action by the Administration, or to call for reports.	
ITEM 8	<u>CONFIDENTIAL AGENDA</u>	Pages 113
1.	EDRMS Tender 142-2015	114 - 120
ITEM 9	<u>NEXT MEETING</u> Wednesday 10 th February 2016	
ITEM 10	<u>CLOSURE</u>	

MAYOR

ITEM 2

MONTHLY REPORT

(File Ref: 9.24.1.1)

INTRODUCTION

To keep Elected Members updated on Mayoral activities during the month of December 2015.

RECOMMENDATION

That the report be received.

COMMENT

1 st December	Yorke town Area School Presentation Night. Presented Rowan Ramsey Community Award to Malcolm Watters and Year 12 Completion Certificates
3 rd December	Crs Bittner, Hoyle, and Stock joined me for Research discussions with representatives of the University of Tasmania as part of their nationwide project.
7 th December	SOS Yorke (building a resilient community free from suicide) meeting and Christmas Luncheon held at the Ventnor Hotel Port Vincent. In the evening I attended and participated in the Port Vincent Primary School Concert and Awards presentations.
8 th December	Along with Kath Kemper performed the Official Opening of the Parrara Beach Whale Memorial. A project to commemorate the stranding of 7 Sperm whales at Parrara Beach near Ardrossan on 8 th December 2014. Presented awards at the Maitland Area School Presentation Night held in the Performing Arts Centre.
9 th December	Council Audit Committee. Monthly Council Meeting.
10 th December	Attended the Leisure Options Christmas Luncheon held at the Hardwicke Bay Progress Hall. A wonderful celebration of a long year of hard work by members and volunteers.
13 th December	With Rowan Ramsey officially opened the Walk the Yorke Leisure Trail, joined by around 400 community members, many of whom had made the walk from the Port Vincent Wharf to the official function at the Golf Club. It was a great day of celebration for a very worthwhile project.
14 th December	Along with Mayors from across the state attended a Reception celebrating South Australia's engagement with China, hosted by Premier Mr Jay Weatherill MP at the Balcony Ballroom in the Hilton Hotel.
15 th December	Along with other members of the YP Council's Alliance participated in a deputation to Minister Mullighan in relation to the Port Wakefield By-Pass and other nearby intersections.

December Christmas Greetings were received from:

- Mr Hieu Van Le the Governor of South Australia
- Steven Marshall MP State Liberal Leader
- Hon Geoff Brock MP Minister for Local Government
- Mr Martin Haese Lord Mayor of Adelaide
- Mayor Paul Thomas and his wife Kathryn DCCC
- The State President of the RSL (SA Branch)
- Norman Waterhouse Lawyers
- The Directors and Staff of McArthur Management
- Kirsty and Staff of Moonta Area School
- Vince, Debra and King Family – Cape Devine Pty Ltd
- University of the Third Age YP
- Many email greetings also received

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN
--

Not applicable.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not applicable.

INFORMATION

AGENDA

CHIEF EXECUTIVE OFFICER

IA/ITEM 4.3

2. ACTION LISTING REPORT (File Ref: 9.24.1.1)

PURPOSE

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

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Key Theme: Corporate Governance and Leadership
2. Organisational Efficiency and Resource Management
Strategic Goal: 2.4 Effective Risk Management

DISCUSSION

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

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Local Government Act 1999
Yorke Peninsula Council's Risk Management Framework

ATTACHMENTS

Attachment 1: Action Listing

COUNCIL MEETING 20th January 2016

Action List

Responsible Officer	Agenda Item Number	Task	Due Date	Status
Director Development Services	10 th Aug 10 Item 20.4	Advise the Dept of Environment and Natural Resources that Council wish to Relinquish Care and Control of Crown Land Lot 88 Main Street Curramulka CR 5856/772	As soon as DEWNR responds	Underway - DEWNR advised, no response to date
22 nd January 2014				
Director Development Services	DA/CCS/R4	Organise Land Only lease for Balgowan Camping Ground	As soon as Ministerial approval is granted	Waiting on consent
14 th May 2014				
Director Assets & Infrastructure Services	DA/AIS/R3	Organise to have the following documents signed and sealed for the Walk the Yorke Leisure Trail with the State Government and private landholders	July 2014 – ongoing for duration of project	All Crown Leases executed. Private landowners under consideration and some require further information. Ongoing
8 th April 2015				
Director Development Services	DA/DS/R2	Prepare a plan to implement the Bush Camping recommendations	February 2016	Commenced
13 th May 2015				
Director Development Services	DA/DS/R2	Council agreed to accept care, control and management of Lot 10 Moorowie Terrace Port Moorowie CR5323/554	As soon as Ministerial approval is granted	Underway awaiting response from Minister
10 th June 2015				
Director Development Services	DA/CCS/R4	Relinquishment of care/control of Crown land occupied by the Royal Volunteer Coastal Patrol SA Inc. Port Victoria adjacent to the Port Victoria CFS station to accommodate the new CFS station requirements	Associated with Port Victoria CFS issue RVCP likely to be transferred to the Crown	Still with the Minister's office Waiting for finalisation of negotiations between the Minister and CFS

Director Assets and Infrastructure Services	DA/AIS/R3	Organise to work with DPTI to undertake a review of the speed limit buffer zones at Wool Bay	March 2016	DPTI Notified Unsure of timeframes for DPTI to undertake assessment and advice back to Council
12 th August 2015				
Director Development Services	DA/CCS/R5	Finalise the proposed lease for the Royal Volunteer Coastal Patrol at Point Turton	March 2016	Negotiations underway for driveway access point – Operations Co-ordinator to meet with Lessee. Awaiting outcome of Development Application
Director Corporate and Community Services	DA/CCS/R9	Organise for the three scenic tourism frames to be organised in the approved locations	April 2016	Consultation completed. Development application approved. Works to commence in March
9 th September 2015				
Director Assets and Infrastructure Services	Motion on Notice	Organise a plan for allocating \$1 million for the accelerated roadside vegetation management	March 2016	Presentation to September 2015 Workshop Ongoing
14 th October 2015				
Director Development Services	DA/DS/R1	Organise the requirements for public consultation in relation to revocation of Community Land at Warooka	March 2016	Underway, public consultation process commenced
11 th November 2015				
Director Assets & Infrastructure Services	DA/AIS/R1	Organise to prepare unsealed Road Construction Tender	December 2015	Open Tender called completed
Director Development Services	DA/DS/R2	Undertake public consultation on changes to use of the Port Vincent Foreshore Boat Ramp	February 2016	Underway ongoing

9 th December 2015				
Director Assets & Infrastructure Services	Item 1.8 Motion on Notice	Update Unsealed Road Construction Tender to include the portion of identified Corny Point Road from the Eastern or Brutus Road end for a distance of approximately 2.2kms concluding at Point Turton Road	January 2016	Completed
Director Assets & Infrastructure Services	Item 1.8 Motion on Notice	Update the Unsealed Road Construction Tender to include other High Use Unsealed Roads identified within the Transport Asset Management Plan as requiring	January 2016	Completed
Director Corporate & Community Services	DA/CCS/R3	Advise Minlaton Girl Guides in relation to Council's decision about electricity use charges	December 2015	Completed
Director Corporate & Community Services	DA/CCS/R4	Organise to undertake necessary works to upgrade Black Point Caravan and Camping Ground amenities	April 2016	Contractor engaged. Works to commence after peak season is finished
Director Corporate & Community Services	DA/CCS/R5	Organise to have the updated Credit Card policy included in the Policy Manual and on the Council's website	December/January 2016	Completed
Director Corporate & Community Services	DA/CCS/R6	Organise the lease for Maitland Children's Centre with Happy Kidz Child Care.	March 2016	Commenced
Director Assets & Infrastructure Services	DA/AIS/LATE ITEM	Advise necessary authorities that Council has endorsed access of vehicles with Higher Mass Limits on Council's road network with certain conditions being met	January 2016	DPTI notified completed
Director Development Services	DA/DS/R1	Organise the reassignment of the lease for Minlaton Hostel for the Aged to Eldercare on the same terms and conditions	December 2016	Completed

Director Development Services	DA/DS/R2	Organise to continue the process to seek Ministerial approval for revocation of the Community Land Classification for the Warooka Consulting Rooms	January 2016	Commenced ongoing
Director Assets & Infrastructure Services	CA/AIS/R1	Advise tenderers of the outcome of the Roadside Vegetation Maintenance Tender 146/2015	December 2015	Completed
Director Assets & Infrastructure Services	CA/AIS/R2	Advise tenderers of the outcome of the Clinton Road Construction Tender 143/2015	December 2015	Completed
Director Development Services	CA/DS/R3	Advise tenderers of the outcome of the Concrete Repairs and Associated works, Maitland Town Hall	December 2015	Completed

CHIEF EXECUTIVE OFFICER

IA/ITEM 4.3

2. CORRESPONDENCE RECEIVED FROM STEVEN GRIFFITHS

(File Ref: 9.24.1.1)

PURPOSE

Correspondence has been received from Member for Goyder Steven Griffiths MP in relation to the Local Government Rate Capping policy the SA Liberal Party took to the 2014 State Election (copy attached).

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Not applicable

DISCUSSION

The covering letter from Steven Griffiths indicates that Elected Members may not be fully aware of the proposal contained within the rate capping policy which has been designed to alleviate cost of living pressures within the wider community. Steven has requested that the policy be provided to Members to allow informed debate on the rate capping position of Council.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Not applicable.

ATTACHMENTS

Attachment: Correspondence from Steven Griffiths and Liberal Party Rate Capping Policy



STEVEN GRIFFITHS MP

Member for Goyder



25 November 2015

Mayor Ray Agnew OAM
Yorke Peninsula Council
PO Box 88
MINLATON SA 5575

30 NOV 2015

Dear Mayor Agnew

I refer to the Local Government Rate Capping policy the South Australian Liberal Party took to the 2014 State Election.

While I know from many discussions over the last 20 months that the position of local government is to reject the policy, I am concerned that the details of the proposal may not be known by elected members and staff to the level needed to ensure informed debate occurs. Thus, the reason for this letter which I ask you to circulate within council.

The rate capping policy was developed by the SA Liberal's purely to deal with cost of living pressures. The policy, and others that impact on State Government, are designed to ensure that South Australians pay for service delivery that it cost efficient.

The rate capping policy has been structured to provide flexibility for individual council circumstances, which is a fundamental component in recognition of the pressure on local government to respond to community demands, service gaps and on-going infrastructure construction and maintenance.

Under the State Liberal's plan, rate capping will restrict all councils to an increase in rate revenue in line with the percentage change determined for each financial year by the index calculation on typical local government costs. It is envisaged that a body such as the Essential Services Commission of South Australia (ESCOSA) would undertake the rate capping function.

Individual councils can apply to ESCOSA for a variation above the determined percentage increase, but must be able to demonstrate engagement with their communities and that support to go above the allowable increase exists.

Examples of circumstances in which variations could be sought include:

- Dealing with high growth areas and the challenges presented
- Funding the development and/or maintenance of essential community infrastructure or backlogs
- Funding new or enhanced services to meet growing demand in the community
- Funding projects of regional significance

Item Number
9278-2015-1
GDS Number
10.3.2.17
Distribution

Address 51 Robert Street, Maitland SA 5573

Tel (08) 8832 2455

Fax (08) 8832 2699

Email goyder@parliament.sa.gov.au

Web www.stevengriffiths.net

Importantly, the policy will exclude from ESCOSA's rate pegging calculations areas such as:

- Waste water treatment charges
- Rate income in the first year from new properties created by subdivision
- Federal Government grants
- State Government grants

For local government, rate capping ensures that councils will not bear the brunt of public criticism for increases in rates, with ESCOSA to set the allowable rate income rise for councils and councils then having the discretion to set rate levels for different categories of land uses.

Enclosed is a copy of the 2014 policy document outlining the rate capping scheme.

The SA Liberal's continue to support a rate capping policy in response to community concerns on cost of living pressures and to ensure services, no matter the level of government providing them, does so in a cost efficient way.

I assure you that the SA Liberal Party remain committed to working with local government to make South Australia the best place to live and conduct business.

Yours sincerely



Steven Griffiths
Member for Goyder
Shadow Minister for Regional Development
Shadow Minister for Local Government
Shadow Minister for Planning

EASING COST OF LIVING: CAPPING COUNCIL RATES

STEVEN MARSHALL, STATE LIBERAL LEADER

IAIN EVANS, SHADOW TREASURER

STEVEN GRIFFITHS, SHADOW MINISTER FOR LOCAL GOVERNMENT





“A Marshall Liberal Government will lower the cost of living by capping council rates.”

Steven Marshall
State Liberal Leader

EASING COST OF LIVING

Capping council rates

Government taxes and household bills are skyrocketing under the Weatherill Labor Government.

With cost of living spiraling out of control, families are sick of being hit with endless hikes to fees and charges.

That is why the State Liberals are taking real action to fix cost of living pressures.

We have already announced that we will cut payroll tax to create jobs, scrap the car park tax, oppose toll roads and will not introduce any new taxes or levies.

The State Liberals understand that we need to protect households and businesses from the rising cost of living.

After 12 years of Labor, local councils have had multiple cost burdens passed onto them through State Government legislation, driving up council rates and creating friction between rate payers and local government.

We will work with local government to ensure State Government costs are not shifted on to them and their rate payers unfairly.

If elected in March 2014, a Marshall Liberal Government will cap council rate rises so that households are able to plan for their household budgets, and local government is not blamed for State Government cost shifting unfairly.

The cap will be calculated on a measured and transparent basis.

A Marshall Liberal Government will:

- ☒ *Cap council rates rises;*
- ☒ *Address cost shifting from State Government to local councils;*
- ☒ *Save households hundreds of dollars and reduce the cost of living;*
- ☒ *Ensure ratepayers are able to plan ahead for their household budget;*
- ☒ *Provide greater assistance to councils to build local infrastructure through our \$50 million Community Infrastructure Fund; and,*
- ☒ *Provide greater assistance to regional councils through the \$15 million Regional Development Fund.*



EASING COST OF LIVING

Labor failures

Struggling families have been unable to cope with the skyrocketing cost of living after 12 years of Mr Weatherill and Labor.

For example, since Labor came to power in 2002, water prices have increased by 227 per cent while inflation increased by just 39 per cent.

Also, after 12 years of Mr Weatherill and Labor, council rates have grown well beyond inflation and added unexpected pressure to the average household budget.

Local government has had to bare the brunt of multiple cost shifts from the Weatherill Labor Government, forcing them to pass costs along to ratepayers.

In some council areas, costs have blown out by more than 10 per cent in a single year.

In contrast, New South Wales has had an effective rate capping regime in place since 1977, which is overseen by their independent regulator IPART. Consequentially, NSW has had the lowest rises in council revenue of all states since 2002/03.

During this period NSW council income grew by 4.4 per cent per annum, while South Australia's council revenue grew by 6.8 per cent per annum.

These smaller increases in NSW local government revenue, translate into smaller council rate increases for rate payers in that State.

Therefore, capping rates in South Australia would result in similar savings for households and businesses, providing much needed cost of living relief.

3

EASING COST OF LIVING Our Plan

If elected in March 2014, a Marshall Liberal Government will move to cap council income rises from the 1st of July 2015.

We will cap council rate rises in keeping with council cost inflation, to ease the pain and get household budgets back under control. We will use a local government cost index to set the rate cap which will be determined in consultation with SA's independent regulator the Essential Services Commission of South Australia (ESCOSA) and the Local Government Association.

The rate cap will be determined by examining input costs and measuring annual price movements for goods, materials and labour used by the average council. It will also make it much easier for ratepayers to see where council costs are coming from.

Unlike NSW, our rate cap will not include a productivity dividend for local government, as councils are already taking measures to increase efficiencies in South Australia.

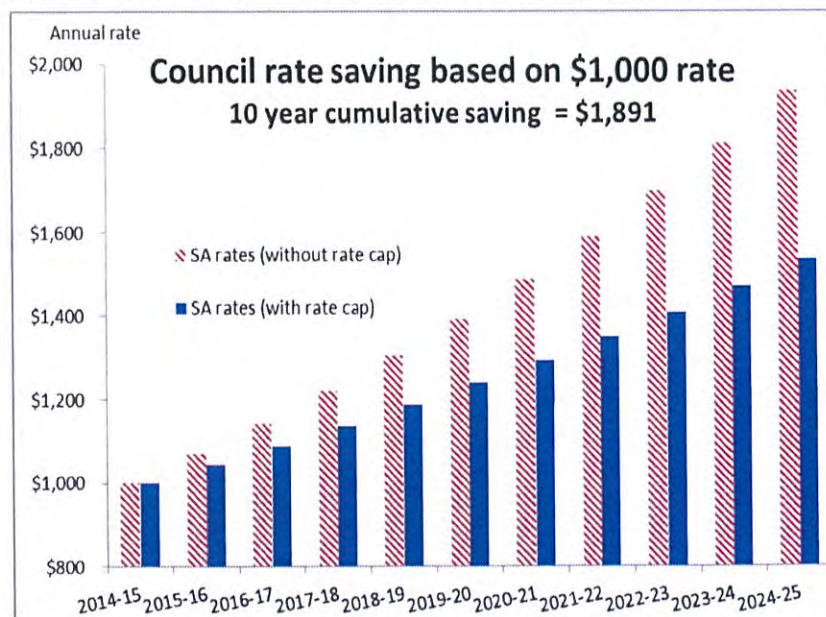
We will also allow a council to seek an increase in their income above the rate cap from ESCOSA in cases of unique circumstances, as has worked to great effect in NSW.

Pegging council rate rises back to reasonable levels could save households hundreds of dollars and allow homeowners to better manage their finances.

If SA rates grew at 4.4% a year over the next 10 years (this is the NSW growth rate) rather than SA's historical growth rate of 6.8% per year, a household with a \$1,000 annual rate bill would see a cumulative saving of \$1,891 over this 10 year period.

We will also work with high-growth councils like Onkaparinga, Playford, Salisbury, Light, Copper Coast, Mallala and Mount Barker over this transition period, recognising the challenges their communities face.

Our approach will ensure efficient and effective government and will ease the cost of living for all South Australians.





EASING COST OF LIVING Our Plan

If you would like to let us know your thoughts on our plans to ease the cost of living by capping council rates, please get in touch:



Steven Marshall MP

State Liberal Leader

Shadow Minister for State Development

Phone: 08 8237 9295 Fax: 08 8237 9126

Email liberal.opposition@parliament.sa.gov.au

Post: Parliament House, North Terrace, Adelaide, SA, 5000



Hon. Iain Evans MP

Shadow Treasurer

Phone: 08 8278 5844 Fax: 08 8370 2626

Email: davenport@parliament.sa.gov.au

Post: 1/7-9 Young Street, Blackwood, SA, 5051



Steven Griffiths MP

Shadow Minister for Local Government

Phone: 08 8832 2455 Fax: 08 8832 2699

Email: goyder@parliament.sa.gov.au

Post: 51 Robert Street, Maitland, 5573

Fresh Ideas. Better Future

Authorised by G. Greene for the Liberal Party of South Australia, Level 1, 104 Greenhill Road, Unley

DIRECTOR CORPORATE AND COMMUNITY SERVICES

IA/ITEM 4.4

1. AUDIT COMMITTEE MINUTES – 9TH DECEMBER 2015

(File Ref: 9.24.1.1)

PURPOSE

The Audit Committee is a Section 41 Committee of Council. A copy of the minutes from their meeting held on 9th December 2015 is attached.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Key Theme/s: Corporate Governance & Leadership
2. Organisational Efficiency and Resource Management
Strategic Goal/s: 2.1 Financially sustainable organisation
2.4 Effective risk management

BACKGROUND

To keep Council informed of regular Audit Committee Meetings.

DISCUSSION

Business discussed at the meeting centred around:

- Audit Committee 2016 Draft Workplan
- Final Financial Statements and Auditors Report
- June 2015 Budget Review
- Long Term Financial Plan
- Internal Audit Activity Report
- Internal Controls Project update
- Asset Management update
- Risk Management update
- Policy Reviews

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Director Corporate and Community Services

In preparing this report, the following External Parties were consulted:

- Chair Audit Committee

POLICY IMPLICATIONS

Not applicable

BUDGET AND RESOURCE IMPLICATIONS

Not applicable

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Audit Committee costs are accounted for in Council's approved budget.

The Audit Committee is a legislated Section 41 Committee of Council.

ATTACHMENTS

Attachment 1: Audit Committee Minutes December 2015



Agriculturally rich~Naturally beautiful

Minutes of the Audit Committee Meeting of the Yorke Peninsula Council

held on Wednesday 9th December 2015,
in the Council Chambers
57 Main Street Minlaton commencing at 3:00pm
(Subject to confirmation)

ITEM 1 WELCOME

Mr Peter Brass welcomed everyone to the meeting and declared the meeting open at 3.00pm.

PRESENT

Independent Members Peter Brass (via phone conference) and David Hurley, Councillors John Rich, Scott Hoyle and Tania Stock.

ON LEAVE

Karen Schulz Manager Financial Services

IN ATTENDANCE

Mayor Ray Agnew	(3.07pm)
Andrew Cameron	Chief Executive Officer
David Harding	Director Corporate and Community Services
Chloe Brown	Acting Manager Financial Services
Michael McCauley	Asset Manager
Amanda Pitt	Business Improvement Officer
Chelly Litster	Business Improvement Officer
Brianna Wood	Risk Management Officer
Roxanne White	Risk Management Officer
Daniel Griffin	Financial Accountant
Rachel Rich	Minute Secretary
Jackie Reddaway	Executive Assistant to the CEO and Mayor

MINUTES OF THE PREVIOUS MEETING

Cr John Rich moved

Cr Tania Stock seconded

That the minutes of the Audit Committee meeting held on 28th October as circulated, be confirmed as a true record.

CARRIED 059/2015 (9/12/2015)

CONFLICT OF INTEREST

The Chairperson reminded all members of the requirement to disclose any conflict of interest and provide full and accurate details of the relevant interest to the Audit Committee prior to consideration of that item on the Agenda.

