Yorke Peninsula Council

NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of Council
will be held on Wednesday 10th December 2014,
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
Nil

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
Council meeting held on Wednesday 26th November 2014 at 5.30 pm.

1.8 Motions on Notice
Nil

1.9 Questions on Notice
Nil

1.10 Questions without Notice

1.11 Petitions
Nil

ITEM 2	MAYOR	Pages 4 - 5
	1. Monthly Report from Mayor Agnew	
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	7
	2. Action List	8 - 10
	3. Dean Newbery & Partners	11 - 12
	4. Minlaton & District Progress Association	13 - 14

4.4 Corporate and Community Services
Nil

4.5	Assets and Infrastructure Services		Pages
	1.	Construction and Maintenance Works	15 - 16
4.6	Development Services		Pages
	1.	Inspectoral – Activity Report	17 - 18
	2.	Environmental Health Activity Report	19 - 20
	3.	Development Applications Decisions	21 - 28
	4.	Wastewater System Application Decisions	29 - 30
ITEM 5	VISITORS TO THE MEETING		
	Nil		
ITEM 6	**DEBATE AGENDA**		Page
6.1	CHIEF EXECUTIVE OFFICER		
	1.	YP Health Advisory Council Member	32 - 34
	2.	Code of Conduct Report	35 - 49
	3.	Pensioner Rates Concessions	56 - 56
6.2	CORPORATE AND COMMUNITY SERVICES		Pages
	1.	September 2014 Budget Review	57 - 64
	2.	Financial Report	65 - 66
	3.	June 2014 Budget Review	67 - 68
	4.	Progress Association Allocation 2014-2015	69 - 78
	5.	Friends of Port Moorowie	79 - 84
	6.	Edithburgh Progress Association Proposed Lease	85 - 106
	7.	Public Libraries Review	107 - 108
6.3	ASSETS AND INFRASTRUCTURE SERVICES		
	Nil		
6.4	DEVELOPMENT SERVICES		
	Nil		
ITEM 7	GENERAL BUSINESS		
	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	CONFIDENTIAL AGENDA		
	Nil		
ITEM 9	NEXT MEETING		
	Wednesday 21st January 2015		
ITEM 10	CLOSURE		

MAYOR

IA/ITEM 2

MONTHLY REPORT (File Ref:9.24.1.1)

INTRODUCTION

To keep Elected Members updated on Mayoral activities during the month of October 2014.

RECOMMENDATION

That the report be received.

COMMENT

2nd November	Claudia and I were guests at the Minlaton Branch Ambulance SA 60 years of service dinner held in Minlaton Golf Club.
5th November	Meeting with Senator Anne Ruston (Deputy Government Whip in the Senate) and the Andrew Cameron CEO.
11th November	Meeting with Senior officers Department of Planning and Infrastructure – Infrastructure Division accompanied by Paul McInerney CEO Central Local Government Region (CLGR) held in Pirie Regional Council Chamber.
	Retiring Cr Dean Butler represented me at the Remembrance Day Service at the Bublacowie Military Museum.
18th November	Chaired the Public Meeting at Edithburgh for the Edithburgh DPA.
19th November	Attended the South Australian Region of Councils (SAROC) meeting at Clare.
20th November	Attended the Local Government Association (LGA) Board meeting at Clare.
21st November	Accepted an invitation to a morning tea at the Stansbury Museum to thank the many volunteers involved. I added my congratulations for their work on behalf of Council.
	Along with Staff, former Councillor Butler, Cr Cook and I attended the opening of the Minlaton Skate Park. It was pleasing to see this vision finally become a reality.
25th November	We hosted the YP Councils Alliance meeting held at the Copper Coast council office. We welcomed the recently elected Mayor Cynthia Axford, Barunga West council and Mayor Rodney Reid who was elected unopposed in Wakefield Regional Council replacing the retiring Mayor James Maitland.
26th November	First meeting of new Council and swearing in of the members.

27th November	With Mayoress Claudia, I attended the Minlaton District School Presentation night and presented the Rowan Ramsay Award for outstanding support to the school community to Don and June Benbow, also assisted with some other presentation awards to students.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Not applicable.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not applicable.

INFORMATION

AGENDA

CHIEF EXECUTIVE OFFICER

IA/ITEM 4.3

1. CEO ACTIVITIES REPORT (File Ref:9.24.1.1)

INTRODUCTION

To keep Elected Members informed of other meetings and activities during the month of October 2014.

RECOMMENDATION

That the report be received.

COMMENT

5th November	Meet with Senator Anne Ruston
	Attend Injury Management Training for Managers & Supervisors
6th November	Corporate Management Team meeting
	Met with Phil Webber
11th November	Attend Remembrance Day Service at Minlaton
	Meet with Cr Meyer at Yorketown
12th November	Meet with Carolyn Grant from Mamota Energy
13th November	Meet with Cr Braund
17th November	Met with Cr Bittner
	Corporate Management Team meeting
19th – 21st November	Chief Officers Group meeting
24th November	Meet with Cr Hoyle
25th November	YP Alliance meeting
	Ardrossan Trust and Hospital Board meeting
26th November	Attended 1st Council meeting with newly elected members
27th November	Meeting with Riders PCG
	Meeting with DASH Architects

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Not applicable.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not applicable.

CHIEF EXECUTIVE OFFICER

IA/ITEM 4.3

2. ACTION LISTING REPORT (File Ref: 9.24.1.1)

INTRODUCTION

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

RECOMMENDATION

That the report be received.

COMMENT

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

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Strategic Plan

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

Yorke Peninsula Council's Risk Management Framework

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Important issues of legislative compliance and best practice risk management principles underpin Council's action list and the associated due dates.