ITEM 2 REPORTS

1. AUDIT COMMITTEE WORKPLAN DRAFT 2016

Mr David Harding spoke to the report and answered questions from the Committee.

Cr Hoyle moved David Hurley seconded

That the Audit Committee endorse the 2016 draft Audit Committee Work plan, with the inclusion of:

- A further review of the credit card policy following the completion of the credit card audit report and;
- The annual “in camera” session with the external auditors to be held at the meeting on Wednesday 26th October 2016.

CARRIED 060/2015 (9/12/2015)

3.07pm Mayor Agnew entered the chamber and was seated in the gallery.

2. RECEIVE FINAL FINANCIAL STATEMENTS AND AUDITORS REPORT TO COUNCIL

Mr Harding spoke to the report and answered questions from the Committee.

Cr Rich moved Cr Stock seconded

That Audit Committee receives the audited Annual Financial Statements including the final Audit Report for the year ended 30 June 2015.

CARRIED 061/2015 (9/12/2015)

3. RECEIVE JUNE 2015 BUDGET REVIEW

Mr Harding spoke to the report and answered questions from the Committee.

Cr Stock queried increase in employee costs, Mr Harding advised that he would take the question on notice and provide additional information as required.

David Hurley moved Cr Rich seconded

That the audit committee receives the June Budget Review report, with explanations of major variances between the 2014/15 Adopted Budget and the Audited Financial Statements as at 30 June 2015.

CARRIED 062/2015 (9/12/2015)

4. LONG TERM FINANCIAL PLAN UPDATE

Mr Harding provided a verbal update. Some matters to be decided by Council that will impact the 10 year forecast, Mr Harding advised that the expectation this process will commence at this evenings Council meeting.

David Hurley moved Cr Stock seconded

That the Audit Committee notes the verbal update.

CARRIED 063/2015 (9/12/2015)

5. INTERNAL AUDIT ACTIVITY REPORT

Mrs Litster spoke to the report and answered questions from the Committee

Peter Brass queried item 5 PIR Asset Management System delay. Mrs Pitt advised it is delayed until all data has been entered into the system and confirmed it has been captured in the 3 year plan.

Cr Rich moved David Hurley seconded

That the report be received.

CARRIED 064/2015 (9/12/2015)

6. INTERNAL CONTROLS PROJECT UPDATE

Mrs Pitt provided a verbal update.

Assessments will be completed on time, in line with Audit visit in January, outcome of control track to be reviewed at the February meeting.

Mr Harding attended the LGAFMG Conference - where reports were presented on Internal Controls Audits. A Metro Council received a qualification on their first audit, because they focussed too widely on all controls, as a result many high risk controls were incomplete at the time of audit. Message from outcome is to focus on high risk items.

Mrs Pitt & Mrs Litster have recently met with Councils independent auditors. Outcome is to also focus on high risk areas such as Accounts Payable, Accounts Receivable, IT access and Master File Maintenance.

Cr Stock Moved Cr Hoyle seconded

That the Audit Committee notes the verbal report.

CARRIED 065/2015 (9/12/2015)

7. ASSET MANAGEMENT UPDATE

Mr McCauley provided a verbal update.

Data is under review before entering into Conquest. CWMS has been updated and loaded to Conquest.

Mr Harding updated the meeting on Asset revaluations based the new accounting standard. Residual value can only be used for depreciation purposes, under the new standard. and salvage value is to be used to reduce the cost of the new asset on reconstruction. The new

standard appears more appropriate for sealed roads than unsealed. Mr McCauley advised a meeting of all Councils with Tonkins to discuss this matter is scheduled in the New Year.

David Hurley moved Cr Hoyle seconded

That the Audit Committee r notes the verbal report.

CARRIED 066/2015 (9/12/2015)

8. RISK MANAGEMENT UPDATE

Mrs Wood spoke to the report and answered questions from the Committee.

Mr Brass congratulated the Council in relation to its recent risk management incentive award.

Mr Brass requested the 5-year risk maturity plan be brought back to a future meeting for review and feedback.

Mrs Wood asked for confirmation that a verbal update will suffice for some meetings, and a written report will be provided when review and feedback is required.

Cr Rich moved Cr Stock seconded

That the report be received.

CARRIED 067/2015 (9/12/2015)

9. POLICY REVIEWS

Mr David Harding spoke to the report regarding the credit card policy update and answered questions from the Committee.

Mr Brass recommended the credit card process that is required to be adhered to and noted in the policy also make reference to the credit card procedure.

Cr Rich moved Cr Hoyle seconded

That the Audit Committee recommends Council endorse and adopt the updated Credit card Policy as presented in the Agenda for inclusion in Council's policy manual and on the website.

CARRIED 068/2015 (9/12/2015)

ITEM 3 GENERAL BUSINESS

Cr Rich wished all a Merry Christmas. Mr Brass wished everyone a Merry Christmas and a Happy New Year.

ITEM 4 NEXT MEETING

Wednesday 24th February 2016, 3.00pm

ITEM 5 CLOSURE

The Meeting Closed at 3.49 pm

.....
Mr Peter Brass

DIRECTOR CORPORATE AND COMMUNITY SERVICES

IA/ITEM 4.4

2. ART EXHIBITION WORKING PARTY MINUTES – 9TH DECEMBER 2015

(File Ref: 17.94.5.1)

PURPOSE

The Art Exhibition Working Party is a Working Party of Council. A copy of the minutes from their meeting held on 9th December 2015 is attached.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Key Theme/s:	Community Engagement
	1. Vitality & Connection
Strategic Goal/s:	1.2 Offer a range of accessible community facilities, programs, events and activities

BACKGROUND

To keep Council and the community informed of progress in delivering the 2016 Art Exhibition.

DISCUSSION

Business discussed at the meeting centred around:

- Advertising
- Sponsorship
- SA Life Magazine
- Demonstrating Artists
- Judges
- Previous Advertisers
- Review of Screens
- Review of date of next meeting

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Nil

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

Not applicable

BUDGET AND RESOURCE IMPLICATIONS

Funding provided for in the 2015/2016 adopted budget.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Not applicable

ATTACHMENTS

Attachment 1: Art Exhibition Working Party Minutes 9th December 2015



Minutes of the Meeting of the Art Exhibition Working Party

held on Wednesday 9th December 2015
in the Maitland Council Office
commencing at 10.00am

(Subject to confirmation)

ITEM 1 OPEN

1.1 Welcome by Chairperson Anne Eyles declared the meeting open 10.05pm

1.2 Present - Anne Eyles, Irene Hughes-Jones, Cr Alan Headon, Cr John Rich,
In Attendance: David Harding, Rachel Rich (minute secretary)

1.3 Apologies - Brenda Bowman

1.4 Minutes of previous meeting –

Cr Rich moved

Cr Headon seconded

That the Minutes of the Art Exhibition Working Party meeting held on 11th November 2015 as circulated be confirmed.

CARRIED

1.5 Conflict of Interest - The Chairperson reminded members of their obligations in relation to Conflict of Interest provisions.

ITEM 2 BUSINESS ARISING

2.1 Advertising:

Port Pirie are going to distribute leaflets in their local area, once advertising has been agreed upon.

Artist Almanac, Anne following up

Australia Wide Artist Pallet; Anne following up

Draft letter viewed to go to Progress associations. Rachel will put onto letterhead and provide to Anne.

Anne will catch up with Brooke Leibelt re advertising after Walk the Yorke launch

YPCT on track for follow-up after Christmas

SA motor will also be happy to advertise, Anne will continue to follow up

CEO has approved advertising on website and email. We require advertising content from working party.

Action: David to send Anne previous advertising from 2014 for review.

2.2 Sponsorship:

Nothing heard back from ANZ Bank for sponsorship, unlikely to offer sponsorship of \$1,000.

Action: David will follow up again.

Sponsorship is around \$6000 at this time (\$10,000 was budgeted)

Discussion on prizes and lowering prize costs to accommodate shortfall

David reviewed budget and advised possible expenditure forecast

Rachel to get more sponsorship forms for Alan Headon to secure more sponsorship

Port Pirie looking into more judges, Anne will follow up.

2.3 SA Life Magazine:

Brenda Bowman wants to talk to Jo Barrie who no longer works for YP Tourism as discussed in email sent to David. Anne to make contact with Brenda.

2.4 Demonstrating Artists:

Anne looking to secure more demonstrating artists. Letter reviewed at meeting and will be updated and passed on to Anne for distribution.

Reference Brenda Bowmans email, this may be Roger Saunders last exhibition due to ill health.

2.5 Judges:

Anne making contact with Artists Almanac and Australia Wide Artist pallet to secure judges

2.6. Previous advertisers

Previous advertisers will be approached

2.7. Opening night invitations:

Invitation only for attendance at opening night

Suggestions for updating opening night invitation and to highlight major sponsors

Need list of identified invitees

2.8. Review of screens

Alan will confirm that all screens are available and in good working order within the next week.

2.9 Review of date and day of next meeting.

20th Jan 2016.

2.10 School entry forms:

A new entry form to accommodate open entry for school students whom reside in the area, but attend schools outside the area is yet to be drafted. School has now finished for the year.

A form will be drafted in the meantime and will be addressed again in the New Year when school resumes.

2.11 Email from Rachel:

Anne to provide Rachel her letter for progress so it may be put on letterhead ready for distribution

2.12 Letter to Bruce for approval

Anne will have discussion with Bruce as he has made contact with her via phone. A letter will not be sent at this time.

ITEM 3 FINANCE

3.1 Banked money for raffle \$180.00

3.2 Nil expenditure

3.3 Clarification of the process for collecting sponsorship – to be invoiced by Council staff in early Feb 2016.

ITEM 4 NEW BUSINESS

4.1 Entries online:

Agreed that forms to be updated from last year and used on website for 2016

Anne to speak to Stewart in regards to what details are required on the forms

4.2 Email re Bar Service

Reference Brenda Bowmans email:

David has confirmed that a liquor licence is required and that Responsible Service of Alcohol (RSA) qualified person is also required at the function. Staff with RSA qualification will be approached, however, they are not obligated to attend. We still need to confirm if Ashleigh Bowman will be involved.

4.3 Selling of raffle tickets:

Anne requested more people to offer selling raffle tickets. Books were handed to David Harding and Cr Alan Headon

Irene asked about requirements for selling tickets in the Main Street.

Action: David will follow up with Development and advise Irene of outcome.

ITEM 5 NEXT MEETING

Wednesday 20th January 2016 at 2:00pm in the Maitland Council Office.

ITEM 6 CLOSE.

The meeting closed at 11.45 am

.....
Chairperson - Anne Eyles

DIRECTOR ASSETS & INFRASTRUCTURE SERVICES

IA/ITEM 4.5

1. CONSTRUCTION AND MAINTENANCE WORKS

(File Ref: 9.24.1.1)

PURPOSE

To provide a summary of capital and maintenance works undertaken within Assets and Infrastructure Services throughout the month preceding the January 2016 meeting of Council.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Key Theme/s: Sustainable Communities

1. Sustainable Infrastructure

Strategic Goal/s: 1.1 Provide infrastructure assets that are sustainable and safe

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

- Road construction and maintenance requirements have been undertaken on the following roads aligned with 2015/16 budget allocations:
 - Bramley Road (Edithburgh) Bitumen sealed
 - Clinton Road (2km bitumen sealed) Ongoing
 - Daly Head Road Ongoing
 - Gleeson Road Patch work
 - South Coast Road Patch work
 - White Hut Road Patch work
 - Wild Dog Hill Road Patch work
- Patrol Grading is ongoing throughout the district, in line with current schedules and techniques.
- Roadside vegetation clearance activities have been applied within the Hundreds of Clinton and Cunningham upon Pioneer Road.
- The following works / upgrades have been applied to our Community Wastewater Management Systems (CWMS) and Water Schemes:

CWMS

- Gravity drain maintenance **Ardrossan**
- Maintenance to gravity drains **Black Point**
- Maintenance to rising mains **Bluff Beach**
- Desludging pump station **Bluff Beach**
- Desludging pump station **Hardwicke Bay**

- Replacement of gravity drain
- Desludging of WWTP infrastructure
- Gravity drain maintenance

**Maitland
Port Vincent
Yorketown**

Water Schemes

- Multimedia filtration unit replaced
- Chlorine analysis unit replaced
- Repairs to supply line

**Desalination Plant
Desalination Plant
Port Rickaby**

All CWMS and Water Schemes are monitored with water quality testing in accordance with SA Health and Environmental Protection Authority (EPA) licence conditions.

- With completion of the Walk the Yorke project and complimenting the official opening staff were involved in setting up for the opening and clean up after the successful event. Well done to all concerned.
- Attention to parks, gardens and reserves was ongoing throughout the district. Additional to this camping reserves were also prepared for the festive influx.
- Beach access ramp (decking) was completed by staff at the Pine Point boat ramp area.
- Pressure cleaning of launching ramps was applied to the Black Point, Edithburgh, Port Vincent and Stansbury facilities.
- Approximately 60 Customer Service Requests (CSRs) have been addressed throughout December with activities including:
 - attention to coastal infrastructure;
 - driveway installation;
 - maintenance to public buildings;
 - replacement of signs and traffic control devices;
 - response to vandalism; and
 - roadside vegetation clearance.
- Landscaping of the area adjacent to the memorial wall at Point Turton was completed by staff.
- Jetpatching has been completed within areas of Ardrossan, Balgowan, James Well, Maitland, Price and Tiddy Widdy Beach.
- New handrail has been installed at the Point Turton swimming beach.

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Infrastructure Manager
- Operations Manager
- Works Manager
- Operations Coordinator
- Leading Worker Central
- Leading Worker North

- Leading Worker South
- Works Supervisor North
- Works Supervisor South

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Within capital and operations budgets

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Nil

ATTACHMENTS

None associated with this report

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

1. INSPECTORIAL ACTIVITY REPORT

(File Ref: 9.24.1.1)

PURPOSE

To inform Council of the activities of the Inspectorial Team.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Key Theme/s: Corporate Governance and Leadership
2. Organisational Efficiency and Resource Management
Strategic Goal/s: 2.3 Meet all legislative and compliance responsibilities

BACKGROUND

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

DISCUSSION

Council's Inspectors have dealt with many routine matters during the past month including, illegal campers, abandoned vehicles, wandering and nuisance dogs and noisy dogs.

Three registered dogs were collected wandering at large and immediately returned to their owners, who were cautioned for their dogs wandering at large.

An Ardrossan resident was expiated after her dog was seen roaming the streets some distance from her house whilst a further dog complaint is being addressed regarding a barking dog in Ardrossan.

Several sheep have been attacked on a property at Parsons Beach. A neighbour's dog, which regularly escapes, has been seen previously in the paddock, but the owner of the dog denied any knowledge of the attack or that their dog had escaped, therefore insufficient evidence was available to take further action.

Two dogs, owned by a resident of the Marion Bay Caravan Park attacked a small dog that was walking on the beach adjacent to the caravan park. As a result of the attack, the small dog required veterinary assistance, the costs of which were immediately paid by the owner of the attacking dogs. An Expiation Notice was issued to the owner of the offending dog, whilst the owner of the small dog was issued with an Expiation Notice for owning an unregistered dog.

Council staff are continuing to focus on maintaining the accuracy of the Unregistered Dog Register to ensure that all dogs in the area are registered. Enquiries reveal that many of the dogs have died, or the dogs and their owners have left the area. As a result of the enquiries, ten dog owners have been issued an Expiation Notice for keeping an unregistered dog.

A patrol of the Stansbury Seaside Markets was conducted on New Year's Eve, paying particular attention to dog behaviour. As this day was a total fire ban day a Schedule 10 permit pursuant to the Fire and Emergency Services Act was issued to enable the fireworks display to proceed. The signage advertising the dry area was also strategically placed at various locations advising of the dry area.

Complaints were received in relation to a Foul Bay resident pushing his building waste out onto an adjoining Council reserve. Upon attending the location, the alleged offender was given a \$315 Expiation Notice and later removed the materials from the reserve.

Routine patrols of boat ramps have been performed to ensure that users are paying to use the facilities. Five notices were placed on vehicles not displaying a permit or ticket at various launching facilities. It was requested that they produce a ticket to Council or risk receiving an Expiation Notice. A very low percentage of the users of these facilities do not display a ticket.

Random patrols have occurred at the Gleasons Landing and Burners Beach bush camping reserves to ensure users are paying for the facilities. Council Rangers have collected \$1,000 in camping fees from campers who had not paid their fees prior to setting up their camp. The monitoring of the camping sites during the busy periods is extremely difficult as the Ranger has no way of knowing who has paid the appropriate fee. This issue will be addressed during the camping review which is to commence shortly. Council Rangers also collected \$2,550 from the various shops that issued camping permits.

Council Rangers routinely patrol all townships for traffic management, including foot patrols, paying particular attention to disabled parking and vehicles parking on yellow lines. Two drivers have been cautioned for not displaying a disabled parking permit whilst four motorists were given an Expiation Notice for parking adjacent to a continuous yellow line.

A contractor was engaged to slash 15 properties that had not complied with the S105 Notice issued pursuant to the Fire and Emergency Services Act. The cost of the slashing, plus an administration fee of \$105 was added to the property as an outstanding debt and an invoice was sent to the property owner. Four property owners who have previously not complied with a S105 notice were issued with a \$315 Expiation Notice for failing to reduce the threat of fire, whilst the other eleven property owners were advised that if they fail to appropriately reduce the fuel loads on their land in the future, they may receive a \$315 Expiation Notice.

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Inspectorial Staff

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

Not applicable

BUDGET AND RESOURCE IMPLICATIONS

Routine inspectorial activities are contained within the 2015/16 Annual Business Plan

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Fire and Emergency Services Act 2005

Dog and Cat Management Act 1995

Local Government Act 1999

The activities undertaken by Council Rangers are based on reducing the risk of nuisance, injury, public damage and disaster to the community.

ATTACHMENTS

Nil

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

2. ENVIRONMENTAL HEALTH ACTIVITY REPORT

(File Ref: 9.24.1.1)

PURPOSE

To inform Council of the activities of the Environmental Health Officer (EHO).

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Key Theme/s: Corporate Governance and Leadership
2. Organisational Efficiency and Resource Management
Strategic Goal/s: 2.3 Meet all legislative and compliance responsibilities

BACKGROUND

This report provides Elected Members with information on matters relating to public health and food safety.

DISCUSSION

A major portion of the EHO role is the ongoing assessment of waste control applications and the inspection of work done by trade's people in installing such systems.

Routine and follow up inspections of food businesses are undertaken throughout the year. Inspections are unannounced (as far as practical) and their frequency is determined by a state wide risk classification tool.

On Tuesday 1st December, 2015 a food safety training session was held in the Minlaton Council Chambers. The session was run by TAFE SA under funding received to assist in training people from the food industry about correct food handling and hygiene, along with their legislative responsibilities. Due to the funding, the session was free to participants and twenty people attended at Minlaton. They came from various townships including Warooka, Brentwood, Corny Point, Port Victoria and Minlaton. The session went for approximately 3 hours and participants found it relevant and informative. On completion of a written test they will receive a certificate for a unit of the *Hygienic Practices for Food Safety* course.

The annual summer season inspections of local swimming pools began in early November. Swimming pools on Yorke Peninsula are associated with caravan parks, motel accommodation and the Maitland Area School. The pools appear to be competently managed, with the pool operators understanding the reason why good maintenance and disinfection is important for public health. Proper management relies on the pool operator gaining a good knowledge of their particular pool so they can make appropriate adjustments when required.

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Environmental Health Officer

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

Not applicable

BUDGET AND RESOURCE IMPLICATIONS

Council has mandatory legislative responsibilities as identified in the 2015/2016 Annual Plan.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

South Australian Public Health Act 2011

Food Act 2001

South Australian Public Health (Wastewater) Regulations 2013

On-site Wastewater Systems Code

Safe Drinking Water Act 2011

Mitigation of Council's risk by ensuring legislative compliance, consistency and appropriate, suitably qualified personnel are undertaking business and regulatory functions.

ATTACHMENTS

Nil

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

3. DEVELOPMENT APPLICATION DECISIONS

(File Ref: 9.24.1.1)

PURPOSE

To inform the Elected Members of Development Application decisions for the period 30 November 2015 to 24 December 2015.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Key Theme: Sustainable Communities
2. Progressive and Sustainable Development
Strategic Goal: 2.2 Streamlined Development Assessment Process

BACKGROUND

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

DISCUSSION

The following is a list of all Development Applications processed for the period 30 November 2015 to 24 December 2015.

Yorketown

544/1144/2015	544/1167/2015	544/1169/2015
544/1172/2015	544/1185/2015	544/1186/2015
544/1189/2015	544/1194/2015	544/1200/2015
544/1207/2015	544/1212/2015	544/1217/2015
544/1219/2015	544/1225/2015	544/1226/2015
544/1231/2015	544/1233/2015	544/1234/2015
544/1235/2015	544/1236/2015	544/1237/2015
544/1238/2015	544/1240/2015	544/1241/2015
544/1243/2015	544/1244/2015	544/1248/2015

Maitland

544/2156/2014	544/2059/2015	544/2103/2015
544/2127/2015	544/2152/2015	544/2160/2015

544/2187/2015	544/2188/2015	544/2197/2015
544/2191/2015	544/2199/2015	544/2202/2015
544/2203/2015	544/2208/2015	544/2215/2015
544/2217/2015	544/2219/2015	544/2222/2015
544/2226/2015	544/2229/2015	544/2230/2015
544/2231/2015	544/2234/2015	544/2235/2015
544/2237/2015	544/2238/2015	544/2239/2015
544/2241/2015	544/2244/2015	544/2246/2015
544/2248/2015	544/2250/2015	544/2254/2015
544/2261/2015		

Land Division

544/D011/2015	544/D016/2015	544/D023/2015
---------------	---------------	---------------

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Planning & Building Officers

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Local Government Act 1999

Development Act 1993

Council's Development Plan

Development Assessment functions involve critical risk management considerations which include meeting legislative responsibilities, environmental issues, impact upon community and safety.

ATTACHMENTS

Attachment 1: Development Application Decisions Register

**LIST OF DEVELOPMENT APPLICATIONS & DECISIONS ISSUED BY THE ASSISTANT BUILDING SURVEYOR UNDER DELEGATION
FOR THE PERIOD 30 NOVEMBER 2015 – 24 DECEMBER 2015**

YORKETOWN

Dev. App. No.	Name & Address	Location	Proposal	Class	Area m ²	Cost \$	Conditions Planning Building	Assessment / Valuation No	Decision Date	Builder & Licence No
544/1144/2015	M Hansen PO Box 5 SEACLIFF PARK	(Lot 22) 9 Neptune Court POINT TURTON	New Dwelling, Alfresco & Garage	1a 10a 10a	193.94 97.35 120	300,000	Planning 10 Building 2 Private Certifier	425991 5401034503	8 Dec 2015	TBA
544/1167/2015	T Williams PO Box 151 ONE TREE HILL	(Lot 630) 16 Ceres Street STANSBURY	Dwelling Extension	1a	71.4	80,000	Planning 1 Building 1 Private Certifier	206680 5404691007	2 Dec 2015	TBA
544/1169/2015	B & P Maywald PO Box 102 YORKETOWN	(Lot 11) 14 Bayview Road POINT TURTON	Dwelling Addition, Carport & Deck	1a 10a 10a	120 37.51 73	305,000	Planning 5 Building Nil Private Certifier	110148 5400783107	8 Dec 2015	Aldenhoven Homes BLD269097
544/1172/2015	J & S Paholski 103 Seventh Ave JOSLYN	Lot 10 Chenoweth Crescent PARSONS BEACH	Verandah/Deck	10a	29.6	5,000	Planning 3 Building 2	321000 5408971698	21 Dec 2015	Owner Builder
544/1185/2015	D Healey PO Box 67 CORNLY POINT	(Lot 51) 218 Cornly Point Rd CORNLY POINT	New Dwelling, Deck & Carport	1a 10a 10a	172 61 18	90,000	Planning 7 Building 2	432484 5400661100	17 Dec 2015	Owner Builder
544/1186/2015	B & C Walker 44 Johns Road PROSPECT	(Lot 15) 12 Dease Street COOBOWIE	Two Storey Dwelling, Verandah & Deck	1a 10a 10a	167.13 17.22 29.42	190,891	Planning 5 Building Nil Private Certifier	433128 5405681425	8 Dec 2015	Longridge Group Pty Ltd BLD175837
544/1189/2015	S & J Workman 21 Fourth Street WOOL BAY	(Lot 500) 21 Fourth Street WOOL BAY	Carport	10a	63	9,500	Planning 3 Building 2	433409 5405873208	15 Dec 2015	D Barrett BLD265255
544/1194/2015	Eldercare Inc 247 Fullarton Road EASTWOOD	(PTS 360) 2 Pioneer Street STANSBURY	Refurbish Bedrooms & Wet Areas	1a	277	145,000	Planning 2 Building 3 Private Certifier	408401 5404698807 A0000	10 Dec 2015	TBA
544/1200/2015	G & M White PO Box 84 PORT VINCENT	(Lot 12) 1 Parsons Beach Rd PARSONS BEACH	New Dwelling, Deck & Verandah	1a 10a 10a	133.84 10.96 24.5	195,288	Planning 7 Building Nil Private Certifier	429100 5408972762	7 Dec 2015	Country Living Homes BLD194214
544/1207/2015	G & M White PO Box 84 PRT VINCENT	(Lot 12) 1 Parsons Beach Rd PARSONS BEACH	Garage	10a	54	7,750	Planning 1 Building 2	429100 5408972762	7 Dec 2015	TBA
544/1212/2015	R & A Wheeler PO Box 126 STANSBURY	(Lot 11) 42a Gulfview Road STANSBURY	Garage	10a	37.76	10,000	Planning 5 Building 2	208397 5404781803	2 Dec 2015	Dalton Concrete BLD196836

544/1217/2015	N & P Nietz 6 Henry Martin Square MAGIL	(Sec 322) 46 Foreshore Road HARDWICKE BAY	Retaining Wall	10b	57	20,000	Planning 3 Building 1	323378 5408980164	8 Dec 2015	TBA
544/1219/2015	R Johnson RMD Dowlingville Via KADINA	(Lot 62) 6a Third Street ARDROSSAN	New Dwelling	1a	315	250,000	Planning Nil Building 3 Private Certifier	430140 4600209050	14 Dec 2015	TBA
544/1225/2015	L & J Treloar 11 Victoria Street YORKETOWN	(Lot 69) 11 Victoria Street YORKETOWN	Verandah/ Carport	10a	60.94	11,860	Planning 1 Building 1 Private Certifier	204487 5403666504	2 Dec 2015	Wingard Building Services
544/1226/2015	C & J Thyer PO Box 17 WAROOKA	(Lot 859) 30 Main Street WAROOKA	Garage	10a	42.83	8,000	Planning 1 Building 2	100933 5400294004	2 Dec 2015	A Golja BLD56065
544/1231/2015	S & B Wormald 12 Expedition Drive HEWETT	(Sec 1242) 32 Osprey Drive MARION BAY	Pergola & Deck	10a	36.57	6,000	Planning 2 Building 2	120436 5400943051	15 Dec 2015	Owner Builder
544/1233/2015	W Briancourt PO Box 109 YORKETOWN	(Lot 12-13) 961 Stansbury Road OAKLANDS	Carport	10a	63	7,300	Planning 2 Building 2	218347 5406121008	10 Dec 2015	Owner Builder
544/1234/2015	J & K Mewett PO Box 1063 GAWLER	(Lot 204) 69 Beach Road COOBOWIE	Garage	10a	18.92	4,000	Planning N/A Building 3	214957 5405673505	21 Dec 2015	Stratco BLD9500
544/1235/2015	Edithburgh Museum Post Office EDITHBURGH	(Lot 285) 5-7 Edith Street EDITHBURGH	Storage Shed	9b	111	12,000	Planning 4 Building 3	210500 5405040003	17 Dec 2015	A & B Searle Builders BLD180128
544/1236/2015	Yorke Peninsula Council PO Box 57 MAITLAND	(Lot 104) 144 Bayview Road POINT TURTON	Walk the Yorke Scenic Frame	10b	3.72	6,185	Planning 1 Building 1	102053 5400452850	23 Dec 2015	Advance Plastic Recycling
544/1237/2015	Yorke Peninsula Council PO Box 57 MAITLAND	(Lot 1) 3 Jetty Road MARION BAY	Walk the Yorke Scenic Frame	10b	3.72	6,185	Planning 1 Building 1	117267 5400931202	23 Dec 2015	Advance Plastic Recycling
544/1238/2015	S Bishop PO Box 230 YORKETOWN	(Lot 4) 34 Stansbury Road YORKETOWN	Carport	10a	46.8	6,390	Planning 1 Building 2	201178 5403411000	17 Dec 2015	Goody Home Maintenance
544/1240/2015	Higgins Engineering Pty Ltd PO Box 148 YORKETOWN	(Lot 21) 7 Depot Road MINLATON	Change of Land Use: Storage to Engineering (Light Industry)	8	240	Nil	Planning 4 Building 1	304030 5407851053	18 Dec 2015	Owner Builder
544/1241/2015	D & H Croser PO Box 76 MINLATON	(Lot 129) 6 West Terrace MINLATON	Demolish Existing Dwelling	1a	100	1,000	Planning N/A Building 7	301143 5407605004	17 Dec 2015	Owner Builder

544/1243/2015	M & N Jolly PO Box 240 STANSBURY	(Lot 625) 16 St Vincent Highway STANSBURY	Garage	10a	54	5,000	Planning 5 Building 3	205187 5404568156	21 Dec 2015	Goody's Home Maintenance BLD181416
544/1244/2015	R Lienert PO Box 118 YORKETOWN	(Sec 26)1239 New Honiton Road HONITON	Hay Shed	7b	472.5	42,000	Planning 1 Building Nil	220699 5406228104	21 Dec 2015	TBA
544/1248/2015	Yorke Peninsula Council PO Box 57 MAITLAND	(Lot 20) 17 Willyama Drive MARION BAY	Amenity Block Verandahs x 2	10a	27.3 14.56	10,967	Planning 3 Building 2	118877 5400935211	21 Dec 2015	Tape Building Solutions BLD268298
TOTAL						\$1,735,316				

MAITLAND

Dev. App. No.	Name & Addresses	Location	Proposal	Classes	Area m ²	Cost \$	Conditions Planning Building	Assessment / Valuation No	Decision Date	Builder & Licence No
544/2156/2014	M Whatman PO Box 301 ECHUNGA	(Lot 12) 13 Edwards Street BLUFF BEACH	Two Storey Dwelling, Garage UMR & Balcony	1a 10a 10a	308.6 56.88 36.9	447,500	Planning 6 Building 4 Private Certifier	408781 5408773560	7 Dec 2015	Coast to Coast Homes BLD225824
544/2059/2015	D Lewig PO Box 91 PORT VICTORIA	(Lot 3) 37 Crampton Cres PORT VICTORIA	Enclose Lower Level & Rear Upper Deck	1a 10a	108.60 39.44	20,000	Planning 3 Building 1 Private Certifier	18721 4603276178	2 Dec 2015	TBA
544/2103/2015	J Reuther PO Box 527 EUCHUNGA	(Lot 11) 5 Ceres Court PORT VINCENT	Change of Use: Garage to Games Room & Games Room to Garage	1a 10a	35 39.7	20,000	Planning 7 Building 2	411017 5408496102	18 Dec 2015	TBA
544/2127/2015	LM Weir 46 Norseman Ave WESTBOURNE PARK	(Sec 394) 80 James Well Road JAMES WELL	New Dwelling, Deck/Verandah	1a 10a	134.8 60.88	163,188	Planning 12 Building Nil Private Certifier	33936 4604915470	21 Dec 2015	Longridge Group Pty Ltd BLD175837
544/2152/2015	R Hooper PO Box 467 RIVERTON	(Lot 143) 14 Hosking Road TIDDY WIDDY BEACH	Dwelling Alteration & Addition	1a 1a	62.3 64.1	150,000	Planning 5 Building 1 Private Certifier	8284 4600622901	7 Dec 2015	TBA
544/2160/2015	C & J Simpson PO Box 109 PORT VINCENT	(Lot 807) 33 Main Street PORT VINCENT	Garage	10a	54	8,490	Planning 1 Building 2	309070 5408336256	21 Dec 2015	John Hallas
544/2187/2015	A & S Gardner 22 Main Street MINLATON	Lot 1 HD Koolywurtie	New Dwelling, Garage UMR, Alfresco & Verandah	1a 10a 10a 10a	225 38.87 44.76 7.71	250,249	Planning 9 Building 1 Private Certifier	400374 5408767451	22 Dec 2015	Fairmont Homes Group Pty Ltd BLD188013

544/2188/2015	T Short & M Sayers 32 Walter Street MAITLAND	(Sec 21a) HD of WAURALTEE	Variation to 544/2065/2014 – Dwelling, Verandah & Pavillion	1a 10a 10a	291 160 36	400,000	Planning 9 Building 3	29157 4604646054	21 Dec 2015	TBA
544/2197/2015	N Dawson C/- Port Victoria Caravan Park PORT VICTORIA	(Site 56) 4-12 Victoria Terrace PORT VICTORIA	Caravan Annexe	1a	14.7	4,800	Planning 3 Building 10	15347 4603150604	2 Dec 2015	M Lampe BLD262044
544/2191/2015	L Short PO Box 47 CURRAMULKA	(Lot 804) 39 Main Street PORT VINCENT	Change of Use: Residential to Veterinary; Alterations & Signs	5	N/A	25,000	Planning 4 Building 1 Private Certifier	309104 5408336555	9 Dec 2015	TBA
544/2199/2015	R Correll PMB 11 KADINA	(Sec 612) 42 The Esplanade PORT CLINTON	Dwelling Extension & Pergola	1a 10a	3.8 30.5	20,000	Planning 5 Building 1 Private Certifier	44230 4607117385	7 Dec 2015	TBA
544/2202/2015	Marine Parade No 1 Pty Ltd 21 Shelley Street FIRLE	(Lot 66) 17 Marine Parade PORT VINCENT	Wall Mounted Sign	10b	5.265	1,700	Planning 2 Building 1	306456 5408159000	18 Dec 2015	Cutler Brands
544/2203/2015	N & D Kohlhagen PO Box 40 MAITLAND	(Lot 11) 6 Esplanade BALGOWAN	Decking including water storage	10a	31.69	14,600	Planning 2 Building 1	37127 4605112003	24 Dec 2015	Harvard Homes & Construction BLD162921
544/2208/2015	D Harvey PO Box 260 MAITLAND	(Lot 538) 17 Main Street BALGOWAN	Demolish Existing Shed; New Garage	10a 10a	95.4 84	15,730	Planning 7 Building 2	35519 4605029509	9 Dec 2015	T Keast BLD22575
544/2215/2015	L Geater-Johnson PMB 5 MAITLAND	(Sec 343) 721 Old Boundary Road WEETULTA	Garage	10a	69.16	5,620	Planning 5 Building 1 Private Certifier	46011 4607299000	9 Dec 2015	Alpha Industries BLD255973
544/2217/2015	S Hillier 23 High Street ARDROSSAN	(Lot 253) 23 High Street ARDROSSAN	Demolish Carport; New Carport, Verandah & Deck	10a 10a 10a 10a	41 44 17 17	10,000	Planning 3 Building 2 Private Certifier	4218 4600293482	16 Dec 2015	TBA
544/2219/2015	C & J Klæbe 68 Torrens Road RIVERTON	Lot 55 Black Point Road BLACK POINT	Demolish Existing Dwelling; New Dwelling, Deck & Carport	1a 1a 10a 10a	72 214 50.31 37.13	400,000	Planning 8 Building 1 Private Certifier	49239 4604905933	17 Dec 2015	BA
544/2222/2015	J & S Hammond PO Box 392 ARDROSSAN	(Lot 1) 49 Grahn Road JAMES WELL	Verandah, Deck & Ramp	10a 10a	18 33	10,000	Planning 5 Building 2 Private Certifier	413005 4604542079	17 Dec 2015	TBA

544/2226/2015	R Riley C/- Post office PORT CLINTON	(Lot 21) 1 Shore Street PORT CLINTON	Carport	10a	57.2	6,560	Planning 3 Building 2	425744 4606241026	21 Dec 2015	TBA
544/2229/2015	K Loughhead 19 Rose Court Highview Holiday Village ARDROSSAN	(PTS 73) Site 19 15a Highview Road ARDROSSAN	Verandah	10a	20	5,000	Planning 3 Building 2 Private Certifier	401794 4600297002 A0200	21 Dec 2015	TBA
544/2230/2015	R & K Francis PO Box 92 MAITLAND	(Lot 773) 23 Gardiner Terrace MAITLAND	New Dwelling & Garage	1a 10a	229 80.34	350,000	Planning 5 Building 1 Private Certification	11361 4601919002	17 Dec 2015	TBA
544/2231/2015	S Ryder PO Box 889 PORT PIRIE	(Sec 269) (Site 62) 4-12 Victoria Tce PORT VICTORIA	Caravan Annexe	1a	15.552	4,800	Planning 6 Building 1	15347 4630150604	22 Dec 2015	M Lampe BLD262044
544/2234/2015	N & C Wood 56 Tiddy Avenue MAITLAND	(Lot 4) 56 Tiddy Avenue MAITLAND	Carport Extension	10a	21.6	3,307	Planning 4 Building 2	14878 4602164094	16 Dec 2015	Robert Taylor BLD36375
544/2235/2015	D & R Murch 293 Waterloo Corner Road SALISBUY NORTH	(Sec 280) 43 Murch Road KOOLYWURTIE	Verandah	10a	159.96	41,940	Planning 2 Building 2 Private Certifier	317958 5408796762	21 Dec 2015	Creative Outdoors BLD192730
544/2237/2015	A & E Black 10 Blue Crab Court ARDROSSAN	(Lot 5) 10 Blue Crab Court ARDROSSAN	Pergola	10a	36	9,000	Planning N/A Building 2	429415 4600339760	7 Dec 2015	Brian Purcell BLD26742
544/2238/2015	Aboriginal Lands Trust - Housing SA GPO Box 292 ADELAIDE	(Sit PTP 200) 9-10 Narungga Avenue POINT PEARCE	Demolition of Dwelling & Verandah	1a 10a	102.48 100.76	14,614	Planning N/A Building 8	34710 4605020205	9 Dec 2015	S Maida
544/2239/2015	T & D Graham 13 Cane Avenue ARDROSSAN	(Lot 3) 13 Cane Avenue ARDROSSAN	Decking & Verandah	10a 10a	26.32 13.77	4,000	Planning 3 Building 2	5496 4600339305	9 Dec 2015	Owner Builder
544/2241/2015	S & D McInerney 19 Bowman Tce MAITLAND	(Lot 49) 19 Bowman Terrace MAITLAND	Swimming Pool & Fence	10b 10b	14.62 31.97	7,800	Planning N/A Building 6	421552 4602053140	10 Dec 2015	TBA
544/2244/2015	Aboriginal Lands Trust - Housing SA GPO Box 292 ADELAIDE	(Sit PTP 116) 25 Hughes Avenue POINT PEARCE	Demolition of Dwelling & Verandah	1a 10a	105 64.8	18,000	Planning N/A Building 8	34850 4605020440	7 Dec 2015	S Maida
544/2246/2015	Yorke Peninsula Council PO Box 57 MAITLAND	(PTS 34) 16-18 Marine Parade PORT VINCENT	Walk the Yorke Scenic Frame	10b	3.72	6,185	Planning 1 Building 1	306340 5408151008	24 Dec 2015	Advanced Plastic Recycling

544/2248/2015	Yorke Peninsula Council PO Box 57 MAITLAND	(Lot 78) 32 Cumberland Road PORT CLINTON	Public Toilet Block	10a	16	30,000	Planning 1 Building 2	41293 4606294005	18 Dec 2015	Williams Concrete Tanks
544/2250/2015	Violet Waters P/L PO Box 268 DAW PARK	(Lot 11) 6 Davey Road ROGUES POINT	Garage with Toilet & Shower	10a	10a	12,000	Planning 7 Building 2	33563 4604912965	22 Dec 2015	Corporate Construction & Maintenance Services BLD198916
544/2254/2015	Hoyle Properties Pty Ltd PO Box 62 MINLATON	(Sec 31) 64 Goldsworthy Rd CURRAMULKA	Grain Shed & Implement Shed	7b 7b	963 806	470,000	Planning 1 Building 3	312421 5408521005	21 Dec 2015	Alan Conley GL41868
544/2261/2015	A Jackson PO Box 214 MEADOWS	(Lot 12) 1 Centenary Avenue MAITLAND	Demolition of Existing Garage	10a	54	2,500	Planning N/A Building 8	13912 4602083500	23 Dec 2015	Owner Builder
TOTAL						\$2,952,583				

LAND DIVISIONS

Dev. App. No.	Name & Address	Location	Proposal	Conditions Planning Building	Assessment / Valuation No	Decision Date
544/D011/2014	W & S Madden c/- Fyfe Pty Ltd GPO Box 2450 ADELAIDE	Lot 36 & 37) 5 Edwin Street YORKETOWN	Land Division	Planning 1 Land Division 4	203430 5403576103	27 November 2015
544/D016/2015	Yorke Peninsula Council C/- Mosel Steed 6 Graves Street KADINA	(PTL 152) 53 Main Street PORT VINCENT	Land Division	Planning 1 Land Division 3	308379 5408296207 A0010	30 November 2015
544/D023/2015	D & A Plunkett, P Smith & L & M Phillips C/- Mosel Steed 6 Graves Street KADINA	(Lots 12, 25 & 26) 3, 5 & 7 Lime Kiln Road PORT VINCENT	Land Division	Planning 1 Land Division 1	311225 5408442315	15 December 2015

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

4. WASTEWATER SYSTEM APPLICATION DECISIONS

(File Ref: 9.24.1.1)

PURPOSE

To inform the Elected Members of Wastewater Application decisions for the period 30 November 2015 to 24 December 2015.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Key Theme/s: Sustainable Communities
2. Progressive and Sustainable Development
Strategic Goal/s: 2.2 Streamlined Development Assessment 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 30 November 2015 to 24 December 2015.

Maitland

050/119/2014	050/067/2015	050/098/2015
050/101/2015	050/110/2015	050/112/2015
050/115/2015	050/120/2015	050/124/2015
050/125/2015	050/123/2015	

Yorke town

050/084/2015	050/103/2015	050/105/2015
050/109/2015	050/119/2015	050/126/2015
050/127/2015	050/128/2015	

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Environmental Health Officer

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Local Government Act 1999

Development Act 1993

Environmental Protection Act 1993

Council's Development Plan

Wastewater System approval functions involve critical risk management considerations which include meeting legislative responsibilities, environmental issues and public health.