COUNCIL MEETING 10th December 2014

Action List

Responsible Officer	Agenda Item Number	Task	Due Date	Status
Director Corporate & Community Services	10th 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
22nd January 2014				
Director Corporate and Community Services	DA/CCS/R4	Organise Land Only lease for Balgowan Camping Ground	As soon as Ministerial approval is granted	Waiting on consent
14th May 2014				
Director Assets & Infrastructure Services	DA/AIS/R2	Organise to have the following documents signed and sealed Ardrossan Area School for Ardrossan Stormwater Harvesting Project	June 2014	School currently reviewing documentation
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	Awaiting response from the Crown and private landowners.
13th August, 2014				
Director Corporate & Community Services	DA/CCS/R4	Grant a five year lease with a five year right or renewal to Edithburgh Progress Association for the purpose of installing a RV dump point.	September/October 2014	Lease granted however report to December Council meeting for PC outcome on redesignation to Category 3 to accommodate dump point installation
Director Corporate & Community Services	DA/CCS/R6	Seek Ministerial approval for the revocation of the Community Land classification to accommodate the	October 2014	Underway

		necessary requirements for the Minister for Emergency Services to build a new Country Fire Service station at Pt Victoria		
10th September 2014				
Director Assets & Infrastructure Services	DA/AIS/R1	Organise for the Mayor and CEO to sign and seal the contract for Transpacific Industries for the management of Resource Recovery Centres	September 2014	Completed
26th November 2014				
CEO	DA/CEO/R1	Ensure the Financial Statements are forwarded to the Grants Commission and the Minister	November 2014	Completed
CEO	DA/CEO/R2	Ensure the Annual Report is finalised, printed and distributed in accordance with legislative requirements	December 2014	
CEO	DA/CEO/R4	Advise Progress Associations and Community Groups of their newly appointed Liaison Councillor	December 2014	
CEO	DA/CEO/R5	Organise and distribute Council meeting dates for 2015	December 2014	Completed
Director Development Services	DA/DS/R1	Organise for LMA to be signed and sealed	December 2014	

CHIEF EXECUTIVE OFFICER

IA ITEM 4.3

3. DEAN NEWBERY & PARTNERS (File Ref:9.24.1.1)

INTRODUCTION

To update Elected Members on correspondence received from Dean Newbery & Partners in relation to the Completion of the 2013/2014 Financial Year External Audit.

RECOMMENDATION

That the report be received.

COMMENT

Correspondence has been received from Dean Newbery & Partners in relation to the completion of the 2013/2014 Financial Year External Audit.

A copy of the correspondence is attached which advised that Dean Newbery & Partners have completed their audit for the financial year ended 30 June, 2014 and that they have issued their unqualified Audit Report.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Not applicable.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not Applicable.

Dean Newbery & Partners
CHARTERED ACCOUNTANTS ABN 30 164 612 890

RECEIVED
28 NOV 2014

27 November 2014

Item Number
7291-2014-3
GDS Number
7.8.1.1
Distribution
copy to Jackie

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

Dear Andrew

RE: Completion of 2013/14 Financial Year External Audit

We are pleased to advise that we have completed our audit for the financial year ended 30 June 2014 and have issued our unqualified Audit Report.

In accordance with Section 129 of the *Local Government Act 1999*, our audit opinion has been separately issued to the Principal Member of the Council, with a copy also sent to Council's Audit Committee.

Our 2014 Balance Date Management Letter has been prepared in accordance with Sections 129 (4) and (5) of the Act and will shortly be issued to both the Principal Member of the Council and to the Audit Committee.

Please contact me on 8267 4777 or jimkeogh@deannewbery.com.au if additional information is required.

Yours sincerely
DEAN NEWBERY & PARTNERS

Jim Keogh
Partner

Office:
214 Melbourne Street
North Adelaide SA 5006

All Correspondence:
PO Box 755
North Adelaide SA 5006

T: (08) 8267 4777
F: (08) 8239 0895
E: admin@deannewbery.com.au

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CHIEF EXECUTIVE OFFICER

IA 4.3

4. MINLATON & DISTRICT PROGRESS ASSOCIATION INC. (File Ref:9.24.1.1)

INTRODUCTION

To update Elected Members on correspondence received from the Minlaton & District Progress Association Inc in relation to the opening of the Minlaton Skate Park.

RECOMMENDATION

That the report be received.

COMMENT

Correspondence has been received from the Secretary/Treasurer of the Minlaton & District Progress Association Inc acknowledging the work done by Council in conjunction with the Minlaton Skate Park.

A copy of the correspondence is attached thanking Council employees for their assistance in this regard.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Not Applicable.

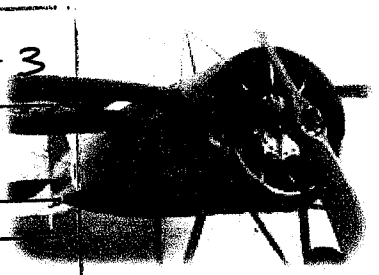
FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not Applicable.

RECEIVED
25 NOV 2014

Item Number 7212 - 2014 - 3
GDS Number 16.19.2.9
Distribution

MINLATON & DISTRICT PROGRESS ASSOCIATION INCORPORATED



25/11/14

copy to Jackie

MINLATON BIKE TRACK/SKATE PARK COMMITTEE

Andrew Cameron
CEO Yorke Peninsula Council
PO Box 88
Minlaton 5575

Dear Andrew

I am writing on behalf of our committee to acknowledge the work done by your Minlaton team. Firstly David Harding and Kylie Gray who have been there for our committee on our journey to build the Minlaton Skate Park. They have been amazing always making themselves available when we requested. The other team we wish to show our appreciation of is Nick Hoskin and his outdoor team. They worked tirelessly to have the landscaping completed by the official opening.

It has been an absolute pleasure to have worked with these employees of council and our committee particularly the youth say a huge thankyou.

Kind Regards

Janet King

Janet King (Sec/Treas Minlaton Bike Track/ Skate Park Committee)

Minlaton & District Progress Ass. Inc.
Established 2003

ABN NUMBER 62 127 025 518

Chairperson
Bruce Cook
blafcook@netyp.com.au

Vice Chair
D'Arcy Button
darcybutton@bigpond.com

Secretary
Charlotte Germaine
c.germaine@internode.on.net

Public Officer
Kerry Hickman
keyway1@internode.on.net

Treasurer
Gary Belfrage
garybelfrage@me.com

GFG Editor
Charlotte Germaine
editor@minlaton.com

Playground Representative
Philippa Coote
pipcoote@netyp.com.au

Minlaton Bike Track/Skate Park
Janet King
paul@kingsfashions.com.au

Captain Harry Butler Statue Committ
June Benbow
info@benbowsofminlaton.com

Community Garden Group
Robyn Schwarz
Robyn023@hotmail.com

Correspondence to:
The Secretary
P.O. Box 2007
Minlaton 5575

DIRECTOR ASSETS & INFRASTRUCTURE SERVICES

IA/ITEM 4.5

1. CONSTRUCTION & MAINTENANCE WORKS (File Ref: 9.24.1.1)

INTRODUCTION

The following is a summary of capital and maintenance works undertaken within Assets & Infrastructure Services during the month preceding the December 2014 meeting of Council.

RECOMMENDATION

That the report be received.