ATTACHMENTS

Attachment 1: Wastewater Application Decision Register

**LIST OF WASTE CONTROL APPLICATIONS & DECISIONS ISSUED BY THE ENVIRONMENTAL HEALTH OFFICERS UNDER DELEGATION
FOR THE PERIOD 30 NOVEMBER 2015 – 24 DECEMBER 2015**

Maitland

Septic App. No.	Owner	Location	Proposal	Conditions	Assess. No	Decision Date	Plumber & Licence No
050/119/2014	M Whatman PO Box 301 ECHUNGA	(Lot 12) 13 Edwards Street BLUFF BEACH	Sewer Connection	11	408781	7 December 2015	Moonta Plumbing & Gas
050/087/2015	R Hooper PO Box 467 RIVERTON	(Lot 143) 14 Hosking Road TIDDY WIDDY BEACH	Septic & Soakage	11	8284	7 December 2015	Owner Applicant
050/098/2015	L Short PO Box 47 CURRAMULKA	(Lot 804) 39 Main Street PORT VINCENT	Septic & Soakage	11	309104	10 December 2015	Owner Applicant
050/101/2015	D Harvey 17 Main Street BALGOWAN	(Lot 538) 17 Main Street BALGOWAN	Septic & Soakage	11	35519	10 December 2015	SA Allen Plumbing
050/110/2015	L Weir 46 Norseman Avenue WESTBOURNE PARK	(Sec 394) 80 James Well Road JAMES WELL	Aerobic System	11	33936	21 December 2015	Tim Woods
050/112/2015	J Klaebe 68 Torrens Road RIVERTON	Lot 55 Black Point Drive BLACK POINT	STED Connection	11	49239	21 December 2015	Owner Applicant
050/115/2015	R & K Francis PO Box 92 MAITLAND	(Lot 773) 23 Gardiner Terrace MAITLAND	STED Connection	11	11361	18 December 2015	Owner Applicant
050/120/2015	Yorke Peninsula Council PO Box 57 MAITLAND	(Lot 78) 32 Cumberland Road PORT CLINTON	Septic & Soakage	11	41293	2 December 2015	Van Schaik Plumbing & Tiling Pty Ltd
050/124/2015	R Johnson RMD Dowlingville KADINA	(Lot 62) 6a Third Street ARDROSSAN	STED Connection	11	430140	15 December 2015	Owner Applicant
050/125/2015	T Short & M Sayers 32 Walter Street MAITLAND	(Sec 21A) Hundred of Wauralte	Aerobic System	11	29157	21 December 2015	JBG Architects Pty Ltd
050/123/2015	A & S Gardner 22 Main Street MINLATON	Lot 1 Hundred of Koolywurtie	Septic & Soakage	11	400374	22 December 2015	Garrard Plumbing & Civil

Yorke town

Septic App. No.	Owner	Location	Proposal	Conditions	Assess. No	Decision Date	Plumber & Licence No
050/084/2015	T Williams PO Box 151 ONE TREE HILL	(Lot 630) 16 Ceres Street STANSBURY	Septic & Soakage	11	206680	2 December 2015	Owner Applicant
050/103/2015	G & M White PO Box 84 PORT VINCENT	(Lot 12) 1 Parsons Beach Road PARSONS BEACH	Aerobic System	11	429100	7 December 2015	Country Living Homes
050/105/2015	B & C Walker 44 Johns Road PROSPECT	(Lot 15) 12 Dease Street COOBOWIE	Septic & Soakage	11	433128	8 December 2015	Longridge Group
050/109/2015	Yorke town Hospital 19 Waterloo Bay Road YORKE TOWN	(Lot 301) 19 Waterloo Bay Road YORKE TOWN	CWMS Connection	11	202549	2 December 2015	Owner Applicant
050/119/2015	T & L Warren 29 Gillerton Terrace EDITHBURGH	(Lot 40) 29 Gillerton Terrace EDITHBURGH	Septic & Soakage	11	212993	2 December 2015	Hart Bros
050/126/2015	D Healey Box 19 CORNLY POINT	(Lot 51) 218 Cornly Point Road CORNLY POINT	Aerobic System	11	432484	17 December 2015	Owner Applicant
050/127/2015	M Hansen PO Box 5 SEACLIFF PARK	(Lot 22) 9 Neptune Court POINT TURTON	Sewer Connection	11a	425991	8 December 2015	Godstrey Smith Design
050/128/2015	B & P Maywald PO Box 102 YORKE TOWN	(Lot 100) 14 Bayview Road POINT TURTON	Septic & Soakage	11	110148	8 December 2015	Peninsula Plumbing

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

5. ANIMAL MANAGEMENT

(File Ref: 9.24.1.1)

PURPOSE

To inform Elected Members of the proposed legislative amendments to the Dog and Cat Management Act (the Act) and the review of Council's Animal of Management Plan.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Key Theme/s: Corporate Governance & Leadership
2. Organisational Efficiency and Resource Management
Strategic Goal/s: 2.3 Meet all legislative and compliance responsibilities

BACKGROUND

The Dog and Cat Management Act requires Councils to have a plan relating to the management of dogs and cats in their area. Council's current Animal Management Plan was approved by the Dog and Cat Management Board (the Board) on 25th June 2012 and expires on 25th June 2017. Council is legally required to present a revised Plan to the Board 6 months prior to the expiry of the current Plan.

The State Government has introduced amendments to the Act and it is expected that the Bill will be debated this year by State Parliament and later become law. The proposed changes will substantially impact on Councils, therefore the Board has advised Council (Attachment 1) that any Plan that is due to be reviewed must be lodged to the Board within 6 months of the legislative changes.

DISCUSSION

In 2015 the State Government undertook public consultation on the draft Dog and Cat Management (Miscellaneous) Amendment Bill 2015 for a period of 10 weeks. As a result of the consultation the Government established a Citizens Jury in relation to the proposed Bill, which made recommendations to the Minister, who later announced that mandatory desexing of dogs and cats would be incorporated into the draft Bill.

Some of the major changes being proposed are:

- Mandatory microchipping and desexing of cats and dogs
- Registration of breeders of dogs and cats
- Offence to sell a dog or cat unless by a registered breeder

Council staff had intentions to commence a review of the Animal Management Plan early this year so that it could meet the appropriate time frames and be adopted by Council and presented to the Board.

As these proposed legislative changes will significantly influence the management of dogs and cats in the Council area, the review of the Animal Management Plan will not commence until the legislative changes come into force.

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Senior Compliance Officer
- Rangers

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

The introduction of the proposed legislative changes to the Dog and Cat Management Act will increase the work load for Council staff involved in Dog and Cat Management.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Dog and Cat Management Act 1995.

Council's Animal Management Plan.

ATTACHMENTS

Attachment 1: Correspondence from the Dog and Cat Management Board regarding Plan of Management relating to dogs and cats and legislative amendments.

11 Dec 2015

9 December 2015

Mr Andrew Cameron
Chief Executive Officer
Yorke Peninsula Council
PO Box 88
MINLATON SA 5575

Dear Mr Cameron

Ref Number
9613-2015-4
Doc Number
1.3.2.1
Distribution
Copy to CEOEA



Government of South Australia
Dog and Cat Management Board

Level 1, 1 Richmond Road
Keswick SA 5035
GPO Box 1047
Adelaide SA 5001
Ph: 08 8124 4962
Fax: 08 8463 4818
ABN 48 100 971 189
www.dogandcatboard.com.au

RE: PLAN OF MANAGEMENT RELATING TO DOGS AND CATS AND LEGISLATIVE AMENDMENTS

As you may be aware, the State government introduced amendments to the *Dog and Cat Management Act 1995* (the Act) in to Parliament in November 2015. The Bill is available on the Parliament of South Australia website. The Bill will be debated and possibly passed by the State Parliament in 2016.

Changes to the Act may impose additional requirements on dog and cat owners and impact upon the statutory obligations of Councils. When the Bill is passed, the Board will work with all Councils on a range of dog and cat related issues, including updating 'Plans of Management relating to dogs and cats'.

We understand your Plan of Management relating to dogs and cats is due to be presented to the Board within the following 18 months and you may be considering starting the planning process to satisfy the timelines prescribed in section 26A(3)(b). The Board is mindful of the resources required in preparing plans and are eager to ensure that we minimize any unnecessary 'double-up' resulting from implementing legislative changes.

Whilst the Board does not have the power to exempt councils from section 26A (3)(b), the Board have indicated that they will be comfortable with a flexible approach, provided that councils are working towards the development of their updated Plans. The Board will help councils ensure their Plans are relevant for the subsequent five years. Included in this correspondence is a template Plan that includes the proposed changes to dog and cat management that should be considered in the drafting of a new Plan. Once the Bill has been passed, the Board will expect councils to present those Plans due within six months. Plans should aim to take effect within one year, following the legislative changes.

We will continue to liaise with the council staff in relation to the legislative amendment progress. The Board's Project Officer – Compliance, Ann Gee, is available to provide support in the provision of information and guidelines. For further information regarding this matter, please contact do not hesitate to contact me on 8124 4720 or via email andrew.lamb@sa.gov.au.

Yours sincerely

Andrew Lamb
Board Secretary

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

6. DEVELOPMENT PLAN AMENDMENT – BALGOWAN

(File Ref: 9.24.1.1)

PURPOSE

To inform Elected Members that the Balgowan Settlement Development Plan Amendment (DPA) Statement of Intent has been approved by the Minister.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

Key Theme/s: Sustainable Communities
2. Progressive & Sustainable Development
Strategic Goal/s: 2.1 Provide an effective and sustainable Development Plan

BACKGROUND

Council have previously considered it appropriate to review two parcels of land to the immediate south of the Balgowan Settlement for the purposes of accommodating an extension to the existing Settlement Zone.

At the meeting of Council held 13 May 2015, the Statement of Intent (SOI) was endorsed and the Chief Executive Officer was authorised to submit the SOI to the Minister for approval. DA/DS/R1 refers.

DISCUSSION

On the 7 December 2015, Council received confirmation that the Balgowan Settlement SOI provided by Council, forms a reasonable basis for the preparation of a DPA.

The proposed DPA provides the opportunity to review the appropriateness of the current zoning of the land in relation to the future expansion of the settlement, particularly as Council (being the landowner) has no intention of developing the land and has not received any approaches from independent operators to develop the land for tourist accommodation purposes.

Interestingly, the Minister advises that the States Planning Reform Agenda is a priority for the Department, however, DPA's that deliver infill and investment outcomes are given the highest priority.

Furthermore the Minister sought a commitment from Council, that the Council-owned land proposed for rezoning will be offered to market or otherwise progressed for development in the event that rezoning is completed. Confirmation that the land was being rezoned for that purpose was sent on to the Department on 14 December 2015.

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Chief Executive Officer
- Director Development Services

In preparing this report, the following External Parties were consulted:

- Department of Planning, Transport and Infrastructure

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Consistent with the 2014/2015 Budget

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Development Act

Development Regulations, 2008

Yorke Peninsula Urban Design Framework

ATTACHMENTS

Attachment 1: Correspondence from The Honourable Minister John Rau MP.

The Hon John Rau MP

9723695

- 7 DEC 2015

2 December 2015

Mr Andrew Cameron
Chief Executive Officer
District Council of Yorke Peninsula
PO Box 88
MINLATON SA 5575

Item Number
9465 - 2015 - 4
GDS Number
3 71.7.24
Distribution
copy to CEO EA



Government
of South Australia

Deputy Premier
Attorney-General
Minister for Justice Reform
Minister for Planning
Minister for Housing and Urban
Development
Minister for Industrial Relations
Minister for Child Protection
Reform
45 Pirie Street
ADELAIDE SA 5000
GPO Box 464
ADELAIDE SA 5001
Tel 08 8207 1723
Fax 08 8207 1736

Dear Mr Cameron

Thank you for the District Council of Yorke Peninsula's Balgowan Settlement Development Plan Amendment (DPA) Statement of Intent (SOI).

I agree that this SOI forms an appropriate basis for the preparation of the proposed DPA pursuant to section 25(1) of the *Development Act 1993* (the Act). A copy of the SOI is **attached**.

I am supportive of this proposed DPA as it seeks to provide additional residential land supply in Yorke Peninsula.

I also advise that implementation of the State's Planning Reform Agenda is a priority for the Department for Planning, Transport and Infrastructure (The Department). To enable this to occur I advise that there may be delays in the Department to process Council DPAs.

DPAs that deliver infill and investments outcomes are given the highest priority.

In this context, I seek from Council a commitment that the Council-owned land proposed for rezoning will be offered to market or otherwise progressed for development in the event that rezoning is completed. As you would appreciate, there will be no gain from rezoning if Council is not committed to have the land developed.

Please be aware that this DPA is not a high priority for the Department and accordingly no undertaking can be given as to the timing with which the Department will progress the matter.

For more information, please refer to the Department's *Technical Guide to Development Plan Amendments* via the Practitioner Information webpage during each stage of the DPA process to ensure that all legislative and technical requirements are met.

If you require any assistance or additional information, please contact Joel Edwards, Planning Officer, on 7101 8430 or by email Joel.Edwards@sa.gov.au.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Rau', with a large loop at the bottom.

John Rau
Deputy Premier
Minister for Planning

DEBATE

AGENDA

CHIEF EXECUTIVE OFFICER

DA/ITEM 6.1

1. NOMINATION JOHN LEGOE AWARD

(File Ref: 9.24.1.1)

PURPOSE

To seek Council approval to submit a nomination for Mayor Ray Agnew for the 2015/2016 John Legoe Award.

RECOMMENDATION

That Council nominate Mayor Ray Agnew for the 2015/2016 John Legoe Award prior to the closing date.

LINK TO STRATEGIC PLAN

Not applicable

DISCUSSION

The Local Government Association has advised that nominations for the John Legoe Award must be endorsed by Council prior to submission.

If Council agree to nominate Mayor Ray Agnew staff will complete the nomination form and submit it to the LGA prior to the deadline.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Not applicable.

ATTACHMENTS

Nil

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

1. FINANCIAL REPORT 31ST DECEMBER 2015

(File Ref: 9.24.1.1)

PURPOSE

For Council to receive the financial report and review of capital projects dated 31st December 2015.

RECOMMENDATION

That Council receive the financial reports as at 31st December 2015.

LINK TO STRATEGIC PLAN

Key Theme/s: Corporate Governance and Leadership
2. Organisational Efficiency and Resource Management
Strategic Goal/s: 2.1 Financially sustainable organisation

BACKGROUND

A Financial Report and a Capital Projects Report detailing projects over \$50,000 is presented by Finance staff to monthly Council meetings. These reports encompass results to the end of each calendar month preceding each scheduled Council meeting.

DISCUSSION

The attached financial reports are submitted with the following qualifications and comments:

- Actuals included in the reports are as incurred at close of business on the last day of the month being reported and may be subject to balance day adjustments – any such adjustments will be incorporated in the following monthly report.
- The reports do not include year-end income and expense accruals.

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Corporate Management Team
- Acting Manager Financial Services
- Operations Manager
- Works Manager
- Corporate Services Officer
- Infrastructure Manager

- Manager Business and Public Relations

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

PO 142 Budget Reporting and Amendment Policy

BUDGET AND RESOURCE IMPLICATIONS

In conjunction with the adoption and enforcement of the Budget Reporting and Amendment Policy the Financial Report presented to Council monthly will assist in formal assessment of Council's financial position and contribute significantly to both Financial and Risk Management procedures.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Local Government Act 1999

Local Government (Financial Management) Regulations 2011

Council's Strategic Plan includes clear plans to ensure better and timely reporting and improved formal control of Council's Adopted Budget and the Budget Review process.

ATTACHMENTS

Attachment 1: Uniform Presentation of Finances at 31st December 2015

Attachment 2: Capital Projects Report for Council at 31st December 2015 (Projects over \$50,000)

Yorke Peninsula Council

Uniform Presentation of Finances as at 31st December 2015

Income	-\$23,081
Less Expenses	\$9,835
Operating Deficit before Capital Amounts	-\$13,246
Less Net Outlays on Existing Assets	
Capital Expenditure on renewal and replacement of Existing Assets	\$2,205
Less Depreciation, Amortisation and Impairment	
Less Proceeds on Sale of Assets	-\$291
	\$1,914
Less Net Outlays on New and Upgraded Assets	
Capital Expenditure on New and Upgraded Assets	\$1,845
Less Amounts received specifically for New and Upgraded Assets	-\$1,387
	\$458
NET(LENDING) / BORROWING FOR FINANCIAL YEAR	-\$10,874

2015/16 YTD Actuals \$'000
</

2015/16 Full Year Adopted Budget \$'000	2015/16 Full Year Budget Revisions \$'000	2015/16 Full Year Revised Budget \$'000
-\$26,699	-\$114	-\$26,813
\$29,450	\$109	\$29,559
\$2,751	-\$5	\$2,746
\$7,707	\$623	\$8,330
-\$8,700	\$0	-\$8,700
-\$377	\$0	-\$377
-\$1,370	\$623	-\$747
\$3,479	\$2,067	\$5,546
-\$2,310	-\$1,280	-\$3,590
\$1,169	\$787	\$1,956
\$2,550	\$1,405	\$3,955

2015/2016 Capital Budget
Projects Over \$50,000

		New	Renewal	Scheduled Start	Scheduled Finish	Spent To Date		% Physically Complete	Reviewed
						New	Renewal		Y/N
Buildings	TOTAL BUILDINGS BUDGET	\$713,789	\$978,990			\$197,912	\$34,390		
	Maitland Hall - Concrete Cancer		\$282,990	Nov-15	Jun-16		\$55	20.00%	Y
	Office Expansion Project (New)	\$118,789		Jul-15	Dec-15	\$104,864		98.00%	Y
	Port Vincent Caravan Park - New Cabins	\$200,000		Apr-16	Sep-16	\$0		0.00%	Y
	Port Vincent Caravan Park - Oz Shacks	\$95,000		Aug-15	Dec-15	\$92,398		100.00%	Y
	Point Turton Caravan Park - New Cabins	\$200,000		Jul-15	Jun-16	\$325		10.00%	Y
	Office Expansion Project (Renewal)		\$60,000	Jul-15	Dec-15		\$0	98.00%	Y
	Marion Bay Caravan Park - New Cabins		\$350,000	Jul-15	Jun-16		\$0	10.00%	Y
	Point Turton Caravan Park - New Cabins		\$200,000	Jul-15	Jun-16		\$0	10.00%	Y
CWMS	TOTAL CWMS BUDGET	\$117,000	\$153,000			\$2,176	\$30,005		
Water	TOTAL WATER BUDGET	\$27,000	\$0			\$13,596	\$0		
Transportation	TOTAL TRANSPORTATION BUDGET	\$2,695,072	\$5,335,541			\$510,154	\$996,731		
	S2 Rubble Raising	\$200,000		Jul-15	Jun-16	\$0		0.00%	N
	S3 Reseals		\$130,000	Jul-15	Jun-16		\$12,064	100.00%	N
	S6 McCauley Road		\$116,752	Dec-15	Feb-16		\$63,687	0.00%	N
	S8 Nalyappa Road		\$123,880	Aug-15	Apr-16		\$105,139	85.00%	Y
	S9 North South Road		\$111,398	Apr-16	Jun-16		\$47,347	0.00%	N
	S11 Saint Road		\$101,002	Sep-15	Apr-16		\$89,863	75.00%	Y
	S14 McFarlane Road		\$76,800	Aug-15	Sep-15		\$55,575	100.00%	N
	S16 Brutus Road		\$184,430	Sep-15	Nov-15		\$173,276	100.00%	Y
	S18 Daly Head Road		\$219,206	Oct-15	Dec-15		\$193,051	100.00%	N
	S19 Dump Road		\$137,017	Apr-16	May-16		\$0	0.00%	N
	S20 Old Coast Road		\$156,316	May-16	Jun-16		\$0	0.00%	N
	S21 Old Port Vincent Road		\$175,749	May-16	Jun-16		\$0	0.00%	N
	S22 Recluse Road		\$95,375	Mar-16	Apr-16		\$0	0.00%	N
	S23 South Coast Road		\$189,949	Jul-15	Sep-15		\$247,441	100.00%	N
	S24 Waterloo Bay Road		\$50,129	Jan-16	Feb-16		\$0	0.00%	N
	S25 Wattle Point Road		\$84,564	Mar-16	Apr-16		\$0	0.00%	N
	S27 Clinton Road (subject to funding approval)	\$2,248,000		Oct-15	Apr-16	\$403,787		45.00%	Y
	S30 Transport acceleration		\$3,000,000	TBA	TBA		\$0	0.00%	N
	E1 Harmer Road		\$88,996	Apr-16	Jun-16		\$0	0.00%	N
	E3 Weavers Road North		\$111,660	Feb-16	Apr-16		\$0	0.00%	N
	E5 Fourth Street, Arthurton	\$80,003		Mar-16	Apr-16	\$13,191		0.00%	Y
	E8 Bramley Road, Edithburgh	\$79,069		Oct-15	Dec-15	\$57,373		100.00%	N
	E10 Cutline Road		\$67,322	Jun-16	Jun-16		\$24	0.00%	N
	E13 Footpath - Elizabeth Street, Maitland	\$50,000		Aug-15	May-16	\$30,909		100.00%	Y
	E18 Polkinghorne Road		\$89,997	Jul-15	Apr-16		\$9,265	25.00%	N

Yorke Peninsula Council
Council Agenda
Wednesday 20th January 2016

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

2. 2016/2017 ANNUAL BUSINESS PLAN AND BUDGET PREPARATION TIMETABLE

(File Ref: 9.24.1.1)

PURPOSE

The development of Council's Annual Business Plan and Budget requires co-ordination of the efforts of Council and Council staff to ensure compliance with legislative requirements.

RECOMMENDATION

Council adopt the attached 2016/2017 Annual Business Plan and Budget Preparation Program.

LINK TO STRATEGIC PLAN

Key Theme/s: Corporate Governance and Leadership
2. Organisational Efficiency and Resource Management
Strategic Goal/s: 2.1 Financially sustainable organisation

BACKGROUND

Each year Council prepares a budget to be adopted for the following financial year in conjunction with the Annual Business Plan following appropriate public consultation.

DISCUSSION

The attached document outlines the tasks and timelines for development of the 2016/2017 Annual Business Plan and Budget.

Key elements of the timetable are:

- A Council workshop to discuss the major elements of the budget and a second Council workshop to review the overall draft budget.
- Coordination of timelines to coincide with major 2015/2016 budget reviews.
- Coordination of reviews with the Audit Committee prior to Council workshops.
- Provision of adequate time for public consultation.

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Corporate Management Team
- Acting Manager Financial Services
- Manager People and Culture

- Manager Business and Public Relations

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

PO 142 Budget Reporting and Amendment Policy

BUDGET AND RESOURCE IMPLICATIONS

The attached timetable will enable Council to meet all of its legislative requirements in regard to the 2016/2017 Annual Business Plan and Budget.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Section 123 Local Government 1999 – Annual Business Plans and Budgets

Sections 6 & 7 Local Government (Finance Management) Regulations 2011

ATTACHMENTS

Attachment 1: Budget Preparation task list for 2016/2017

2016/2017 Budget Preparation Task list

Item no.	Description	Completion Date	Responsible Officer
	Make Powerbudget 16/17 screen available and attach all accounts	15-Jan	Chloe
	Advise operating budget screens ready for data entry	15-Jan	Chloe
	EM Budget Requests presented for costing	16-Jan	David
	Confirm wages and salaries calculations	29-Jan	Directors
	Advise Capital budget (in line with LTFP) to budget managers	1-Feb	David
	Advise Libraries/Caravan Parks of upcoming Budget discussions	5-Feb	Anne/Bronwyn
	Enter salaries into Power budget	5-Feb	David/Bobbi
	EM budget submissions close off (Directors to confirm details)	15-Feb	CEO
	Capital works budget draft items sent to Finance	18-Feb	Directors
	Capital works budget draft prepared for workshop	19-Feb	David/Chloe/Daniel
	LTFP Update to Audit Committee	24-Feb	David
	Present draft Caravan Park budget for "in principle" approval	24-Feb	Anne/Bronwyn
	Presentation to February Council workshop (Draft Capital Budget, EM Requests, CP Budgets Timetable and progress)	24-Feb	CEO/David
	Update Draft LTFP	26-Feb	David
**	Finalise operating budget figures	8-Mar	All staff
	Calculate FBT	8-Mar	Chloe
	Review plant hire recovery	8-Mar	Daniel/Roy
	Calculate Debenture Loan Repayments for next Financial Year	8-Mar	Chloe
	Estimate and input Insurance	8-Mar	Chloe
	Estimate and input Depreciation	8-Mar	David
	Calculate Long Service Leave Liability	8-Mar	Chloe/Bobbi
	Identify any changes to Council rating policy for consideration by Council	8-Mar	Mark/Kerry
	Estimate overhead recovery rate for use during budget input	11-Mar	David/Chloe
	Enter wages into Power budget	11-Mar	Daniel
	Finance staff to review and provide feedback on operating budget figures	11-Mar	David/Chloe/Daniel
	Estimate Water and CWMS levies required (report on pricing to be considered by Council)	11-Mar	Daniel
	Calculate Waste Management levy	11-Mar	Mark/Kerry
	Identify projects to be carried forward into 2016/17, input remaining budget items (capital) and produce first draft 15/16 budget	14-Mar	David
	Present first draft budget to CMT for discussion	15-Mar	David
	Prepare Final EM Request List for Workshop - Compare to Budget	15-Mar	CMT
	Rating Review	15-Mar	David/Mark/Kerry
	Council fees reviewed for presentation to workshop	15-Mar	Chloe
	Present final draft budget to CMT for discussion (Special CMT Meeting)	17-Mar	David
	Identify activities for inclusion in Draft Annual Business Plan	17-Mar	Directors
	Presentation to March Council workshop (Draft Budget, Rating Review, Fees & Charges, Draft revised LTFP)	23-Mar	David/Chloe/Daniel
	Consideration of EM Requests at Workshop	23-Mar	CEO
	CMT review draft ABP (including budget & LTFP)	5-Apr	CMT
	Directors sign off budget	5-Apr	Directors
	Make final checks on calculations within the budget to ensure it balances	7-Apr	David
	CEO sign off Budget	12-Apr	CEO
	Prepare March 2014 Budget Review	18-Apr	David/Chloe/Daniel
	Audit Committee (review draft ABP & LTFP)	27-Apr	David
	March 2014 Budget Review to Council Workshop	27-Apr	David
	Council consider draft ABP, adopt March Budget Review	11-May	CEO/David
	Present final Waste Management Options to Council	11-May	Mark/Kerry
	Formally consider rating options	11-May	Mark/Kerry
	Place advertisement for public consultation on ABP	12-May	David/Rachel
	Present draft Rating Options to June Council meeting	8-Jun	Mark
	Present Public Feedback on draft ABP to June Council meeting	8-Jun	David
	Audit Committee (endorse draft ABP and 15/16 Budget for adoption by Council, review 15/16 rating options)	22-Jun	David
	Update Statutory fees in register	1-Jul	Development/Chloe
	Present Budget, ABP and Rates to July Council meeting for Adoption	13-Jul	CEO/David

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

3. EXTERNAL GRANT FUNDING POLICY

(File Ref: 9.24.1.1)

PURPOSE

For Council to endorse and adopt an External Grant Funding Policy.

RECOMMENDATION

That Council endorse and adopt the new External Grant Funding Policy as presented in the Agenda for inclusion in Council's policy manual and on the website.

LINK TO STRATEGIC PLAN

Key Theme/s: Corporate Governance and Leadership
2. Organisational Efficiency and Resource Management
Strategic Goal/s: 2.1 Financially sustainable organisation
2.3 Meet all legislative and compliance responsibilities

BACKGROUND

Effective 1 July 2015, the Yorke Peninsula Council (YPC) is mandatorily required to have a suite of internal financial controls in place and to have an Auditor provide an opinion on these controls from the 2015-16 financial year audit.

To ensure Council was adequately prepared for future auditing, a full round of assessments and reviews against these controls were completed in 2015.

This review identified that Council did not have an External Grant Funding Policy in place, and was therefore non-compliant with one of the controls.

DISCUSSION

Section 125 of the *Local Government Act 1999* ("the Act") provides:

"A council must ensure that appropriate policies, practices and procedures of internal control are implemented and maintained in order to assist the council to carry out its activities in an efficient and orderly manner to achieve its objectives, to ensure adherence to management policies, to safeguard the council's assets, and to secure (as far as possible) the accuracy and reliability of council records."

Council developed its internal control framework in 2013 based on the Local Government Association's "Best Practice Model – Financial Internal Control for South Australian Councils."

One of the internal financial controls specifies *"Council has a clear policy on Grant funding detailing assessment process, recognition, treatment, claim collection, community expectations and funding period and, disclosure of any conflicts of interest."*

Therefore, the External Grant Funding Policy has been developed to comply with this internal financial control.

COMMUNITY ENGAGEMENT PLAN

Level 1, Inform

There is no opportunity for the public to influence these decisions and possibly impacting on compliance with legislation and guidelines.

CONSULTATION PROCESS

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

- Corporate Management Team
- Acting Manager Financial Services
- Governance Officer
- Business Improvement Officer

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Local Government Act 1999 - Sections 125, 126, 129 & 130.

Without appropriate policies, procedures and delegations in place, Council is placed at risk of non-compliance with legislation, particularly the internal financial controls.

ATTACHMENTS

Attachment 1: Draft Council Policy – External Grant Funding Policy



COUNCIL POLICY

External Grant Funding Policy

Policy/Procedure Number:	PO021		
Strategic Plan Objective	Corporate Governance and Leadership 2. Organisational Efficiency and Resource Management 2.1 Financially Sustainable Organisation		
Policy Owner:	Chief Executive Officer	File Number:	
Responsible Officer:		Minute Reference:	
Date Adopted:		Next Review Date:	

1. POLICY/PROCEDURE OBJECTIVES

The purpose of the Policy is to establish criteria for effective internal management of applications for grants funded by external organisations such as State and Federal Government.

This Policy also ensures grants sought are aligned to Council's strategic direction and Council has the necessary resources to comply with all conditions of the grant funding.

2. SCOPE

This Policy applies to all employees of the Yorke Peninsula Council.

3. DEFINITIONS

Acquittal	An acquittal is the process of evaluating and reporting on the outcomes and expenditure of funds provided by the funding body. An acquittal can take a number of forms and often depends on the size of funding.
CEO	Refers to the Chief Executive Officer of the Yorke Peninsula Council (including their delegate).
Eligible	Meeting all conditions stipulated by the funding body.
External Grant Funding	Money that is secured by Council from an external body in order to deliver a specific project, provide a new service or enhance an existing service.
Funding Agreement	The contract developed by the funding body outlining the conditions of the funding.

4. POLICY/PROCEDURE STATEMENT

There are many sources of external grant funding that Council's may be eligible for in order to deliver a specific project or service. The Yorke Peninsula Council will actively pursue opportunities to secure additional revenue on behalf of its community.

This Policy must be read in conjunction with Council's internal grant procedures (i.e. External Grant Funding – Applying for and External Grant Funding – Successful Application) to ensure all steps have been followed. This includes careful review of the Funding Agreement to ensure all milestones can be met and acquittal processes/ external audit requirements are understood.

Any potential conflicts of interest must be declared within Council's standard "Report to Council" template. Refer to the 'Approval' and 'Reporting' sections of this Policy.

Application

When Council seeks to apply for external grant funding, the following should be considered:

- Ensuring funding conditions can be met (e.g. potential matched funding requirements, other resource requirements etc.);
- Ability for Council to deliver the agreed grant conditions within the approved timelines;
- Alignment to Council's Strategic Management Plan;
- Alignment to Council's other strategic documents (i.e. Long Term Financial Plan, Asset Management Plans etc.);
- Ability to comply with proposed contractual terms and conditions, other relevant legal requirements (e.g. licence requirements, development approval), and Council policies (e.g. PO058 Purchasing – Procurement Policy);
- Assessment of risks that may arise from the new project or service and also, the risks relating to Council not receiving the grant funding;
- Whole of life cost impacts of the new project or service; and
- Opportunities for regional collaboration and the benefits and risks associated with entering into these types of partnership.

Approval

Prior to completing a grant application, staff must seek approval from the CEO (or Director if grant funding is <\$5000).

Applications must be submitted to Council for approval where:-

- Additional unbudgeted expenditure is required; and
- Resources (staff and financial expenditure) need to be redirected.

At times there is often a short lead time for external grant funding applications which will not enable details of the funding to be provided to Council prior to application. Should this occur, the CEO or delegate can authorise the application.

Reporting

In addition to submitting applications to Council for approval as outlined above, reports must be provided to Council when:

- External grant funding applications are successful or unsuccessful (including those applied for within employee delegations);
- The scope of a project funded by a grant is changed and project outcomes need to be renegotiated with the funding body; and
- Projects have been completed.

For high expenditure projects or those with a high level of community interest, Council may request regular status reports throughout the duration of the project.

Council will detail all successful grant funding received in the RO48 Grant Funding Register and within the Annual Report each year.

5. COMPLAINTS

Complaints relating to the content of this Policy can be made in writing to the CEO. All complaints will be managed in accordance with Council's Complaints Policy PO147.

6. REVIEW

This Policy will be reviewed every three years and will also be reviewed as deemed necessary in consideration of any changes to legislation, relevant standards, codes and guidelines or audit findings.

7. TRAINING

Council is committed to supporting employees in complying with this Policy.

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

8. RELATED COUNCIL POLICIES AND DOCUMENTS

PO147 Complaints Policy

RO48 Grant Funding Register

External Grant Funding – Applying for (Promapp procedure)

External Grant Funding – Successful Application (Promapp procedure)

Yorke Peninsula Council Strategic Plan 2012-2015

Yorke Peninsula Council Long Term Financial Plan

Yorke Peninsula Council Asset Management Plans

9. REFERENCES AND LEGISLATION

Local Government Act 1999 (Section 133)

10. COUNCIL DELEGATION

Delegate:	Chief Executive Officer
Sub Delegate:	Director Corporate and Community Services

11. VERSION HISTORY

Archived Policy/Procedure Name	Policy/Procedure Number	Date Adopted	Last Reviewed
N/A			

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

4. NAMING OF LOCALITY – PARSONS BEACH

(File Ref: 9.24.1.1)

PURPOSE

To seek Council endorsement to proceed with consultation with residents of the Parsons Beach area to have it officially gazetted as a locality.

RECOMMENDATION

That Council consult with residents of the area known as Parsons Beach for consideration to have the area officially gazetted as the locality of Parsons Beach.

LINK TO STRATEGIC PLAN

Key Theme/s: Community Engagement
2. Sense of Ownership
Strategic Goal/s: 2.1 Our communities are well informed

BACKGROUND

During a recent Rural Property Addressing project, it was identified that the area known as Parsons Beach has not been officially gazetted as a locality separate from Minlaton.

The area known as Parsons Beach, has always been identified by Council and the community as a separate locality, and not incorporated as part of the locality of Minlaton.

DISCUSSION

There have been several requests from property owners in the area for street numbers to be allocated, which Council must undertake pursuant to the Local Government Act 1999, however this has become increasingly problematic due to Parsons Beach currently being incorporated into the rural locality of Minlaton.

This is causing confusion and angst among property owners, specifically in regard to:

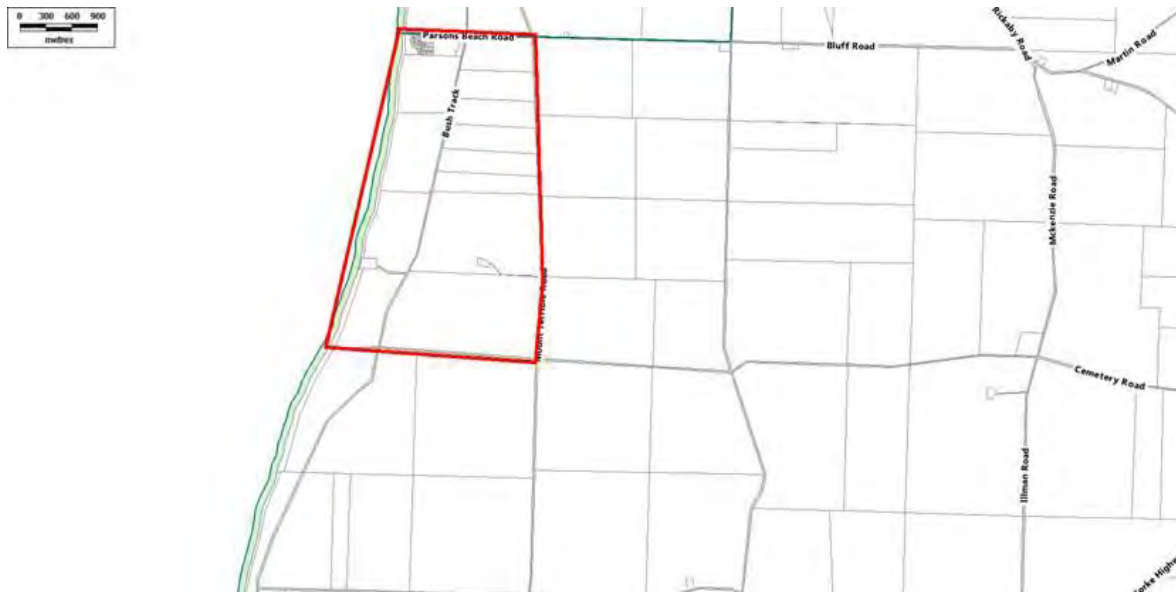
- Emergency Services – locating properties
- Deliveries to properties
- Marketing of properties for sale (properties are listed under Minlaton instead of Parsons Beach due to official naming conventions)

Advice has been received from the Department for Planning, Transport and Infrastructure that they would give favourable consideration to Parsons Beach being named as an official locality in its own right and that Council should proceed with a formal submission to the Surveyor General, subsequent to necessary consultation with residents of the area.

The naming of Parsons Beach as an official locality would be consistent with other localities such as:

- Bluff Beach
- Port Rickaby
- Sheoak Flat
- Foul Bay

Therefore we seek endorsement to proceed with a consultation process with property owners of the Parsons Beach area, highlighted in red in the map below, to have Parsons Beach officially gazetted as a locality.



COMMUNITY ENGAGEMENT PLAN

Level 2 - Consult

Council administration staff will consult direct with property owners of the proposed Parson Beach locality, as well as identified community groups and stakeholders, via letters and a public notice on Councils website.

CONSULTATION PROCESS

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

- Director Corporate and Community Services
- Corporate Management Team

In preparing this report, the following External Parties were consulted:

- Department for Planning, Transport and Infrastructure

POLICY IMPLICATIONS

PO057 – Community Engagement Policy

BUDGET AND RESOURCE IMPLICATIONS

Cost of mailing letters to property owners and community groups – approximately \$100.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Geographical Names Act 1991

ATTACHMENTS

Attachment 1: Community Engagement Plan



COMMUNITY ENGAGEMENT PLAN

SF215

Responsible Officer: Business Improvement Officer

Issue Date: 10th June 2015

Next Review Date: June 2019

PROJECT NAME: Naming of Locality - Parsons Beach

Stakeholders	Level 2 CONSULT	Responsibility	Start Date	End Date	Status	Evaluation Method
Affected residents	Personalised Letter	Mark Austin	27/01/2016	14/03/2016	NS	Consideration of Feedback
Community Groups	Personalised Letter	Mark Austin	27/01/2016	14/03/2016	NS	Reporting of responses
Entire community	Website	Mark Austin	27/01/2016	14/03/2016	NS	Reporting of responses

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

5. MAITLAND & DISTRICT PROGRESS ASSOCIATION REQUEST FOR 2013/14 COMMUNITY GRANT PAYMENT (File Ref: 9.24.1.1)

PURPOSE

To seek approval from Council for payment of 2013/14 Community Grant Payment to Maitland & District Progress Association.

RECOMMENDATION

For Council to consider payment of \$2,000 for the 2013/14 Community Grant to the Maitland & District Progress Association.

LINK TO STRATEGIC PLAN

Key Theme/s: Sustainable Communities
3. Our Economy
Strategic Goal/s: 3.1 Sustainable economic growth

BACKGROUND

The Maitland & District Progress Association applied for a Community Grant in 2013/14 for \$2,000 to complete the Maitland Town Map project. They then applied for, and were granted, an extension until 2014/15 when it was anticipated that the project would be completed.

At the end of the 2014/15 financial year, the Corporate and Community Services department had not received either the reimbursement paperwork from Maitland & District Progress Association for the payment nor another request to extend.

DISCUSSION

Council's Community Grants Policy states "*Each year the funding period of from 1st July to the 30th June however all funds must be expended or assigned to a particular item of expenditure by 1st May in accordance with the funding agreement*" and "*A completed evaluation Report and Acquittal Form must be submitted to Council by the 31st May of the funding year. Exceptional circumstances for late lodgement will be considered on a case by case basis*".

The Corporate and Community Services department do not monitor the progress of projects that grants are applied for; therefore it was assumed at the end of 2014/15 that the project was no longer going ahead.

As a result the \$2,000 payment was not accounted for in the 2015/16 Adopted Budget.

It is up to the discretion of Council whether to supply the funds to the Maitland & District Progress Association now that the project has been completed.

COMMUNITY ENGAGEMENT PLAN

Level 1, Inform.

Information will be made publicly available via Council's website.

CONSULTATION PROCESS

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

- Director Corporate and Community Services.

In preparing this report, the following External Parties were consulted:

- Maitland & District Progress Association.

POLICY IMPLICATIONS

PO149 Community Grants Policy

BUDGET AND RESOURCE IMPLICATIONS

Increase of \$2,000 to the adopted 2015/16 budget.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Nil

ATTACHMENTS

Attachment 1: Letter from Maitland & District Progress Association



Maitland & District Progress Association Incorporated

3 Robert Street, MAITLAND SA 5573

Phone: (08) 8832 2174

Fax: (08) 8832 3027

maitlandprogress@internode.on.net

www.maitlandsa.com

2 December 2015

Yorke Peninsula Council
8 Elizabeth Street,
Maitland SA 5573

Dear Tania and Councillors,

We are writing to advise that the Maitland Town Map has now been completed and put back in its original position at the ANZ Maitland Carpark.

This project has been very drawn out however we didn't want to rush it through and get anything wrong.

Right from the start we decided that we wanted to take the personal approach and visit as many businesses in Maitland rather than send out letters that sit on people's desks and not get a response from so this in itself all took time.

The Progress Association applied for the Community Grant in 2013/2014 for \$2000 towards this project and were lucky enough to be successful however we realise that time has get away from us. Various contributors to the drawn out process was due to changes of:

- Staff/Committee members
- Initial major changes to the artwork of the map
- Business's closing and others opening which meant making contact with the new proprietors
- Meetings with Earle Signs to place everything on the map in the correct location and make changes
- Public consultation time which again there were changes to be made

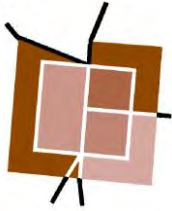
The town map has been ready for printing since July 2015 however Brian Earle was really busy and then came the Paskeville Field Days that he was caught up with so our project was placed on hold until he was available to complete it.

We hope that you will accept and understand that we have been doing our best to complete this project in a timely manner and to the best of our ability so that minimal changes have to take place for quite some time.

Whilst working on this project we have also been working on our website to put more of Maitland SA at the fingertips of the electronic world.

The Maitland Matters has also been writing articles each month either introducing new business's to the town or making the community aware of what is offered in the monthly featured business.

The Maitland Information Centre has recently changed its name from Chatt Centre to increase the flow of Tourists calling into our town looking for local knowledge. The name Chatt Centre



Maitland & District Progress Association Incorporated

3 Robert Street, MAITLAND SA 5573

Phone: (08) 8832 2174

Fax: (08) 8832 3027

maitlandprogress@internode.on.net

www.maitlandsa.com

although it was setup up with great meaning (Community & Cultural, Heritage & Horticulture, Arts & Agriculture, Technology, Tourism & Training) behind it not many people knew it's reasoning. The new name is completely self-explanatory.

As you can see there has been various things happening even though the Town Map has taken more time than what we originally had thought or hoped.

We understand that part of the agreement in receiving the Community Grant money is to complete the evaluation form and acknowledge Council's contribution. We have already contacted the Yorke Peninsula Country Times to run a story to celebrate that the Town Map is upgraded and back in the main street so we are asking that you still look upon our request favourably in supporting us with the original \$2000 towards this. We have certainly contributed more ourselves than originally expected as a decision was made to purchase a second map and place it in the Heart of Maitland for the tourists that pull in with their vans, boats etc to use the public toilets, get brochures and tourism information at the Maitland Information Centre or visit the Maitland Markets. Not to mention the volunteer time in approaching the businesses, travel to Earle Signs various times and then the new frames and erection of the signs.