COMMENT

- Patrol grading is ongoing throughout the district in line with the current schedule and technique.
- Attention to parks, gardens and reserves is ongoing in line with resource availability.
- Approximately sixty (70) Customer Service Requests (CSR's) have been addressed throughout October with activities including:
  - Maintenance requirements to public buildings
  - Sign maintenance and installation
  - Coastal infrastructure maintenance
  - Sealed and unsealed road maintenance
  - Kerb and watertable repairs
  - Traffic control device requirements
  - Streetscaping requirements
  - Footpath maintenance
- Roadside vegetation activities are being undertaken within the Hundred of Tiparra. Activity on Pedler Road is being achieved by contractors with Council staff and equipment currently working upon Ferguson Road and Rocky Bend Road.
- The following upgrades/works have been applied to the Community Wastewater Management Systems (CWMS), water supply schemes and stormwater harvesting and reuse schemes:

  CWMS

  - Attention to pump station – **Black Point**
  - Maintenance to gravity drain – **Black Point**
  - Repairs to irrigation infrastructure – **Sultana Point**
  - Upgrades to dosing pump and electronics – **Yorketown**
  - WWTP aerator repairs – **Maitland**
  - Buffer tank installation ongoing – **Maitland**
  - Maintenance to gravity drains – **Maitland**
  - Maintenance to jetty pump station – **Ardrossan**
  - Gravity drain maintenance – **Ardrossan**

Water Schemes

- Supply pump repairs – **Hardwicke Bay**
- Pipework for flow meter installation – **Black Point**

Stormwater Harvesting Schemes

- Repairs to delivery line – **Maitland**
- Installation of flow meter (golf club supply) – **Maitland**

- All CWMS and water supply schemes are continually monitored and tested in accordance with Department of Health (DoH) and Environment Protection Authority (EPA) licence conditions.
- Road construction and/or maintenance activities have been applied to the following roads in accordance with 2014/15 budget allocations:
  - Brutus Road – resheeting completed
  - Dalrymple Terrace – kerb and water table installed
  - Sparrow Road – resheeting commenced
  - Barnes Road – resheeting ongoing
  - Crowell Road – patching completed
  - McCauley Road – patching completed
  - Nalyappa Road – rework completed
  - Honner Road – resheeting commenced
- Walk the Yorke is progressing well with approximately 80% of the 100km gravel path installed by Ardrossan Earthmoving. Marker installation by Boundary Line Fencing is approximately 50% complete and footings have been installed by Neil Dutschke for all nineteen (19) shelters with two (2) slabs also poured. Consultation is continuing with property owners in the Corny Point to Marion Bay area. Recently, Stephen Goldsworthy and Letitia Dahl-Helm were filmed as part of an article for Channel 7 news. This segment is due to air soon, with the time yet to be advised by the station.
- Barbeque installation has been completed at the Black Point Caravan Park.
- Jetpatching activities have been undertaken within Price, Ardrossan, Arthurton and Maitland.
- Coastal access infrastructure (stairs) have been completed at Kemp Bay.
- Footpath maintenance has been completed at Port Victoria, Maitland and Warooka.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Strategic Plan
Key Theme: Sustainable Communities
1. Sustainable Infrastructure
Strategic Goal: 1.1 Provide infrastructure assets that are sustainable and safe

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not applicable.

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

1. INSPECTORIAL – ACTIVITY REPORT (File Ref: 9.24.1.1)

INTRODUCTION

To inform Council of the activities of the Inspectorial Team.

RECOMMENDATION

That the report be received.

COMMENT

Council's Officers have dealt with many routine matters during the past month, including abandoned vehicles, illegal campers, wandering and nuisance dogs, noisy dogs, noisy poultry and nuisance cats. Council's Rangers are also door knocking the district checking for unregistered dogs. Five expiation notices have been issued to dog owners for keeping an unregistered dog whilst two were issued to dog owners as a result of their dogs wandering at large.

A menacing dog control order is being issued on a dog in Ardrossan. The dog was being walked on lead by its owner when she lost grip of the lead and attacked a dog on the other side of the road. As a result, the other dog received a serious injury.

Officers are also continuing to investigate several incidents in the Marion Bay area involving a dog that is unable to be contained on the owner's property. People in the vicinity are concerned in relation to the temperament of the dog.

Routine patrols of boat ramps have been performed to ensure the users are paying to use the facilities. One expiation notice has been issued to a person who did not pay prior to using a launching facility.

Regular patrols have taken place at the bush camping reserves to ensure users are paying for the facilities.

There are still some Section 105 notices pursuant to the Fire and Emergency Services Act being issued to property owners to reduce the fuel loads on their land. A contractor has been engaged to carry out the works on those properties where the owner has failed to carry out the appropriate works. The cost of the works carried out by Council's contractor is redeemed from the property owners. If a property owner has failed in previous years to carry out the appropriate works they may also be issued with a $315 expiation notice for failing to carry out the works as described in the Section 105 notice.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Fire and Emergency Services Act 2005

Dog and Cat Management Act 1995

Local Government Act 1999

Strategic Plan

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

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

2. ENVIRONMENTAL HEALTH ACTIVITY REPORT (File Ref: 9.24.1.1)

INTRODUCTION

To inform Council of the activities of the Environmental Health Officer.

RECOMMENDATION

That the report be received.

COMMENT

Ongoing assessment of waste control applications and the inspection of work done by trade's people.

Regular routine inspections of food businesses.

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.

On Thursday 20 November the EHO attended a Zone Emergency Management Committee meeting in Clare. Discussion included lessons learnt from the Bangor Fire and other recent incidents. It was generally felt that agencies were working well together and were better prepared for the upcoming fire danger season. Further work is being done by Department for Communities and Social Inclusion (DCSI) and the State Recovery Office on community resilience and vulnerable people.

The EHO attended the November Fresh Food Friday at Warooka. Good food handling and hygiene practices were observed. It is also pleasing to see community groups endeavouring to promote fresh fruit and vegetable consumption to the local population and tourists.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

South Australian Public Health Act 2011

Food Act 2001

South Australian Public Health (Wastewater) Regulations 2013

On-site Wastewater Systems Code

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

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

3. DEVELOPMENT APPLICATION DECISIONS (File Ref: 9.24.1.1)

INTRODUCTION

Development Applications for the period 3 November 2014 to 28 November 2014.

RECOMMENDATION

That the report be received.