Thank you for taking the time to discuss this and we look forward to hearing from you in the near future, hopefully with a favourable answer so that we can get the story printed in the Country Times and acknowledging the relevant organisations.

Yours faithfully

Kerry Baker

Maitland & District Progress Association Incorporated

☎ (08) 8832 2174

E-mail: maitlandprogress@internode.on.net

DIRECTOR ASSETS & INFRASTRUCTURE SERVICES

DA/ITEM 6.3

1. CLINTON ROAD MATERIAL SUPPLY (File Ref: 9.24.1.1)

PURPOSE

For Council to consider an exception, pursuant to the Purchasing and Procurement Policy, to undertake relevant tender and quotation processes for goods and services associated with the additional works on the Clinton Road for the 2015/16 financial year.

RECOMMENDATION

1. That Council waive the need to undertake relevant tender and quotation processes for bitumen supply / services, materials and aggregate supply associated with the additional 3kms of the Clinton Road construction project for the 2015/16 financial year.
2. That bitumen supply / sealing requirements be awarded to Downer EDI Works Pty Ltd for the 2015/16 financial year.
3. That material supply requirements be awarded to Kara Resources Pty Ltd for the 2015/16 financial year.
4. That supply and delivery of Bluestone Aggregate for the additional requirements upon the Clinton Road for the 2015/16 financial year be awarded to Hanson Construction Materials Pty Ltd.

LINK TO STRATEGIC PLAN

Key Theme/s:	Sustainable Communities
	1. Sustainable Infrastructure
Strategic Goal/s:	1.1 Provide infrastructure and assets that are sustainable and safe
Key Theme/s:	Corporate Governance and Leadership
	2. Organisational Efficiency and Resource Management
Strategic Goal/s:	2.3 Meet all legislative and compliance responsibilities

BACKGROUND

Following the commitment by Council to undertake the entire Clinton Road construction project (6kms in total) for the 2015/16 financial year, exceptions in relation to specific supplier needs is requested to ensure objectives and completion of the project within funding timeframes is achieved.

DISCUSSION

Council Policy PO058 Purchasing and Procurement Policy details the purchase method of open tendering when the purchase value exceeds the amount of greater than \$100,001, as identified in the extracted table below:

Purchase Method	Specific Requirements	Purchase Value	Authority to Approve Exceptions
Direct purchase	Purchase from a single supplier.	Up to \$5,000*	N/A
Quotations	A minimum of two written quotes must be obtained.	\$5,001 to \$20,000*	Director**
Quotations	A minimum of three written quotes must be obtained.	\$20,001 to \$50,000*	Chief Executive Officer (CEO)***
Selective Tendering	A minimum of three independent suppliers are invited to tender. Approved suppliers should be given equal opportunity to submit a tender.	\$50,001 to \$100,000*	Chief Executive Officer (CEO)***
Open Tendering	An open invitation is issued inviting suppliers to submit a tender.	Greater than \$100,001*	Council resolution required

I seek an exception, pursuant to the Purchasing and Procurement Policy, to undertake relevant tender and quotation processes for goods and services associated with the additional works on the Clinton Road for the 2015/16 financial year.

Council would be aware that an open tender was called for our Material Supply (Tender 135/2015) being for our overall road construction needs for Capital Projects. This tender was awarded to three individual suppliers, ensuring the best and most cost efficient model was applied, fulfilling operational needs.

Kara Resources Pty Ltd was awarded the tender to supply Clinton Road material needs to accommodate the initial 3kms of construction. A further 3 kms of road construction is now required for Clinton Road following the commitment by Council to undertake the entire Clinton Road construction project. It is therefore recommended that further road construction material requirements to accommodate the additional 3kms of road construction also be secured from Kara Resources Pty Ltd in the interest of efficiencies.

It is also recommended that a similar approach be applied for bitumen supply / sealing for the Clinton Road additional works with Council awarding the previous open tender (Tender 141/2015) to Downer EDI Works Pty Ltd.

A Request for Quote process was administered for the supply and delivery of Bluestone Aggregate (aggregate for bitumen sealing works) with the contract awarded to Hanson Construction Materials Pty Ltd. Therefore, it is further recommended that the need to seek quotations be waived in the interest of consistency and efficiencies.

Whilst I have not contacted the three individual suppliers regarding this project, I am confident they will supply the goods and services at the current rate.

Notwithstanding efficiencies should Council endorse the recommendations as presented, this approach will ensure project planning and completion objectives are achieved. If Council does not endorse the recommendations as presented and an open tender process is required for the bitumen supply / services and materials supply associated with the additional 3kms of the Clinton Road construction project, timelines required for the open tender process would impact on the ability of Council to complete the project within funding condition timeframes for this 2015-16 financial year.

COMMUNITY ENGAGEMENT PLAN

No consideration for community engagement has been considered.

CONSULTATION PROCESS

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

- Chief Executive Officer
- Director Corporate and Community Services
- Director Development Services
- Works Manager
- Works Supervisor North

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

PO058 Purchasing and Procurement Policy

BUDGET AND RESOURCE IMPLICATIONS

There will be no impact on the 2015/16 budget.

Estimated costs for the additional works on the Clinton Road are as follows:

– Road construction material (Kara Resources)	10,000 tonnes	\$157,000
– Bitumen supply / services	16,000m ²	\$80,000
– Bluestone Aggregate	520 tonnes	\$25,000

These estimated costs are based on the unit of rates as awarded in the aforementioned tender and quotation processes.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

None identified if this approach is implemented.

ATTACHMENTS

Not applicable

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

1. BUILDING FIRE SAFETY COMMITTEE

(File Ref: 9.24.1.1)

PURPOSE

This report is to keep Elected Members up to date with the activities of the Yorke Peninsula Building Fire Safety Committee.

RECOMMENDATION

That Council endorse all actions of the Building Fire Safety Committee undertaken during the 2015 calendar year.

LINK TO STRATEGIC PLAN

Key Theme/s: Corporate Governance and Leadership
2. Organisational Efficiency and Resource Management
Strategic Goal/s: 2.3 Meet all legislative and compliance responsibilities

BACKGROUND

Local Government Councils play an important role in protecting the ongoing safety of building occupants and users through the provision of the Development Act.

Section 71 of the Act establishes the power for Councils to investigate whether building owners are maintaining proper levels of fire safety in their buildings for the protection of all occupants, whether they be residents and workers who use them regularly, or clients and visitors who only use them occasionally.

DISCUSSION

Council has previously resolved to form the Yorke Peninsula Building Fire Safety Committee pursuant to Section 71(19) of the Development Act, 1993.

The role of this committee includes the following:-

- Develop appropriate building fire safety policies.
- Scrutinising the fire safety of buildings that have been identified as having inadequate fire safety provisions.
- Issuing Notices of Fire Safety Defects to building owners, which identify fire safety provisions that need to be upgraded to an extent that provides a reasonable level of safety for occupants.
- Forwarding information on Section 71 fire safety notices to Councils administration for Section 7 enquiries (made by vendor when a building is available for sale or lease).
- Where appropriate, negotiating a cost effective performance solution with a building owner to reduce fire safety risks to an acceptable level.
- Issuing Notices of Building Work Required, which schedule prescribed building works that must be carried out in order to raise the building fire safety to a reasonable level of safety.

- Initiating enforcement or other actions to ensure a building owner complies with a Notice of Building Work required; and
- Revoking or varying fire safety notices when appropriate.

To be eligible as a Committee Member, persons are required to hold formal qualifications under the Development Act, 1993.

The Membership of the Committee is –

Mr Peter Harmer (Chairman)	Harmer CLG
Mr Julian Aggiss	Country Fire Service
Mr Roger Brooks	YP Council
Mr Allan Cotton	YP Council
Mr Gareth Harrison	YP Council
Mr Marc Van Riet	YP Council

The following is a list of premises that have been inspected over the past year and their current status:-

Ardrossan

Ardrossan Caravan Park	On-going
Ardrossan Town Hall	On-going
Highview Holiday Village	On-going
Ardrossan Community Hospital	Completed

Brentwood

Brentwood Hall	Completed
----------------	-----------

Curramulka

Curramulka Town Hall	On-going
----------------------	----------

Edithburgh

Edithburgh Hotel	On-going
------------------	----------

Hillocks Drive

Hillocks Drive Camp	On-going
---------------------	----------

Maitland

Cougars Football Club	On-going
Maitland Show Society/Caravan Park	On-going
Maitland Overnight Stay Area	Completed
Barley Stacks Winery	Completed

Marion Bay

Marion Bay Caravan Park	On-going
-------------------------	----------

Minlaton

Minlaton Caravan Park	On-going
Minlaton Town Hall	Completed

Pine Point

Pine Point Caravan Park	On-going
-------------------------	----------

Point Turton

Point Turton Caravan Park	Completed
---------------------------	-----------

Port Clinton

Port Clinton Caravan Park	Completed
---------------------------	-----------

Port Rickaby

Port Rickaby Caravan Park	On-going
---------------------------	----------

Port Victoria

Bayview Holiday Flats	On-going
-----------------------	----------

Port Vincent

Port Vincent Hotel (Ventnor Hotel)	On-going
Tuckerway Hostel	On-going
Port Vincent Foreshore Caravan Park	Completed
Port Vincent Uniting Church	Completed

Price

Price Caravan Park	On-going
--------------------	----------

Stansbury

Eldercare Elanora	On-going
-------------------	----------

Yorke town

Yorke town Caravan Park	On-going
-------------------------	----------

The following is a general list of items that the Committee has identified in relation to fire safety of premises:-

- Portable fire extinguishers – signage, numbers, location and lack of maintenance
- Fire blankets – missing, signage, maintenance and position
- Fire hose reels – missing, signage, maintenance and position
- Fire hydrants – missing, flow and pressure
- Fire sprinklers – missing, position, flow and pressure
- Smoke alarms – missing, inoperative or not interconnected
- Thermal detectors – missing, inoperative or not interconnected
- Emergency lighting – inadequate and maintenance issues
- Exit signs – missing or not maintained
- Egress paths blocked or obscured
- Inappropriate latches installed on required exit doors
- Cool room latches not operating from inside
- Storage under the stage in public halls
- Storage under staircases
- Storage interfering with fire safety equipment
- Inadequate Bushfire Survival Plans
- Underside of caravan/annexe requiring enclosure
- Inappropriate fire separation (buildings and caravan parks)
- Smoke seals around meter boxes missing
- Faulty smoke doors and smoke seals

28 inspections have been performed by members of the Committee at 22 separate premises.

Generally, the acceptance from owners, managers etc. to the Building Fire Safety Committee and their requests has been extremely good. Negotiations have been amicable and the work has been carried out. Two (2) Notices pursuant to Section 71 of the Act have been issued, on the Port Vincent Hotel and Central Yorke Football Club, with the fire safety defects currently in the process of being resolved. One (1) Notice remains in force on Bayview Holiday Flats, Port Victoria restricting the building from being used for public accommodation until the outstanding fire safety defects are resolved.

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Director Development Services - Roger Brooks
- Senior Development Officer – Allan Cotton
- Building Officer - Marc Van Riet
- Building Officer - Gareth Harrison

In preparing this report, the following External Parties were consulted:

- Consultant Building Surveyor – Mr Peter Harmer
- Fire Safety Officer (CFS) – Mr Julian Aggiss

POLICY IMPLICATIONS

Not applicable

BUDGET AND RESOURCE IMPLICATIONS

Council have a current budget allocation to cover all costs associated with the work undertaken by the Yorke Peninsula Building Fire Safety Committee.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Development Act 1993

ATTACHMENTS

Nil

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

2. DRAFT ENVIRONMENT PROTECTION (AIR QUALITY) POLICY 2016

(File Ref: 9.24.1.1)

PURPOSE

To seek endorsement of Council on the submission to the Environment Protection Authority (EPA) and the Local Government Association (LGA) regarding the Draft Environment Protection (Air Quality) Policy 2016.

RECOMMENDATION

That Council endorse the submission to the Environment Protection Authority and the Local Government Association regarding the Draft Environment Protection (Air Quality) Policy 2016.

LINK TO STRATEGIC PLAN

Key Theme/s: Corporate Governance & Leadership
2. Organisational Efficiency and Resource Management
Strategic Goal/s: 2.3 Meet all legislative and compliance responsibilities

BACKGROUND

The EPA has released the draft Environment Protection (Air Quality) Policy (AQ EPP) and an Explanatory Report (Attachment 1) for public consultation. The report advises the broader community on how the draft policy can be assessed and invites submissions by 5pm, Friday 15 January 2016.

The main emphasis in the AQ EPP is to reduce the burning of matter in the open. Burning in the open is now legislated by the Environment Protection (Burning) Policy which currently allows burning in the open as follows:

- The burning on domestic premises between 10am and 3pm on Mondays to Saturdays
- For recreational purposes
- For the control of bushfires
- Agricultural purposes
- For another purpose as designated in a permit issued by an appropriate authority.

Council's Compliance Officers are not authorised under the current policy to investigate burning, therefore, any action currently undertaken as a result of a complaint about burning in the open (apart from farmers burning under permit conditions pursuant to the Fire & Emergency Services Act) is undertaken by officers of the EPA.

The proposed AQ EPP severely restricts burning in the open, apart from the following circumstances:

- Preparation of food
- The burning of **charcoal** within a brazier, chiminea or fire pit for the purpose of heating an outdoor area.

- For the disposal of agricultural waste or barbecuing, picnicking or similar outdoor recreational activity and provided that reasonable steps are taken to avoid the burning of matter within 200 metres of an adjacent residential premises.
- If the Council has applied to the EPA and approval given to allow burning in the open in accordance with the conditions.

The authority to police the AQ EPP will be the responsibility of Councils. This policy will also require councils to investigate complaints regarding smoke emitted from the burning in combustion heaters.

DISCUSSION

The Policy will have a dramatic effect on the management of land and the culture of residents and visitors to the district. A letter has been submitted (Attachment 2) to the EPA and the LGA as part of the consultation process which outlines the concerns of the Policy by Council.

A link to the EPA website seeking the public's input on the draft policy was placed on Council's Facebook page and website. Collectively, there were over 1000 views of the Facebook page within the first 3 days.

COMMUNITY ENGAGEMENT PLAN

Not applicable

CONSULTATION PROCESS

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

- Director Development Services – Roger Brooks
- Senior Compliance Officer – Phil Herrmann

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

Not applicable

BUDGET AND RESOURCE IMPLICATIONS

The proposed AQ EPP will significantly increase the workload of Council staff and impact on the current allocated budget.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Failure to express concerns about the Draft AQ EPP exposes Council to the risk of the Policy being enacted in its current form.

ATTACHMENTS

Attachment 1: AQ EPP Explanatory report.

Attachment 2: Submission forwarded to the EPA expressing concerns over the Draft Environment Protection (Air Quality) Policy 2016.

Draft Environment Protection (Air Quality) Policy 2016 and Explanatory Report

Issued October 2015

EPA 1077/15: This information sheet explains the proposed changes to the current Environment Protection (Air Quality) Policy 1994, the Environment Protection (Burning) Policy 1994, and the interim Environment Protection (Solid Fuel Heaters) Policy 2015. The changes are a consequence of a comprehensive review of air quality regulatory frameworks. The development of a new, updated Air Quality Policy is subject to the statutory process required by section 28 of the Environment Protection Act 1993.

1 Introduction

Good quality air is fundamental to the health of our community and the environment. The effective regulation of air pollution is critical to ensuring South Australians are safe from air pollution. This is because individuals cannot readily control the extent to which they are exposed to harmful airborne pollutants.

Recent scientific research has drawn strong links between air pollution and adverse health impacts, particularly in susceptible parts of the community which include children, the elderly and sick. Common effects of air pollution include changes in heart and lung functions, with increases in associated medical conditions such as asthma, bronchitis and heart disease. Air pollution also contains compounds which can affect the nervous system and are carcinogenic. The adverse health effects of air pollution have a real cost to the community through increased hospital admissions and premature deaths.

Some pollutants such as dust and odour have the potential to cause significant impacts on people's lives by adversely affecting their amenity. Dust and odour are common causes of environmental nuisance, and repeated exposure can lead to a high level of annoyance. Strong or persistent odours can also lead to feelings of nausea, headache, loss of sleep, and other symptoms of stress.

One of the Environment Protection Authority's (EPA) environmental goals is 'Good quality air. Air quality is protected from atmospheric pollutants'. The EPA monitors and regulates South Australia's air quality, has a strong focus on the control of emissions that contribute to pollution, and runs programs to maintain and improve our air quality.

Air quality management and regulation are underpinned by a range of legislation and policy tools administered by various government agencies who work together with local government authorities to achieve positive outcomes for communities.

The *Environment Protection Act 1993* (EP Act) is the legislative foundation for regulating air quality in South Australia, creating a general environmental duty to take all reasonable and practical steps to prevent or minimise

environmental harm. It also enables the development of specific environment protection policies to help protect air quality.

The current *Environment Protection (Air Quality) Policy 1994* (AQ EPP) contributes to protecting the state's air quality through setting maximum allowable stack limits. In conjunction with policies and guidelines including the *Environment Protection (Burning) Policy 1994* (Burning Policy), *Environment Protection (Solid Fuel Heaters) Policy 2015*, and *Air quality impact assessment using design ground level pollutant concentrations (DGLCs) guideline* (DGLC guideline) and the *Odour assessment using odour source modelling guideline* (Odour assessment guideline), these instruments have provided the structure for the regulation and management of air quality.

South Australia also has monitoring and reporting obligations under the *National Environment Protection (Ambient Air Quality) Measure* and the *National Environment Protection (Air Toxics) Measure*. The government has also committed to the development of the South Australian Framework for Air Quality and the National Clean Air Agreement. The proposed *Environment Protection (Air Quality) Policy 2016* aligns with these proposals.

1.1 Air quality legislation and policy review and consolidation

There was a need to review and update air quality legislation and policies to improve the ability of the EPA to manage and regulate air quality to better protect human health and the environment. The regulatory framework used to manage air quality is dated (parts are over 20 years old) and did not adequately reflect new research on air quality impacts from human activities.

The draft *Environment Protection (Air Quality) Policy 2016* (draft AQ EPP) is the result of an extensive review of the legislation and policies used in the regulation and management of South Australia's air quality. The recommendations of the review included:

- consolidating the legislative and policy instruments into a single instrument
- reviewing and updating a range of emission levels of pollutants discharged to atmosphere
- adding ground-level criteria currently contained in other instruments which are employed by the EPA when assessing environmental authorisations or development authorisations
- giving the EPA the means to declare that localised ambient air quality objectives apply to an area
- aligning South Australia with other jurisdictions by providing that the sale and installation of wood heaters must be compliant with approved standards
- protecting air quality, human health and consumers by prohibiting the sale of firewood with greater than 20% moisture content
- requiring that owner/operators of solid fuel heaters ensure that they operate their heater efficiently and that excessive smoke is not emitted to the air. A test to determine what constitutes 'excessive smoke' is also provided
- providing for burning in the open to be managed at the local level (with exceptions).

1.2 Key features of the draft Environment Protection (Air Quality) Policy 2016

The intent of the draft AQ EPP is to better protect and improve the health of the South Australian community and our environment by regulating and managing the air quality in line with modern practice, and simplifying and providing clarity in relation to the administration of air quality legislation. The key features of the draft AQ EPP are as follows:

1 Simplifies the administration of air quality legislation and policy

Air Quality in South Australia is currently regulated and managed by a number of legislative instruments and policies (outlined above in the introduction section). The draft AQ EPP consolidates the current Air Quality, Burning and Solid Fuel Heater policies.

The EPA uses a range of regulatory instruments for assessing environmental authorisations, development authorisations and monitoring air quality. This includes assessing applications against maximum stack emission levels, ground level concentrations and odour levels. These have been reviewed, benchmarked to be consistent with other jurisdictions and where necessary, updated. The updated set of criteria have been incorporated into the draft AQ EPP (set out under the Schedules) and consolidates criteria from sources including the current Air Policy, and the DGLC and Odour Assessment guidelines.

The 'scheduling' of criteria will allow the EPA to review and update them on a regular basis as they will be able to be amended via the 'fast track' method set out under section 32 of the EP Act.

2 Provides greater clarity and certainty to industry and the community on air quality criteria

Simplifying the administration of air quality related legislation and policies will provide greater certainty to industry and the community on air quality criteria for specified emissions through the consolidation and incorporation of air quality criteria on a range of pollutants, and specific management requirements for domestic and open burning sources of emissions into a single instrument.

As an example, currently where a person applies for an environmental authorisation to undertake an activity of environmental significance, the EPA refers to a number of policies and guidelines in assessing the likely environmental impact of the activity. This includes comparing projected emission levels for pollutants from the activity against acceptable emission levels in the current AQ EPP, which then become part of the conditions of authorisation. It may also include comparing the results of modelling with ground level concentrations or odour levels currently contained in EPA guidelines, which may also become part of the conditions of authorisation.

Ground level concentrations and odour levels are now incorporated into the draft AQ EPP, along with maximum pollution levels for emissions to the atmosphere from stacks, and will provide greater certainty to industry making applications for an environmental authorisation or development authorisation as to requirements and help to ensure a more efficient and timely assessment process.

3 Ability for the EPA to take a 'whole-of-air-shed' approach to managing specific areas of concern

A number of factors determine the risk to communities from exposure to air pollution, including the amount of pollutants emitted, the emission sources, weather, topography, natural events and the size of the air shed (a geographical area where local topography and meteorology limit the dispersion of pollutants away from the area).

The localised ambient air quality objective provision provides the EPA with the ability to take a 'whole-of-air-shed' approach to managing specific areas of concern. It provides that the EPA may declare that localised air quality objectives apply for a specific area. A person carrying on an activity in such an area must ensure that any pollutants named in the declaration do not exceed any ambient concentrations declared for that pollutant.