COMMENT

The following is a list of all Development Applications processed for the period 3 November 2014 to 28 November 2014

Yorketown

544/1338/2010	544/1177/2013	544/1214/2013
544/1261/2013	544/1071/2014	544/1126/2014
544/1133/2014	544/1135/2014	544/1155/2014
544/1159/2014	544/1168/2014	544/1171/2014
544/1174/2014	544/1178/2014	544/1182/2014
544/1183/2014	544/1186/2014	544/1188/2014
544/1191/2014	544/1192/2014	544/1193/2014
544/1194/2014	544/1195/2014	544/1199/2014
544/1202/2014	544/1206/2014	544/1211/2014
544/1215/2014	544/1217/2014	
544/1220/2014		

Maitland

544/2222/2013	544/2025/2014	544/2070/2014
544/2129/2014	544/2152/2014	544/2168/2014
544/2191/2014	544/2192/2014	544/2196/2014
544/2201/2014	544/2216/2014	544/2222/2014
544/2223/2014	544/2231/2014	544/2234/2014

544/2239/2014	544/2240/2014	544/2244/2014
544/2252/2014	544/2256/2014	544/2262/2014
544/2279/2017		

Land Divisions

544/D009/2014	544/D011/2014	544/D013/2014
544/D016/2014	544/D017/2014	

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Development Act 1993

Council's Development Plan

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

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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

LIST OF DEVELOPMENT APPLICATIONS & DECISIONS ISSUED BY THE ASSISTANT BUILDING SURVEYOR UNDER DELEGATION FOR THE PERIOD 3 NOVEMBER 2014 TO 28 NOVEMBER 2014

YORKETOWN

Dev. App. No.	Name & Address	Location	Proposal	Class	Area m^2	Cost $	Conditions Planning Building	Assessment / Valuation No	Decision Date	Builder Licence No
544/1338/2010	A & S Clark 6 Olive Street GLENELG	(Lot 8) 16 Southshore Road HARDWICKE BAY	Two Storey Dwelling	1a	157.8	300,000	Planning 6 Building 1 STAGE 2 Private Certifier	228791 5406453969	24 Nov 2014	CC Tape & Sons Pty Ltd BLD1145
544/1177/2013	L Castiglia 52 Daws Road EDWARDSTOWN	(Lot 14) 5 Trengrove Drive POINT TURTON	Verandah	32.5	10a	3,000	LAPSED	407213 5400786578	24 Nov 2014	Paul Delsar G6630
544/1214/2013	N Conlay PO Box 64 NAIRNE	(Lot 220) 5 Second Street WOOL BAY	Deck Extension & New Deck	10a	31.2 31.2	3,500	Planning 1 Building 2	216663 5405824254	12 Nov 2014	Owner Builder
544/1261/2013	CMS Crows Football Club 45 First Street MINLATON	(PTS 279) West Terrace MINLATON	Storage Container	10b	14.76	2,860	WITHDRAWN	301093 5407599302 A0020	18 Nov 2014	Owner Builder
544/1071/2014	D Schneider 49 Herbert Street PLYMPTON PARK	(Sec 1233) 53 Osprey Drive MARION BAY	Two Storey Dwelling & Tanks	1a	227	190,000	Planning 7 Building 8 Private Certifier	121533 5400948653	24 Nov 2014	TBA
544/1126/2014	S Furlong 26 Quondong Ave PARAFIELD GDNS	(Lot 47) 2 Dolphin Drive MARION BAY	Two Storey Dwelling & Garage	1a 10a	160 66.4	300,000	Planning 6 Building 5	431049 5400967758	12 Nov 2014	TBA
544/1133/2014	B Warnes PO Box 68 YORKETOWN	(Lot 105) 20 Camperdown Tce PORT MOOROWIE	Enclose Under Storey of Dwelling	1a	104.52	20,000	Planning 2 Building 1	409391 5406395121	19 Nov 2014	Owner Builder
544/1135/2014	R Hill PO Box 123 STANSBURY	(Lot 11) 14 Adelaide Road STANSBURY	Elevated Deck Extension	10b	60.18	30,000	Planning 3 Building 2	209478 5404810213	18 Nov 2014	CW Outdoor Design BLD169924
544/1155/2014	T McEvoy 5 Menkens Street HENLEY BEACH	(Lot 26) 51 Marine Parade PORT MOOROWIE	Verandah	10a	36	2,753	Planning 2 Building 2	226878 5406379164	24 Nov 2014	Owner Builder
544/1159/2014	W & J Ryles 22 Angle Vale Rd EVANSTON GDNS	(Lot 23) 15 Magazine Bay Road POINT TURTON	New Dwelling	1a	153.84	158,304	Planning 7 Building Nil Private Certifier	407304 5400786551	13 Nov 2014	Rivergum Homes GL113681
544/1168/2014	B Davey PO Box 85 WAROOKA	(Sec 316) 36 Galway Crescent POINT SOUTTAR	Carport	10a	49	4,000	Planning 3 Building 2	116277 5400874324	5 Nov 2014	Owner Builder
544/1171/2014	G Hoare 48 School Road YORKETOWN	(Sec 523) 80 School Road YORKETOWN	Garage	10a	94.89	10,100	Planning 3 Building 2	200089 5403337057	19 Nov 2014	Owner Builder

544/1174/2014	N & S Povey PO Box 196 PINE CREEK	(Lot 520) 22 Stansbury Road YORKETOWN	Dwelling Addition & Deck	23 60	1a 10b	125,000	Planning 2 Building 1	201236 5403416003	12 Nov 2014	TBA
544/1178/2014	A Williams PO Box 99 YORKETOWN	(Lot 208) 147 Moores Drive HARDWICKE BAY	Garage	10a	54	9,000	Planning 4 Building 2	325639 5409039413	7 Nov 2014	TBA
544/1182/2014	D & S Priest PO Box 302 WILLIASTON	(Lot 3) 6 Park Terrace EDITHBURGH	Garage	10a	55.51	11,065	Planning 4 Building 2	213348 5405192200	5 Nov 2014	A & B Searle Builders BLD55774
544/1183/2014	P Thompson PO Box 113 YORKETOWN	(Lot 537) 243 Port Giles Road WOOL BAY	Implement Shed	7b	288	11,000	Planning 2 Building 2	223297 5406317406	5 Nov 2014	TBA
544/1186/2014	A Wanganeen 16 Depot Road MINLATON	(Lot 2) 16 Depot Road MINLATON	Verandah	10a	90	9,635	Planning 3 Building 2	304154 5407852507	24 Nov 2014	Owner Builder
544/1188/2014	D & D Tuit PO Box 368 EDITHBURGH	(Lot 63) 10a George Street EDITHBURGH	Carport	10a	72	6,000	Planning 4 Building 2	403535 5405096306	18 Nov 2014	Owner Builder
544/1191/2014	L Thiel C/- Post Office COOBOWIE	(Lot 162) 8 First Street WOOL BAY	Dwelling Addition	1a	4.9	8,000	Planning 2 Building 1 Private Certifier	217406 5405845207	27 Nov 2014	TBA
544/1192/2014	A Cook PO Box 213 MINLATON	(Sec 125) 539 Cook Road RAMSAY	Garage	10a	111.02	9,200	Planning 5 Building 2	324277 5409024203	6 Nov 2014	T Keast BLD22575
544/1193/2014	CW & KA Pickert 19 Florence Street NETLEY	(Lot 16) 16 Park Terrace STANSBURY	Demolish Existing Shed; New Garage	10a	61	6,000	Planning 4 Building 2	227225 5404732008	19 Nov 2014	Owner Builder
544/1194/2014	D Hoyle PO Box 77 MINLATON	(Lot 10) 117 Maitland Road MINLATON	Carport	10a	60	9,990	Planning 2 Building 3	419580 5408895200	13 Nov 2014	Haywood Home Improvements BLD58028
544/1195/2014	G & L Bryan 19 Victoria Street YORKETOWN	(Lot 65) 19 Victoria Street YORKETOWN	Brick Fence	10b	22	3,000	Planning 1 Building Nil	204529 5403668059	24 Nov 2014	Owner Builder
544/1199/2014	Yorke Peninsula Council PO Box 88 MINLATON	Sec 419 Golf Road YORKETOWN	Boardwalk & Viewing Platform	10b	40	9,577	Planning 1 Building 1	200386 5403351502	19 Nov 2014	Owner Builder
544/1202/2014	B Reynolds 1 Marie Road MANNINGHAM	(Lot 6) 22 Edithburgh Road YORKETOWN	Garage	10a	54	5,590	Planning 5 Building 2	202358 5403500002	18 Nov 2014	TBA
544/1206/2014	R Duthy PO Box 223 EDITHBURGH	(Lot 263) 16 Edith Street EDITHBURGH	Verandahs (Beer Garden Addition)	6	119	8,000	Planning 3 Building 4	210435 5405035001	27 Nov 2014	Owner Builder
544/1211/2014	J & C Leske PO Box 62 POINT TURTON	(Lot 42) 3 North Coast Road POINT TURTON	Verandah	10a	25.5	2,100	Planning N/A Building 2	429274 5400786754	24 Nov 2014	Owner Builder

544/1217/2014	Corny Point CFS PO Box 2468 ADELAIDE	(PTS 159) 2 Liddiard Road CORNY POINT	Storage Shed	7b	90	99,457	Planning 4 Building 3	106294 5400677550 A0010	27 Nov 2014	Haywood Home Improvements
544/1217/2014	C Baker C/- Post Office WAROOKA	(Lot 861) 1 Main Street WAROOKA	Verandah	10a	47.04	4,500	Planning 2 Building 2	109090 5400731251	24 Nov 2014	T Glover BLD51278
544/1220/2014	G & L Kokar C/- Stansbury Pharmacy STANSBURY	(Lot 26) 4 Lime Kiln Road STANSBURY	Swimming Pool & Safety Fence	10b	28.8	33,970	Planning Nil Building 4	432252 5404780704	24 Nov 2014	Freedom Pools
TOTAL						**$1,389,741**				

MAITLAND

Dev. App. No.	Name & Addresses	Location	Proposal	Class	Area m^2	Cost $	Conditions Planning Building	Assessment / Valuation No	Decision Date	Builder Licence No
544/2222/2013	DR Warrior 225 Investigator Rd PORT VICTORIA	(Sec 146) 225 Investigator Rd PORT VICTORIA	Two Storey Dwelling Addition & Alterations	1a	192	180,000	Planning 6 Building 3	30262 4604721405	20 Nov 2014	TBA
544/2025/2014	R & L Parsons 207-209 Port Road HINDMARSH	(Sec 253) 6 Davit Drive BLUFF BEACH	Two Storey Dwelling & Garage UMR	1a 10a	189.86 55.73	200,000	REFUSED	318436 5408773270	6 Nov 2014	Not Supplied
544/2070/2014	ZM Ragenovich PO Box 1078 CLARE	(Lot 89) 26 Esplanade PORT VINCENT	Garage & Carport	10a	32 22	11,000	Planning 1 Building 2 Private Certifier	307660 5408244001	05 Nov 2014	TBA
544/2129/2014	LF Hodges PO Box 261 CLOVERDALE	Lot 370 Black Point Drive BLACK POINT	Garage, Carport & Verandah	10a	75	13,000	Planning 4 Building 2 Private Certifier	32565 4604906688	05 Nov 2014	TBA
544/2152/2014	RJ & El Taylor 8B Koongarra Ave MAGILL	(Lot 77) 4 Wellington Drive PORT JULIA	Dwelling, Carport & Decking	1a 10a	148.05 92	207,500	Planning 8 Building 3 Private Certifier	428250 5408646406	04 Nov 2014	Coast to Coast Homes BLD225824
544/2168/2014	RP Paterson 20 Trevorten Ave GLENUNGA	(Lot 3) 678 Conservation Dr WAURALTEE	Garage	10	72	11,275	Planning 4 Building 2	30858 460757299	12 Nov 2014	Trevarth Garages
544/2191/2014	WF Carroll 27 Alpha Road PROSPECT	Lot 728 Outlook Road BLACK POINT	Garage	10a	47.21	5,000	Planning 4 Building 2	423962 4604623805	25 Nov 2014	A Robertson BLD258679
544/2192/2014	P Speck 3 Cooper Place HAZELWOOD PK	Lot 104 Samuel Street MAITLAND	Dwelling & Verandah	1a 10a	107.97 13.6	119,486	Planning 12 Building 1 Private Certifier	432963 4601785606	03 Nov 2014	System Built Homes BLD102757
544/2196/2014	RA Watson 18 Nunyah Drive BANKSIA PARK	(Lot 75) 39 Main Street PINE POINT	Garage	10a	67.5	9,945	Planning 4 Building 9	20081 4603837019	05 Nov 2014	Owner Builder
544/2201/2014	PM & EK Clancy PO Box 7	(Lot 33) 91 Marine Parade	Residential Additions	1a	94	75,000	Planning 1 Building 3	311951 5408477500	28 Nov 2014	TBA

	TANUNDA	PORT VINCENT								
544/2216/2014	Carolyn Pastoral Pty Ltd 9 Bradley Street MICTHAM	(Sec 335) 14820 Spencer Hwy WEETULTA	Demolish Shed; New Machinery Shed	7	392 162	29,326	Planning 2 Building 9	45955 4607292001	20 Nov 2014	Grant Sheds BLD189717