4 Requirements to reduce emissions from solid fuel heaters

Wood smoke consists of fine particles and associated gases, some of which are odorous and/or toxic to humans. In winter, poorly operated or inefficient solid fuel heaters may produce as much smoky particle pollution as motor vehicles and can contribute to substantial health damage costs to the community.

In addition to the health impacts of fine particles, smoke from wood heaters can also cause significant nuisance problems for neighbours as emissions can be highly odorous and irritating. Excessive wood smoke is a common cause of complaints to the EPA and councils.

- A requirement that solid fuel heaters are sold and installed in conformance with an approved solid fuel heater standard *Australian Standard 4013* (emissions) and *Australian Standard 2918* (installation). This requirement came in to force under the interim *Environment Protection (Solid Fuel Heaters) Policy 2015* on 23 July 2015. This is to ensure a move to wood heaters that are engineered to operate efficiently, decreasing emissions to the atmosphere. It brings South Australia into line with all other Australian jurisdictions (except the Northern Territory) and ensures that the market is not subverted by cheap, non-compliant imports that have the potential to further degrade air quality.
- A requirement that firewood and other solid fuels offered for sale for immediate use contain no more than 20% moisture. A well-engineered wood heater will still emit excessive smoke if it is burning inappropriate fuel. A

maximum moisture content of 20% is generally accepted as the highest moisture content before wood begins to burn inefficiently. Fuel with greater than 20% moisture has substantially higher emissions (such as increased PM_{2.5} particle pollution) contributing to impacts on human health and the environment.

This is consistent with regulation in other jurisdictions, such as Western Australia which prohibits the sale of firewood with greater than 20% internal moisture content under the *Environmental Protection (Domestic Solid Fuel Burning Appliances and Firewood Supply) Regulation 1998*.

- A requirement to operate a solid fuel heater efficiently and to not emit excessive smoke, and a test to determine what constitutes 'excessive smoke' from solid fuel heaters. Owner/operators of solid fuel heaters must ensure they operate their heater efficiently so that it does not emit 'excessive smoke'.

A simple test is provided for the use of compliance officers in determining what constitutes 'excessive smoke' within the context of an 'environmental nuisance' under the EP Act. The excessive smoke test is currently used in other jurisdictions [such as Tasmania's *Environmental Management and Pollution Control (Distributed Atmospheric Emissions) Regulations 2007*] to manage and address the impacts of wood smoke. The test is also currently promoted as a tool to assist people to limit the impacts of wood smoke from their solid fuel heaters through environmental education.

5 Enables burning in the open to be managed at a local level

The current Burning Policy prohibits burning in the open in prescribed areas (eg the Adelaide metropolitan area), but leaves burning in remaining areas either partly or largely unregulated. Research clearly demonstrates that particles from smoke emitted through burning (including bushfires, bush-fire prevention, agricultural burn-offs and inefficient fuel combustion heaters), as well as motor vehicle and industrial pollution contribute to negative human health outcomes, pose substantial health damage costs and impact on the environment. Burning may not be appropriate at different times depending on local meteorological conditions, geographic conditions and the location of other residents. The draft AQ EPP seeks to provide greater control at the local level.

Under the draft AQ EPP, burning in the open is generally not permitted [with exceptions for activities such as bushfire prevention, disposal of agricultural waste, preparation of food and beverages, for comfort, recreational purposes (such as scouting) and in exempted council areas]. Where appropriate, councils will have the ability to apply to the EPA to allow burning in the open on premises in certain parts of their area and manage it at the local level.

6 Revocation of the *Environment Protection (Motor Vehicle Fuel Quality) Policy 2002*

The matters administered by the *Environment Protection (Motor Vehicle Fuel Quality) Policy 2002* are now fully covered by the Commonwealth's *Fuel Quality Standards Act 2000* and supporting Fuel Standards. Consequently, it is proposed that the *Environment Protection (Motor Vehicle Fuel Quality) Policy 2002* is revoked to remove duplication in legislation.

2 Next steps in the processes to develop the draft AQ EPP

The draft AQ EPP is being developed in accordance with the requirements of section 28 of the EP Act, *Normal procedure for making policies*, which specifies the process that the EPA is required to follow. These include:

- 1 Consult with the Minister regarding the general purpose and intended effect of the proposed AQ EPP. **Complete.**
- 2 Prepare a draft AQ EPP and Explanatory Report explaining its purpose and effect. **Complete.**
- 3 Send the draft AQ EPP and Explanatory Report to prescribed bodies and other relevant public authorities. **Underway.**
- 4 Release the draft AQ EPP and Explanatory Report for public consultation, advising the broader community on how the draft policy and report can be accessed and inviting submissions via advertising. **Underway.**
- 5 Hold at least one public information session. **Underway.**
- 6 Respond to submissions from public consultation.
- 7 Report to the Minister.

- 8 Submit the draft AQ EPP to the Minister for approval and forwarding to the Governor for authorisation and to fix a date on for when it comes into operation.
- 9 Refer to the Environment, Resources and Development Committee for consideration and laid before both Houses of Parliament.

3 Draft Environment Protection (Air Quality) Policy 2016

Clause by clause explanation

Part 1 – Preliminary

Clause 1: Short title

Clause 1 names the new policy, the *Environment Protection (Air Quality) Policy 2016*.

Clause 2: Commencement

Clause 2 provides the usual mechanism for the commencement of an Environment Protection Policy on a date fixed by the Governor by notice in the Gazette.

Clause 3: Interpretation

Clause 3(1) provides definitions for terms used throughout the AQ EPP. Any subsequent changes to this clause will be able to be made using the simpler procedure available under clause 18, Amendment of Policy by Gazette notice under section 32 of the EP Act.

Clause 3(2) establishes that a person emits a pollutant to air if a person does something that causes or allows a pollutant to be emitted or fails to prevent this happening.

Clause 3(3) establishes that burning in a domestic incinerator is also considered burning in the open for the purposes of this policy.

Clause 3(4) establishes that a mandatory provision in this policy followed by a category of offence shows that it is an offence, as established under Part 5 of the EP Act.

Clause 4: Application of policy

Clause 4(1) allows that this policy will not apply in relation to specified activities, including the destruction of property seized under the *Controlled Substances Act 1984* and activities undertaken in the course of firefighting, fire prevention, the training of fire fighters or fire investigators or any other authorised activity on behalf of fire or emergency services agencies or pursuant to an authority under the *Fire and Emergency Services Act 2005*.

Clause 4(2) provides that anyone holding an environmental authorisation (eg an EPA licence) under the EP Act prior to the commencement of this policy that could contravene this policy after its commencement, has a period of two years to comply with the policy (or to seek an exemption under the EP Act).

Clause 4(3) provides definitions for a 'firefighter' and 'fire-fighting'.

Part 2 – Air quality measures

Division 1 – Emissions of pollutants from premises

Clause 5: Emissions of pollutants from premises

Clause 5(1) sets maximum emission limits and requirements for specified pollutants and activities (set out under Schedule 1 of the AQ EPP). There is also an obligation to minimise emissions through properly maintaining and operating equipment (such as the stack, fuel-burning equipment, control equipment and other plant and equipment), through properly storing, processing, moving and handling goods and pollutants must only be emitted from the stack (if there is a stack) . This is a mandatory provision.

Clause 5(2) gives the EPA the power to fix a testing point at a premises (to which this clause applies) to evaluate stack emissions.

Clause 5(3) requires an occupier of a premises to ensure the testing point is kept in a suitable condition and available for use when requested.

Clause 5(4) provides that this clause does not apply to domestic activities or motor vehicles.

Clause 5(5) provides that under this clause the term 'motor vehicle' does not include cranes, vessels or locomotives.

Division 2 – Localised ambient air quality objectives

Clause 6: Localised ambient air quality objectives

A number of factors determine the risk to communities from exposure to air pollution, including the amount of pollutant(s) emitted, the emission source(s), weather, topography, natural events and the size of the air shed (a geographical area where local topography and meteorology limit the dispersion of pollutants away from the area).

This clause provides the EPA with the ability to take a 'whole-of-air-shed' approach to managing specific areas of concern. The EPA may declare that localised air quality objectives apply for a specific area.

A person carrying on an activity in such an area must ensure that any pollutants named in the declaration do not exceed any ambient concentrations declared for that pollutant. This is a mandatory provision and it is an offence not to comply with the pollutant levels specified.

Division 3 – Burning offences

Subdivision 1 – Burning of matter in the open

Clause 7: Interpretation

This clause states that a 'prohibited substance' is not considered to be 'matter' for the purpose of this subdivision.

Clause 8: Burning of matter in the open

Clause 8(1) establishes a general prohibition on burning in the open on premises within a council area. This is a mandatory provision.

Clause 8(2) prohibits burning in the open on roadways and related areas such as footpaths, traffic islands or median strips. This is a mandatory provision.

Clause 8(3) sets out exceptions to the general prohibition on burning in the open, including:

- for preparation of food or beverage

- for burning charcoal within a brazier, chiminea or fire pit for purpose of heating an outdoor area
- for recreational activities (such as barbecuing, picnicking, scouting or similar outdoor recreational activities on non-residential premises outside metropolitan Adelaide) provided that plant matter is dry and reasonable steps are taken to avoid burning within 200 m of adjacent residential premises
- for agricultural purposes (including the disposal of dead stock, crop stubble, diseased crops or waste resulting from clearing of land for farming on non-residential premises outside metropolitan Adelaide) and forestry waste provided that plant matter is dry and reasonable steps are taken to avoid burning within 200 m of adjacent residential premises
- for the disposal of gaseous waste such as gas flares on landfills (produced in the course of carrying on a prescribed activity of environmental significance)
- in a council area outside of metropolitan Adelaide where the EPA has declared that burning can take place in accordance with any specified conditions.

Burning of matter in the open is subject to any bans or other restrictions under the *Fire and Emergency Services Act 2005*.

Clause 8(4) defines 'agricultural waste'.

Clause 9: Council responsibility for burning of matter in the open

Clauses 9(1) and (2) provide that the EPA can declare the prohibition on burning of matter in the open does not apply to specified council areas if the council applies for a declaration to be made. The application must be made in a manner and form determined by the EPA.

Clauses 9(3)–(7) set out the processes and procedures to be followed in making a declaration. The declaration may be for certain areas or include conditions relating to permitted periods of time for burning, the material or class of material that may be burnt, monitoring and enforcement of conditions by the council and reporting by the council to the EPA. A declaration has effect from the date of publication or date specified in the notice. The EPA has the power to vary or revoke a notice in the Gazette by a subsequent notice.

Subdivision 2 – Burning of prohibited substances

Clause 10: Burning of prohibited substances

This clause prohibits the burning of specified substances such as plastics, tyre waste and copper chromium arsenate (listed under Schedule 2), except where authorised under the EP Act. This is a mandatory provision.

Clause 11: Environmental harm

The byproducts from burning prohibited substances (listed under Schedule 2) are hazardous and highly toxic. This clause states that emissions to the atmosphere of ash or other residual matter from burning of a prohibited substance constitutes *environmental harm* for the purposes of section 5(1)(b) of the EP Act.

Division 4 – Solid fuel heaters

Clause 12: Sale of solid fuel heaters

Solid fuel heaters (such as wood heaters) that comply with approved standards relating to emissions, and are operated and installed correctly are more efficient and will produce less pollution.

Clause 12(1) sets out requirements for the sale of solid fuel heaters, including that a heater must not be sold unless it has been marked in accordance with an approved solid fuel heater standard, a certificate of compliance exists in relation to the heater, and a copy of the certificate is given to the purchaser (where the heater is sold to a person whose business includes the wholesale or retail sale of heaters). An approved solid fuel heater standard includes the *Australian*

Standard AS/NZS 4013, or a standard from an overseas jurisdiction that is approved by the EPA as being equivalent to or more stringent than the Australian Standard. This is a mandatory provision.

Clause 12(2) provides that this requirement only applies to the extent that the approved standard applies to heaters of that model.

Clause 12(3) provides that this requirement does not apply when the heater is a fixture in a premises that is being sold.

Clause 13: Installation of solid fuel heaters

Clause 13(1) requires that a person must not install a heater unless it is marked in accordance with an approved solid fuel heater standard (emissions) and all mandatory requirements in the standard in relation to the installation of the heater are complied with. This is a mandatory provision.

Clause 13(2) provides that any mandatory requirements for installation only applies to the extent the standard applies to heaters of that model.

Clause 13(3) requires that heaters are installed in accordance with the *Australian Standard AS/NZS 2918:2001 Domestic solid fuel burning appliances – Installation*.

Clause 14: Interference with solid fuel heaters

Clause 14(1) requires that where a person has a heater that has a certificate of compliance, a person must not alter the structure, exhaust system or air inlet of their heater. A person is prohibited from stating (via a marking on the heater) that a heater is compliant with an approved solid fuel heater standard if it is not. This is a mandatory provision.

Clause 14(2) provides that genuine repair work can be carried out on a heater.

Clause 15: Prevention of excessive smoke

Clause 15(1) requires that a person using a heater must ensure that excessive smoke is not emitted to the air.

Clause 15(2) provides a test for excessive smoke from a heater. The key elements in determining what constitutes excessive smoke include:

- a visible plume of smoke that extends into the air from the flue/chimney for at least 10 minutes; and
- for at least 30 seconds of that period the plume extends into the air from the flue/chimney for at least 10 metres.

While this is not a mandatory provision, this test may be employed by compliance officers to determine whether an environmental nuisance is occurring and an environment protection order should be served.

Clause 16: Sale of green firewood, etc

Clause 16(1) requires that a person must not sell firewood or other solid fuel (such as briquettes) for use in a solid fuel heater if that fuel has an internal moisture content higher than 20%. An exception to this requirement is sale to a wholesaler or retailer of firewood/other solid fuel.

Clause 16(2) requires a retailer to store solid fuel with high moisture content separately from suitable fuel and requires that this fuel is marked 'not available for sale'. This requirement is to avoid confusion between fuel that is suitable for sale and fuel which is not suitable for sale.

Clause 16(3) allows the EPA to determine protocols and equipment required to measure the internal moisture content of fuel for sale. The clause also provides that the moisture content of a pile of wood or other solid fuel offered for retail sale is greater than 20% if the average internal moisture content of at least 10 randomly selected pieces of fuel is greater than 20%.

Part 3 – Matters relating to Part 5 of Act

Clause 17: Amendment of policy by Gazette notice under section 32 of the EP Act

The draft AQ EPP refers to a number of other statutory instruments and guidelines which are updated regularly. This provision allows for the EPP to be more easily amended to reflect any changes to these instruments.

Clause 17 sets out the provisions that may be amended without following the normal procedures under section 32(1)(c) of the EP Act.

Clause 17(1) allows the Minister to amend the policy by notice in the Gazette including:

- to declare that localised air quality objectives apply to a particular area or areas, and to declare or modify an activity, pollutant or ambient pollutant level for the area or areas.
- to modify Schedules 1–4 of the AQ EPP.
- as a consequence of an amendment to the EP Act or the making, variation, revocation of regulations and environment protection policies.
- the amendment, revocation or substitution of another Act, or codes, standards, guidelines or other documents referred to in the policy.

Clause 17(2) requires that it be a textual amendment and as such includes deleting, substituting or inserting a provision into the policy.

Clause 17(3) requires the EPA, when making a recommendation to the Minister on an amendment, to:

- a make the recommendation in writing, explaining the purpose and likely impacts
- b outline who has been consulted in the proposal
- c outline the views expressed by those consulted and how those views were addressed.

Part 4 – Matters relating to Part 6 of Act

Clause 18: Matters relating to Part 6 of Act

Part 6 of the EP Act provides for environmental authorisations and development authorisations. The EPA is required to have regard to a range of factors when assessing whether to authorise an activity or development, including the requirements of any relevant environment protection policies.

Clause 18 of the draft AQ EPP provides further detail on air quality related factors the EPA is required to have regard to when assessing environmental authorisations or development authorisations.

Clause 18(a) requires the EPA to take into account the ground level concentrations of specified pollutants under Schedule 3 when considering whether an activity or development is likely to impact on ground level ambient air quality. These pollutant concentrations may be determined either through monitoring or modelling in accordance with relevant EPA guidelines (including the *Ambient air quality assessment guideline* and/or *Emission testing methodology for air pollution*) or using another method approved by the EPA.

Clause 18(b) requires the EPA to take into account whether an activity or development could exceed the number of odour units specified under Schedule 4 using the modelling or monitoring technique for odour measurement set out in the *Odour assessment guideline*.

Clause 18(c) requires the EPA to consider whether an activity or development could result in air pollution in any other manner.

Clause 18(d) requires that where an authorisation (eg a licence) is granted, the EPA must consider any other requirements that will prevent or minimise air pollution or its harmful effects.

Clause 18(e) requires that in considering requirements under clause 17(d), the EPA must take into account:

- requirements under the EPA *Guidelines for separation distances*.
- any other relevant code, standard, guidelines or document referred to under this policy.
- in the case of an exemption to a provision of this policy, whether the exemption should be subject to a condition that requires a monitoring and reporting program to be carried out, and if necessary that the program be independently checked and verified and the results made available to the EPA.

Schedule 1 – Stack emissions [clause 5(1)(a)]

This schedule provides maximum pollutant levels for specified pollutants emitted from stacks. These are largely based on updated levels set out under Schedule 1 (Maximum pollution levels) of the current AQ EPP.

Schedule 2 – Prohibited substances

This schedule provides for the pollutants that are illegal to burn in the open. They are generally hazardous wastes or release toxic gases if burnt.

Schedule 3 – Ground level concentrations [clause 18(a)]

This schedule sets out maximum ground level concentration of pollutants. The pollutants and ground level concentrations in this schedule are based on the EPA Guideline *Air Quality impact assessment using design ground level pollutant concentrations (DGLCs)*.

Schedule 4 – Odour levels [clause 18(b)]

Odours have the potential to cause significant impacts on people's lives and adversely affect their health and amenity. This schedule sets out population based maximum odour levels and is based on the EPA Guideline *Odour assessment using odour source modelling*.

Schedule 5 – Revocation of environment protection policies

The draft AQ EPP consolidates a series of legislative instruments into one instrument. As a result, this schedule provides for the revocation of:

- a the *Environment Protection (Air Quality) Policy 1994*
- b the *Environment Protection (Burning) Policy 1994*
- c the environment protection policy constituted of the *National Environment Protection (Ambient Air Quality) Measure 1998*
- d the *Environment Protection (Motor Vehicle Fuel Quality) Policy 2002*
- e the *Environment Protection (Solid Fuel Heaters) Policy 2015*.

Further information

Legislation

[Online legislation](#) is freely available. Copies of legislation are available for purchase from:

Service SA Government Legislation Outlet
Adelaide Service SA Centre
108 North Terrace
Adelaide SA 5000

Telephone: 13 23 24
Facsimile: (08) 8204 1909
Website: <shop.service.sa.gov.au>
Email: <ServiceSAcustomerservice@sa.gov.au>

General information

Environment Protection Authority
GPO Box 2607
Adelaide SA 5001

Telephone: (08) 8204 2004
Facsimile: (08) 8124 4670
Freecall: 1800 623 445 (country)
Website: <www.epa.sa.gov.au>
Email: <epainfo@epa.sa.gov.au>

FAQs – Environment Protection (Air Quality)

Policy 2016



Wood heaters

How does the requirement that solid fuel heaters to be sold in conformance with the Australian Standard for emissions affect me?

All solid fuel heaters sold and installed in SA must comply with Australian standards, so when buying a wood heater make sure it has a compliance plate showing it meets the Australian Standard for emissions (AS/NZS 4013) and is installed according to the Australian Standard (AS/NZS 2918).

How can I reduce wood smoke from my solid fuel heater?

- 1 Burn dry seasoned wood.
- 2 Store wood under a roof, in a ventilated area and keep it dry.
- 3 Use kindling wood, paper and firelighters to start the fire and add larger pieces of wood when a bed of red-hot coals is established.
- 4 Keep wood heater vents open for 20 minutes after lighting fire.
- 5 Don't pack the fire and over-fill heater with wood. It is better to use several small logs and stack them loosely so air can circulate.
- 6 Go outside and look at the flue. If after 20 minutes there is still smoke coming from the flue you may need to adjust the fuel or air vents to get a better fire.

All solid fuel heaters sold and installed in SA must comply with the relevant Australian Standards, so when buying a wood heater make sure it has a compliance plate showing it meets the Australian Standards for emissions (AS/NZS 4013) and is installed according to Australian Standard (AS/NZS 2918).

Will wood heaters be banned in the near future?

The SA Government does not have any plans to ban wood heaters, however wood heaters are not recommended in high density living, metropolitan areas as the smoke may impact on neighbours.

What is the recommended height of a wood heater chimney?

The EPA recommends that the flue be 1 metre taller than the ridge line of the roof and any structure within 15 metres to minimise the potential risk of causing wood smoke and odour nuisance. If the flue is lower than the ridgeline the smoke can be caught up in the downwash or turbulence on the lee side of the building and can directly enter the house or a neighbour's property.

How long should I store freshly cut wood before it can be used?

The minimum time recommended to store wood before burning is 18 months and the wood should be split, stored undercover and in a way to maximise airing.

How does the requirement that all firewood sold contain no more than 20% moisture affect me?

A well-engineered wood heater will still emit excessive smoke if it is burning inappropriate fuel. This could lead to a breach of the requirement not to emit excessive smoke under clause 15 of the Air Quality Policy.

A maximum moisture content of 20% is allowed before wood begins to burn inefficiently. Fuel with a greater than 20% moisture content has substantially higher emissions (such as increased PM_{2.5} particle pollution) contributing to impacts on

health and environment. Fuel with a greater than 20% is not 'fit for purpose' and it can be said that with higher moisture content the consumer is paying for both the weight of the water and the wood/fuel.

What if I buy firewood that is wet and has a moisture content of more than 20%?

Under clause 16 of the Air Quality Policy a retailer of firewood must not sell firewood with a moisture content of more than 20%.