544/2222/2014	CM Phillips & TA Page PO Box 136 ARDROSSAN	(Sec 367) 18 Grahn Road JAMES WELL	Verandah	10a	18.8	15,510	Planning 1 Building Nil Private Certifier	31518 4604899908	04 Nov 2014	Vergola 120044
544/2223/2014	PI Kelly 21a Commercial Rd BRIGHTON	(Lot 45) 1 Mulkra Court PORT VINCENT	Garage	10a	45.3	4,500	Planning 4 Building 2	419192 5408343510	12 Nov 2014	Owner Builder
544/2231/2014	Ardrossan Community Hospital 37 Fifth Street ARDROSSAN	(Lot 15) 37 Fifth Street ARDROSSAN	Ensuite Alteration within Hospital	9a		100,000	Planning Nil Building 1 Private Certifier	414 4600120055	05 Nov 2014	TBA
544/2234/2014	J Svehlak 28 Corrimal Avenue NOARLUNGA DOWNS	(Lot 1) 6 Maye Terrace BALGOWAN	Shed abutted to Existing Garage	10a	14.1	4,060	Planning 6 Building 2	35790 4605044055	13 Nov 2014	TBA
544/2239/2014	K Brokenshire PO Box 15 MAITLAND	(Lot 735) 17-21 Robert Street MAITLAND	Internal Alteration	6	N/A	6,000	Planning N/A Building 1	432724 4601868970 A0020	5 Nov 2014	A Howat R24063
544/2240/2014	SR & T Haggerty 222 Piggott Range Road CHANDLERS HILL	(Lot 251) 11-15 John Street ARDROSSAN	Transportable Building – Rumpus Room	1a	108	5,000	Planning 7 Building 2	4176 4600293001	19 Nov 2014	NA
544/2244/2014	MD Hicks 24 Cane Avenue ARDROSSAN	(Lot 2) 24 Cane Avenue ARDROSSAN	Demolish Garage; New Garage	10a	41 67.5	4,000	Planning 5 Building 9	5637 4600341309	24 Nov 2014	Owner Builder
544/2252/2014	MK Nourse PO Box 189 MAITLAND	(Lot 9) 15 Moody Road BALGOWAN	Verandah	10a	21.6	1,500	Planning Nil Building 2	35964 4605052506	24 Nov 2014	Owner Builder
544/2256/2014	MJ Murrie 63 Bradley Grove MITCHELL PARK	(Sec 380) 54 James Well Rd JAMES WELL	Verandah	10a	41.14	8,500	Planning 1 Building 2	34082 4604916050	28 Nov 2014	Maitland Building Co BLD415
544/2262/2014	AW Cameron PO Box 106 ARDROSSAN	(Lot 3) 38 Fifth Street ARDROSSAN	Above Ground Pool	10b	15	1,000	Planning Nil Building 3	810 4600155004	19 Nov 2014	Owner Builder
544/2279/2014	A & D Clark PO Box 403 MINLATON	(Sec 316) 1 Yandra Drive PORT RICKABY	Carport & Garage	10a 10a	35 54	5,000	Planning 5 Building 2	317628 5408792403	27 Nov 2014	Owner Builder
TOTAL						**$816,602**				

LAND DIVISIONS

Dev. App. No.	Name & Address	Location	Proposal	Conditions Planning Building	Assessment / Valuation No	Decision Date
544/D009/2014	JA Illman C/- Mosel Steed 6 Graves Street KADINA	(Lot 14) 2432 Black Bobs Road WAURALTEE	Land Division	Planning 1 Land Division 3	422428 4604722133	5 November 2014
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 2014
544/D013/2014	R & G Liebelt C/- Mosel Steed 6 Graves Street KADINA	(Lot 343) 18939 Spencer Highway WAURALTEE	Land Division	Planning 1 Land Division 3	29041 4604633405	5 November 2014
544/D016/2014	K Fullarton & PS & TA Buck C/- Mosel Steed 6 Graves Street KADINA	(Lot 44) 47 Urania Road & (Lot 11 & 12) 35 Urania Road PORT VICTORIA	Land Division	Planning 1 Land Division 1	400044 4604722133	5 November 2014
544/D017/2014	Yorke Peninsula Council C/- Mosel Steed 6 Graves Street KADINA	(Lot 100) 8 Elizabeth Road MAITLAND	Land Division	Planning 1 Land Division 1	10355 4601819204	5 November 2014

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

4. WASTEWATER SYSTEM APPLICATION DECISIONS (File Ref: 9.24.1.1)

INTRODUCTION

Wastewater System application decisions for the period 3 November 2014 to 28 November 2014.

RECOMMENDATION

That the report be received.

COMMENT

The following is a list of all Wastewater System applications processed for the period 3 November 2014 to 28 November 2014.

Maitland

050/160/2013	050/112/2014	050/125/2014
050/128/2014		

Yorketown

050/069/2014	050/111/2014	050/120/2014
050/126/2014	050/137/2014	

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Development Act 1993

Environmental Protection Act 1993

Council's Development Plan

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

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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

LIST OF WASTE CONTROL APPLICATIONS & DECISIONS ISSUED BY THE ENVIRONMENTAL HEALTH OFFICERS UNDER DELEGATION FOR THE PERIOD 3 NOVEMBER 2014 TO 28 NOVEMBER 2014

Maitland

Septic App. No.	Owner	Location	Proposal	Conditions	Assess. No	Decision Date	Plumber & Licence No
050/160/2013	D Warrior 225 Investigator Road PORT VICTORIA	(Sec 146) 225 Investigator Road PORT VICTORIA	Septic & Soakage	11	30262	20 November 2014	Owner Applicant
050/112/2014	PM & FK Clancy PO Box 7 TANUNDA	(Lot 33) 91 Marine Parade PORT VINCENT	Alteration Septic & Soakage	11	311951	28 November 2014	JBG Architects
050/125/2014	P Speck & MS Warner 3 Cooper Place HAZELWOOD PARK	Lot 104 Samuel Street MAITLAND	STED Connection	11	432963	03 November 2014	Van Schaik Plumbing & Tiling
050/128/2014	RI & EJ Taylor 8B Koongarra Avenue MAGILL	(Lot 77) 4 Wellington Drive PORT JULIA	Septic & Soakage	11	428250	04 November 2014	Moonta Plumbing & Gas

Yorketown

Septic App. No.	Owner	Location	Proposal	Conditions	Assess. No	Decision Date	Plumber & Licence No
050/069/2014	S Furlong 26 Quondong Avenue PARAFIELD GARDENS	(Lot 47) 2 Dolphin Drive MARION BAY	Sewer Connection	11	431049	12 November 2014	Owner Applicant
050/111/2014	N Povey PO Box 196 PINE CREEK	(Lot 520) 22 Stansbury Road YORKETOWN	STED Connection	11a	201236	12 November 2014	Owner Applicant
050/120/2014	A & S Clark 6 Olive Street GLENELG	(Lot 8) 16 Southshore Road HARDWICKE BAY	Sewer Connection	11	228791	24 November 2014	Peninsula Plumbing
050/126/2014	W & J Ryles 22 Angle Vale Road EVANSTON GARDENS	(Lot 23) 18 Magazine Bay Road POINT TURTON	Septic & Soakage	11	407304	13 November 2014	Fluid Plumbing Services
050/137/2014	D Schneider 49 Herbert Street PLYMPTON PARK	(Sec 1233) 53 Osprey Drive MARION BAY	Aerobic System	11	121533	24 November 2014	Daniel Pugh

DEBATE

AGENDA

CHIEF EXECUTIVE OFFICER

DA/ITEM 6.1

1. MEMBER FOR YORKE PENINSULA HEALTH ADVISORY COUNCIL
(File Ref:9.24.1.1)

INTRODUCTION

To enable Council to nominate a representative to the YP Health Advisory Council Inc.

RECOMMENDATION

That Councillor …… be appointed as the Council representative to the YP Health Advisory Council Inc for a term of three (3) years.

COMMENT

Council has been represented on the YP Health Advisory Council Inc since its inception by former Deputy Mayor Brenda Bowman.

Correspondence was received by Council in September whilst Council was in Caretaker Mode in the lead up to the Election and it was determined to defer making a nomination until the new Council had been sworn in (copy attached).

The nomination form attached to the correspondence is still seeking two nominations of which YP Health Advisory Council would select their preferred nominee, Council has previously advised them that this position is unacceptable for Council and that we would prefer to nominate one person who could undertake the role.

YP Health was advised via email of Council's inability to appoint someone during Caretaker Mode and that this matter would be presented to the December meeting of Council.

Appointment to the YP Health Advisory Council is for a term of three (3) years commencing 1st December 2014 as the previous term expired on 30th November 2014 in line with their constitution.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Strategic Plan

Key Theme:	Corporate Governance and Leadership
	1. Progressive Communities through Strategic Planning
Strategic Goal:	1.1 Strong, proactive leadership

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

To ensure Council is represented to keep ourselves informed and abreast of relevant health matters.

- 1 SEP 2014

5347- 2014-1
GDS Number
11.36.1.1
Distribution
RSK
10/12/14

22 August 2014

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

Government of South Australia
SA Health

Country Health SA Local Health Network Inc.

Yorke and Northern Rural Region

c/- Port Pirie Regional Health Service
The Terrace
PO Box 546
PORT PIRIE SA 5540

Phone (08) 8638 4581
Fax (08) 8638 4356
ABN 96 157 660 816

Website www.health.sa.gov.au

Dear Mr Cameron

LOCAL GOVERNMENT MEMBER FOR THE YORKE PENINSULA HEALTH ADVISORY COUNCIL INC.

As provided by the Yorke Peninsula Health Advsiory Council Inc. Constitution there is one position available for a Local Government Member. Brenda Bowman has been the representative for the last 3 years and we have appreciated her input and enthusiasm. Brenda's term on the Yorke Peninsula Health Advisory Council Inc. will expire on 30 November 2014.

It would be appreciated if you could give consideration to provide one name of a Councillor who may be prepared to undertake this role for a three year term.

I have enclosed a Nomination Form to facilitate your Council's nomination, can you please complete this and return it to Julie Searle, 9 South Terrace, Minlaton SA 5575 by Friday 10 October 2014.

Please feel free to contact me on 8638 4575 or roger.kirchner@health.sa.gov.au if you would like to discuss this further.

Yours sincerely

Roger Kirchner
Regional Director

Enc. Local Government Representative Nomination Form

Nomination Form – Local Government Member

To: The Presiding Member of the Yorke Peninsula Health Advisory Council Inc.

The ***Yorke Peninsula Council*** together hereby nominate the following two persons to be considered for appointment under clause 18 of the Constitution of the Yorke Peninsula Health Advisory Council Inc:

Name 1: .....

Address: .....

.....

Name 2: .....

Address: .....

.....

1. Evidence in writing of the consent of the two nominees is attached
2. A current curriculum vitae for each nominee is also attached

Endorsed by:

.....	.....
Name	Authorised representative of local council
.....	.....
Signature	Date
.....	.....
Name	Authorised representative of local council
.....	.....
Signature	Date

CHIEF EXECUTIVE OFFICER

DA/ITEM 6.1

2. CODE OF CONDUCT COMPLAINT (File Ref:9.24.1.1)

INTRODUCTION

To inform Council of a complaint received by the Acting Chief Executive Officer Roger Brooks, in relation to a breach of the Code of Conduct for Council Members.

RECOMMENDATION

That Council:

1. receive and note the Chief Executive Officer's Report and endorse the findings it contains;
2. undertake a full review of the Waste and Recycling Service Policy PO125 (attached) and as part of this review, determine whether to apply a charge for replacement bins following the theft of a bin;
3. consider the apology lodged and full review of the Policy PO125 as appropriate recommendations and actions from the report as detailed.

COMMENT

BACKGROUND

The Mayor is the Council member subject of the complaint. The complaint relates to the Mayor's dealings with a ratepayer. Specifically, the circumstances that gave rise to the complaint are:

- a ratepayer contacted Council about his bin having been stolen from the location where he is required to leave it for collection each week. He had dropped it off for collection in the morning but found it missing when he returned to retrieve it later that day;

- the ratepayer spoke with several Council employees about the matter who, in each case, correctly and consistently advised him that a replacement bin could be provided for a fee in accordance with Council policy. The policy in question is the Council's Waste and Recycling Service Policy PO125 (the Policy), which states "*Replacement putrescible waste and recycling bins must be purchased from Council";*

- the ratepayer voiced his disagreement with the policy in what employees have described as an aggressive and disrespectful manner;

- employees also advised the ratepayer that only Elected Members could change Council policy by resolution and that he was welcome to contact the Elected Members and request that they consider altering the Policy;