If you buy 'green wood', the EPA is able to enforce clause 16 and serve an environment protection order to require compliance. There is a test to determine whether firewood has an internal moisture content exceeding 20%.

How do I determine the efficiency of a wood heater?

The efficiency rating is on the back of all wood heaters, it will display: 'MAXIMUM AVERAGE HEAT OUTPUT BURNING HARDWOOD' and 'OVERALL AVERAGE EFFICIENCY BURNING HARDWOOD (%)'. Efficiency is the proportion of total heat output that can be utilised to heat the internal space. The EPA recommends you do not buy a wood heater that does not display this information.

What brand of wood heater does the EPA recommend?

Whilst the EPA cannot recommend a particular brand of wood heater you should ensure that any wood heater you purchase complies with Australian Standard 4013. Wood heaters that meet this standard will display: 'THIS WOOD HEATER COMPLIES WITH AS/NZ 4013' on a plate on the back of the heater.

If I buy a heater that is not compliant with Australian Standards can I get my money back?

Yes. The sale of compliant solid fuel heaters is mandatory under clause 12 of the Air Quality EPP and a breach of this provision is an offence.

If this occurs contact the [EPA](#) or the [Office of Business and Consumer Affairs](#).

How does the requirement that solid fuel heaters are installed in conformance with Australian Standard for emissions affect me?

All solid fuel heaters installed in SA must comply with Australian Standards, so when buying a wood heater make sure it is installed according to Australian Standard (AS/NZS 2918).

The installation of compliant solid fuel heaters is mandatory and a breach of this provision is an offence.

How do I know if my heater is emitting 'excessive smoke'?

It is important that you operate your heater correctly. Excessive smoke can become a serious environmental nuisance for neighbours, affecting not only their health but also home comfort. You are required to prevent excessive smoke from being emitted from your heater under clause 15 of the Air Quality Policy.

A test is set out under clause 15 of the Air Quality Policy to help determine what constitutes 'excessive smoke'.

Smoke emitted from a solid fuel heater is excessive if:

- a visible plume of smoke extends to the air from the flue/chimney of the heater for a continuous period of not less than 10 minutes; and
- includes a period of not less than 30 seconds when the plume extends into the air at least 10 metres from the point at which the smoke is emitted from the flue/chimney.

How will a compliance officer check if I am operating my fuel heater efficiently?

Under clause 15 of the Air Quality Policy, there is a test to determine what constitutes excessive smoke.

Smoke emitted from a solid fuel heater is excessive if:

- a visible plume of smoke extends to the air from the flue/chimney of the heater for a continuous period of not less than 10 minutes; and
- includes a period of not less than 30 seconds when the plume extends into the air at least 10 metres from the point at which the smoke is emitted from the flue/chimney.

My neighbour's wood heater is causing smoke and odour problems – to whom should I make a complaint?

Please contact your local council who can deal with the issue utilising the prevention of excessive smoke requirement and test under clause 15

Burning in the open

Is backyard burning permitted?

That would depend on your/their location, and the type of burning. You should contact your local Fire Prevention Officer or Environmental Health Officer at your Local Council for more information.

In general backyard burning is prohibited in all council areas across the state. There are exceptions to this general prohibition including for the purpose of preparing food or a beverage, for the purpose of heating an outdoor area or where a council outside of metropolitan Adelaide has applied to have all/part of their area excluded from the ban and allow burning with conditions (such as times when burning can occur and materials that are allowed to be burnt).

Is it permissible to burn CCA (copper chrome arsenate) treated timber or painted timber?

Burning CCA treated timber, creosote and other preservative treated timber or painted timber is an environmentally unacceptable practice, and is prohibited under clause 10 of the Air Quality EPP. High risks to health and the larger environment are associated with such activity. Ash and fumes can contaminate the local area with heavy metals (eg arsenic), and contamination can migrate in water.

Who can I contact to report burning of farm crops?

Contact your local Fire Prevention Officer or an Environmental Health officer at your Local Council. They are responsible for dealing with this issue.

Under clause 8 of the Air Quality EPP, the burning of agricultural waste or forestry waste is permitted on non-residential premises provided the matter is dry and reasonable steps are taken to avoid the burning of matter within 200 metres of any adjacent residential premises.

Is it prohibited to burn firewood in a fire pit, brazier or chiminea at a residential premises?

- If you are in a residential area and it is for the purpose of heating an outdoor area you must use charcoal.
- If you are in a residential area and it is for the purpose of preparing food or a beverage it is allowed.
- If you are on a premises in area (outside of metropolitan Adelaide) where your local council has declared that burning in the open can occur and the burning is carried on in accordance with any conditions specified in the declaration, it is allowed.

Does clause 8 prohibit outdoor wood/combustion heaters?

If you are in a residential area and the heater is for the purpose of heating an outdoor area you must use charcoal.

If you are on a premises in area (outside of metropolitan Adelaide) where your local council has declared that burning in the open can occur and the burning is carried on in accordance with any conditions specified in the declaration, it is allowed.

Does clause 8 prohibit the burning of wood on rural or non-residential properties (especially when done to burn excess fuel on properties for fire management purposes)?

If you are on a premises in an area (outside of metropolitan Adelaide) where your local council has declared that burning in the open can occur and the burning is carried on in accordance with any conditions specified in the declaration, it is allowed.

Under clause 8 of the Air Quality Policy, the burning of agricultural waste or forestry waste is permitted on non-residential premises provided the matter is dry and reasonable steps are taken to avoid the burning of matter within 200 metres of any adjacent residential premises.

Also, the Air Quality Policy does not apply in relation to an activity undertaken in connection with fire-fighting (which includes fire prevention) or any other activity undertaken by a person pursuant to an authority given under the *Fire and Emergency Services Act 2005*.

Why does subclause 8(3)(a)(ii) only allow outdoor burning on a residential premises with charcoal?

If you are in a residential area and it is for the purpose of heating an outdoor area you must use charcoal. Charcoal produces less smoke than wood and the requirement to use charcoal is to minimise the impacts of smoke on surrounding neighbours and any corresponding health and amenity impacts.

What kind of things can I burn in the open on my property?

It depends on your location and the type of burning. You should contact your local Fire Prevention Officer or Environmental Health Officer at your Local Council for more information.

In general backyard burning is prohibited in all council areas across the state. There are exceptions to this general prohibition including:

- for the purpose of preparing food or a beverage
- for the purpose of heating an outdoor area
- where a council outside of metropolitan Adelaide has applied to have all or part of their area excluded
- for disposing agricultural or forestry waste on a non-residential premises in a council outside metropolitan Adelaide.

How do I know if I am allowed to burn matter in the open on my property?

It depends on your location and the type of burning. You should contact your local Fire Prevention Officer or Environmental Health Officer at your Local Council for more information.

In general backyard burning is prohibited in all council areas across the state. There are exceptions to this general prohibition including:

- for the purpose of preparing food or a beverage
- for the purpose of heating an outdoor area
- where a council outside of metropolitan Adelaide has applied to have all or part of their area excluded
- for disposing agricultural or forestry waste on a non-residential premises in a council outside metropolitan Adelaide.

How can I have a say about burning matter in the open in my local area?

Councils have a responsibility to managing burning in their areas. Under clause 9 the Air Quality Policy, councils are required to undertake public consultation with their communities to allow them to have a say about burning matter in the open and then consider written submissions in developing a plan for managing burning in the open. Councils may then use this information to declare where burning can occur, the time it can occur, the materials or class of material that can be burnt.

Environmental and developmental authorisations

Can clause 5 be applied to pollutants from a domestic premises (eg particulate matter from a wood heater)?

No. Clause 5 of the Air Quality Policy applies to stack emissions from an activity specified in Schedule 1. This is aimed at regulating stack emissions from industry.

How does the Air Quality Policy affect existing holders of environmental authorisations?

Revised criteria for stack emissions and the incorporation of DGLCs and odour criteria will not affect the majority of licence holders for whom it will be business as usual. Importantly, existing licence holders will have two years after the commencement of the Policy to comply.

How does it affect applicants of authorisations for proponents of new activities?

The new policy formalises the use of existing guidelines (Air Quality Impact Assessment Using Design Ground Level Pollutant Concentrations (DGLCs) Guideline and Odour Assessment Using Source Modelling Guideline). Setting out emissions criteria in a policy will provide greater clarity and certainty to businesses, simplify applications for environmental authorisations and ensure a more efficient and timely process for the assessment of applications.

Consultation on Air Quality EPP

How do I have a say about the provisions of the draft Air Quality Policy?

Public consultation meetings are being held:

- 1 **Northern Metro**, 5 November, 12–2 pm – Jubilee Community Centre, 7 Jubilee Way, Wynn Vale
- 2 **Southern Metro**, 9 November, 1–3 pm – McLaren Vale & Fleurieu Visitors Centre, 796 Main Rd, McLaren Vale
- 3 **Pt Pirie**, 13 November, 1–3 pm – Pt Pirie Regional Council Chambers, 115 Ellen St, Pt Pirie
- 4 **Le Fevre Peninsula**, 16 November, 1–3 pm – Ottoway Community Hall, Cnr Jenkins & Grand Junction Rd, Ottoway
- 5 **Mt Gambier**, 19 November, 1–3 pm – Multi Function Room, Mt Gambier Library, Ferrers St, Mt Gambier
- 6 **Karoonda**, 23 November, 1–3 pm – District Council of Karoonda East Murray Chambers, 11 Railway Tce, Karoonda
- 7 **Wudinna**, 25 November, 1–3 pm – Wudinna & Districts Telecentre, 44 Eyre Hwy, Wudinna

[How to register](#)

General air pollution queries

How do I report a polluting vehicle?

At present SA Police are authorised under the *Road Traffic Act 1961* to observe and report vehicles for alleged breaches of the 10 second rule. We understand that SA Police use this rule as a basis for issuing defect notices on the spot. Contact SAPOL Traffic Watch on 131 444.

How will it affect me if the EPA declares that localised air quality objectives apply to my area?

A number of factors determine the risk to communities from exposure to air pollution, including the amount of pollutants emitted, the emission sources, weather, topography, natural events and the size of the air shed (a geographical area where local topography and meteorology limit the dispersion of pollutants away from the area).

This provision is aimed at improving air quality in your area and is aimed at dealing with any impacts from industry as a whole.

The Air Quality Policy allows the EPA to declare localised air quality objectives for specified areas in relation to specified activities. This declaration is aimed at industry and will require an owner or occupier of a premises carrying on a specified activity to ensure that any pollutants named in the declaration do not exceed the ambient concentrations declared for that pollutant.

Who do I contact regarding dust blowing from the land?

Please contact your local council for more information or action.

Who do I contact regarding dust blowing from a truck's load?

This is covered by the Road Traffic Act, Transport SA, phone 131084

Who do I contact if I have concerns about aerial spraying and crop/chemical spraying/dusting?

You can contact the [Department of Primary Industries and Resources](#) on their Agricultural and Veterinary Chemical Reporting Hotline 1300 799 684 or [email](#) for further information.

Who can I contact to report air pollution from public transport buses?

[Adelaide Metro](#), phone 1300 311 108.

What should I use to suppress dust?

Do not use oil. Other dust suppression products are available from commercial suppliers. Various methods are available including polymer sprays, vegetative covers, water sprays and barriers.

PRINCIPAL OFFICE:
8 Elizabeth Street, Maitland
Telephone (08) 8832 0000

ALL CORRESPONDENCE TO:
PO Box 57, MAITLAND, SA 5573
Fax (08) 8853 2494
Email: admin@yorke.sa.gov.au
Website: www.yorke.sa.gov.au



23 December 2015

Our ref: 1896-2015-4
GDS ref: 5.20.3.1

Environment Protection Authority
GPO Box 2607
ADELAIDE SA 5001
Email: epainfo@sa.gov.au

Dear Sir/Madam

Environment Protection (Air Quality) Policy 2016

Thank you for the opportunity to provide feedback on the draft Environment Protection (Air Quality) Policy 2016 (the draft Policy).

Council is concerned that the draft Policy has not considered the variation between air quality issues in metropolitan Adelaide and those of regional South Australia.

In relation to the Policy's 'Subdivision 1 – Burning of matter in the open', it would appear little regard has been given to the rural lifestyle, and most importantly, bushfire prevention. Burning off is a key element of bushfire prevention not only on rural land but within townships and settlements.

Yorke Peninsula Council Compliance Officers do not currently have delegations from the Environment Protection Authority (EPA) to act under the Environment Protection (Burning) Policy 1994. However, Council does of course have fire prevention obligations under the Fire and Emergency Services Act 2005.

As a Council district spanning 175km between its northern and southern boundaries, it is not uncommon for our inspectors to travel in excess of 300km to investigate a fire prevention complaint. The sheer distances travelled make it impossible to investigate matters in a timely manner, which would only be exacerbated by additional strain placed on Council resources as a result of the draft Policy.

The current Environment Protection (Burning) Policy 1994, which controls domestic burning, is a clear piece of legislation and is simple for a Council or the EPA to regulate. Council fails to see how the draft Policy will improve the current legislation.

BRANCH OFFICES

MINLATON: Phone 08 8853 3800
YORKETOWN: Phone 08 8852 0200
WAROOKA: Phone 08 8854 5055

Should the EPA decide to pursue these policy changes, Council suggest the following amendments are required:

- The intent of section 8 of the draft Policy is to prohibit burning in the open on premises, with a few exceptions. Section 8 clause (1) is poorly worded and states: “*The owner or occupier of premises within a council area must not cause or permit the burning of matter in the open on the premises*”.

The use of the words “*owner or occupier of premises*” limits the use of this provision. For example, under certain circumstances, a contractor can go to the premises and light a large fire in the open as part of the maintenance of that land and they do not commit an offence as they are not the owner or occupier. The wording of section 8 clause (1) should be the same as section 8 clause (2) in that “*a person*” is used instead of “*the owner or occupier*” to capture what Council believes is the intent of the section.

- Unfortunately, the draft Policy does not allow for a camp fire. The camp fire is a significant part of country living and many of Council’s residents, holiday makers and campers utilise a fire pit or camp fire for entertainment.

The draft Policy proposes that a fire pit can only be used with charcoal. It is suggested that the burning of dry timber in a fire pit or the burning of a camp fire with dry timber be reconsidered as an **exemption** to the blanket banning of burning in the open. This would align the draft Policy with the legislation contained within the Fire and Emergency Services Act, which states that a camp fire can occur during the fire danger season, other than on a total fire ban day, if it is not greater than 1m² in size.

To address these concerns the following changes to section 8 of the draft Policy need to be considered:

(3) However, subject to any bans or other restrictions under the *Fire and Emergency Services Act 2005*–

(a) subclause (1) does not apply to the burning of matter by fire in the open in the following circumstances:

... (ii) the burning of charcoal **or dry timber** within a brazier, chiminea or fire pit for the purpose of heating an outdoor area;

(iii) the burning of timber or other plant matter on non-residential premises in a council area outside of metropolitan Adelaide for the purposes of–

(A) disposing of agricultural or forestry waste; or

(B) barbecuing, picnicking, **camping**, scouting or similar outdoor recreational activities...

A definition for a camping fire would also need to be included in section 3 Interpretation as follows:

“**camping fire** means a fire used for personal comfort or cooking that does not exceed 1m² in size”

- If the EPA believes that the burning of timber in a brazier or chiminea creates excessive smoke in an outdoor area, the words “fire pit” should be removed from section 8 clause 3(a)(ii) and the following should be inserted after this clause:

“the burning of timber in a fire pit for the purpose of heating an outdoor area”

- Council has a major concern that the draft Policy does not address or encourage the removal by burning of timber for fire prevention purposes. Bushfire is a major threat to our rural communities and prior to the Fire Danger Season residents are encouraged to remove the dead vegetation on their

property. At times large dead trees and large piles of dead vegetation need to be burnt so as to reduce the fuel loads on properties to protect them from the threat of fire. Therefore, it is imperative that burning in the open is permitted within the draft Policy for fire prevention purposes.

- The draft Policy does not allow for a permit to be issued for a person to burn, as is the case in the current Policy. At times there are special circumstances when it is a necessity to burn and therefore, it is reasonable to consider amending the draft Policy to allow the issuing of a permit to burn.
- The draft Policy section 9 'Council responsibility for burning of matter in the open' states that Council may apply to the EPA for exemptions from section 8 requirements, to allow burning in certain areas. However, Council anticipates the process of applying for and being granted any such exemption may be problematic and time consuming.

As such, consideration should be given to the commencement date of the draft Policy, should it be legislated. A commencement date of not less than 12 months after the legislation has been adopted will enable Councils adequate time to apply for exemptions under section 9.

- Whilst Council appreciates that the burning of matter, especially when green, wet or starved of oxygen – causes smoke and can be a nuisance to neighbours, the draft Policy appears to seek a definite prevention of any burning within 200 metres of any adjacent residential premises. This may seem a reasonable distance when documented, however in the operational field and within a rural council, this is impractical.

Council urges the EPA to consider alterations to the draft Policy so that necessary burning is permitted in rural council areas. The Yorke Peninsula Council currently has no restrictions on burning in the open. If the draft Policy does become legislated, especially in its current format, it would be detrimental to our Council and its communities.

- Council has a significant problem with illegal dumping in the district, much of which is green waste. Despite having a green waste pick up throughout the district, many trailer loads of tree trimmings get dumped in Council road reserves. The implementation of the draft Policy in its current form has the potential to increase this illegal behaviour if the burning of this material is no longer permitted.
- Council anticipates section 15 of the draft Policy 'Prevention of excessive smoke' would become a substantial burden on Local Government.

The information provided at the EPA forum at Port Pirie on 13th November 2015 implies that Council staff will be responsible for following up complaints regarding excessive smoke from wood heaters. Generally, this type of complaint would occur early evening as a result of temperature inversions, where pollution is trapped in a cold layer of air at ground level. The draft Policy will result in the expectation that Council staff are available to complete a smoke test at this time of day to ascertain if a wood heater is emitting excessive smoke. Whilst this may be convenient for metropolitan councils who have the resources and smaller geographical areas, many rural councils have a limited capacity to enforce this policy due to fewer staff and the size of council areas.

- Section 15 does not appear to have a mandatory provision in relation to an offence. If the EPA expects councils to attend complaints about excessive smoke from wood heaters, there must be a deterrent to those breaching the policy, in that the offender can be issued with an Expiation Notice.

- The draft Policy also applies to stack emissions, which are issues the Yorke Peninsula Council has not dealt with in the past. Council is concerned that the inclusion of this within the draft Policy could be a catalyst for the EPA to, at some time in the future, relinquish this responsibility to councils.
- If the State Government is adamant that burning is the responsibility of Local Government, those provisions should be in a separate policy, as is the case now. To fail to do so will leave some doubt that other provisions of the draft Policy will become the responsibility of Local Government.

As outlined above, Council believes there are some fundamental errors in draft Policy. Whilst Council respects that air pollution issues need to be addressed, it should be recognised that the culture, lifestyle and safety needs of those in rural areas are much different to those in metropolitan areas. The issues associated with the burning of matter in the open need to be reviewed so that they can be practically enforced in regional South Australia.

Again, Council appreciates the opportunity to provide feedback on the Environment Protection (Air Quality) Policy 2016 and trusts that these comments will be given due consideration in the further development of this policy.

Council welcomes the opportunity to meet with the EPA to discuss the details of this submission further. I can be contacted at the Council's Maitland office on 08 8832 0000.

Yours sincerely

Roger Brooks
DIRECTOR DEVELOPMENT SERVICES

CONFIDENTIAL

AGENDA

DIRECTOR COMMUNITY & CORPORATE SERVICES

ITEM 8 - CONFIDENTIAL

1. ELECTRONIC DOCUMENT RECORDS MANAGEMENT SYSTEM TENDER

(File Ref: 9.24.1.1)

PURPOSE

For Elected Members to consider awarding the tender for the supply, integration and install of an electronic document records management system (tender number 144/2015).

RECOMMENDATION

Section 90(3)(k) Order

1. That pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that the public be excluded from the meeting with the exception of the Chief Executive Officer, Executive Assistant to the CEO and Mayor, Director Corporate and Community Services, Director Development Services and Director Assets and Infrastructure Services.

The Council is satisfied that, pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to agenda item 8 Electronic Document Records Management System Tender is confidential information relating to –

“(1) tenders for the supply of goods, the provision of services or the carrying out of works;”

Accordingly, the Council is satisfied that the principle which states the meeting be conducted in a place open to the public has been outweighed in the circumstances.

Section 91(7) Order

2. That having considered agenda item 8 Electronic Document Records Management System Tender in confidence under section 90(2) and (3)(k) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the agenda report, and supporting documentation relevant to agenda item 8 titled Electronic Document Records Management System Tender be retained in confidence for a period of 12 months.

LINK TO STRATEGIC PLAN

Key Theme/s:	Corporate Governance and Leadership 2. Organisational Efficiency and Resource Management
Strategic Goal/s:	2.3 Meet all legislative and compliance responsibilities

BACKGROUND

As per Yorke Peninsula Council's PO058 Purchasing and Procurement Policy, this report is called for as a supplier is to be recommended to Council for selection, following an open tendering purchase method for the provision of an Electronic Document Records Management System.

DISCUSSION

It is recommended that the public be excluded for consideration of this item to enable consideration in confidence under Section 90(3) (k) of the Local Government Act.

COMMUNITY ENGAGEMENT PLAN

As the report is for Council to consider and report in confidence, it has not been necessary to engage with the community on this occasion.

CONSULTATION PROCESS

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

- Chief Executive Officer
- Tender Evaluation Panel

In preparing this report, the following External Parties were consulted:

- Wendy Fewsdale, Info-Osmosis, Records Management Consultant

POLICY IMPLICATIONS

Sections 90 and 91 - Local Government Act 1999

BUDGET AND RESOURCE IMPLICATIONS

Within adopted works budget 2015/2016

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Sections 90 and 91 - Local Government Act 1999

ATTACHMENTS

Nil