- the ratepayer then contacted the Mayor via mobile telephone (the Mayor was in the CEO's Office at Minlaton at the time Wednesday 8th October 2014). He explained to the Mayor that he had discussed this issue with staff without any solution he considered appropriate. He did not agree with the Policy, stating it

wasn't his responsibility to report the matter to the police or pay for a replacement bin. The Mayor left the CEO's office and went outside into the car park to continue the phone call. He advised the ratepayer that he was not entirely sure of the details of the Policy as he did not have a copy in front of him, but suggested that he could come to the Minlaton Office and receive a replacement bin free of charge. The Mayor then returned to the CEO's Office, where two other Elected Members were now also present and, following discussion, they considered that the outcome reached by the Mayor seemed reasonable at the time;

- the ratepayer then presented at the Minlaton Office on Friday 10th October 2014, complaining about the Policy and stating that he had been advised by the Mayor that he could collect a replacement bin free of charge. The employee who dealt with the ratepayer on this occasion again described his manner as aggressive and disrespectful towards Council staff;

- when the ratepayer expressed surprise that the Mayor was not fully aware of the content of the Policy, he was advised by the employee that this was not unusual, as Elected Members could not be expected to recall the contents of each and every policy given that Council has approximately 150 policy documents;

- in light of what the Mayor had told the ratepayer, employees felt compelled to provide the replacement bin, which they did. At the time Council policy provided that a charge of $55 was payable for a replacement waste bin.

- Members should note that this exact matter formed part of a debate agenda item at its meeting held on Wednesday 8th October 2014, where the fee for a second hand waste bin was reduced from $55 to $20.

"Cr Cook moved Cr Davey seconded

That Council endorse the inclusion and adoption of a standard Second Hand Waste Bin Fee of $20.00 including GST and a Second Hand Recycling Bin Fee of $40.00 including GST (to be reviewed annually) into the Fees and Charges Register.

CARRIED 190/2014 (08/10/2014)"

THE COMPLAINT

A complaint was received by the Acting Chief Executive Officer on Friday 10th October 2014, alleging that the exception made outside of the Policy by the Mayor gave rise to a breach of the Code of Conduct for Council Members ("the Code"). In particular, the complaint alleged that by suggesting to the ratepayer that he could obtain a bin free of charge (i.e. which was contrary to the Policy), that the Mayor undermined the actions of Council employees and acted contrary to the following provisions of the Code:

General behaviour

2.1 Show commitment and discharge duties conscientiously.

2.2 Act in a way that generates community trust and confidence in the Council.

2.3 Act in a reasonable, just, respectful and non-discriminatory way when dealing with people.

2.4 Show respect for others if making comments publicly.

2.5 Ensure that personal comments to the media or other public comments, on Council decisions and other matters, clearly indicate that it is a private view, and not that of the Council.

Responsibilities as a member of Council

2.6 Comply with all Council policies, codes and resolutions.

2.7 Deal with information received in their capacity as Council members in a responsible manner.

2.8 Endeavour to provide accurate information to the Council and to the public at all times.

INVESTIGATION & FINDINGS

The Council's *Process for Managing Complaints and Breaches under the Code of Conduct for Elected Members* (the Procedure) governs the manner in which complaints under the Code must be progressed (attached). In accordance with the Procedure the Acting CEO determined that the complaint did not give rise to criminal or illegal behaviour and that it was not sufficiently serious to give rise to misconduct under the Code that would warrant referral to the Ombudsman or the Office for Public Integrity. Accordingly, the Acting CEO undertook an assessment of the complaint pursuant to the Procedure to determine whether there had been a 'breach of substance' warranting referral to the LG Governance Panel.

The Acting CEO spoke with the Mayor, as well as the Council employees who had dealings with the ratepayer to ensure that he understood the circumstances that gave rise to the complaint and was in a position to make a balanced assessment of the facts (the facts discerned by the Acting CEO in speaking with the relevant parties are set out in the Background section of this report above).

Having had regard to the facts, the Acting CEO found that:

1. the Mayor's conduct in informing the ratepayer that he could obtain a bin free of charge from the Council gave rise to a breach of the Policy and, therefore, a breach of clause 2.6 of the Code; and

2. there was no evidence to substantiate the allegations in the complaint that the Mayor had acted in breach of clauses 2.1 – 2.5, 2.7 and 2.8 of the Code. The reasons that support this finding are:

   - there was no evidence to suggest that the Mayor acted other than in good faith and in what he considered to be the Council's interests in his dealings with the ratepayer at that point in time;

   - Members should note (and which formed part of the Elected Members Induction programme) that there are clear divisions under the Act in relation to roles and responsibilities whereby Elected Members set Policy and Strategic Direction and staff under delegation from the CEO enact and enable those Policy decisions. Again referencing the breach of clause 2.6 in overriding a Policy of Council.

   - the Mayor's comments to the ratepayer were not intended to undermine or disrespect staff. The Mayor provided the Acting CEO with a letter of apology on 14/10/2014, (copy provided to the complainant) sincerely apologising for his actions.

"*It was not my intention to disregard Council policy nor to cause any upset to anyone and for that I am sorry. It was a genuine oversight and it is never my intention to cause embarrassment to the staff or the Council.*

I would like to sincerely apologise for any difficulties my actions may have caused for staff involved with the situation."

Unfortunately Council staff regularly deal with irate customers, some who at times become aggressive and disrespectful. Staff are under strict instruction that all policy and procedures must be "strictly adhered to" any variation can lead to disciplinary action under a breach of the Employee Code of Conduct.

Where an Elected Member overrides employees actions in terms of policy implementation it has the affect of undermining the staff involved, causing significant embarrassment and stress and possible breakdown in relationships between staff and the Elected Body. Whether the matter is of a minor nature such as this incident was.

In all of the circumstances of the review process the Acting CEO determined that the conduct giving rise to a breach of the Policy did not warrant referral to the LG Governance Panel. This is because:

- it was an inadvertent, isolated incident of a breach of the Code by the Mayor;
- in speaking with the Acting CEO about the complaint, the Mayor expressed contrition and undertook to write a letter of apology to the Acting CEO; and
- the Mayor has also undertaken to ensure that he does not repeat the conduct that gave rise to the complaint and to refer all policy matters to the Council administration in future.

In making this determination, the Acting CEO also spoke with the complainant and informed the complainant of the process undertaken for assessment of the complaint, along with the Mayor's response indicating a personal apology, and a copy of the letter of apology has been provided to the complainant. The complainant was advised that a report would be submitted to Council in accordance with the Procedure. The Acting CEO is satisfied that the steps taken in relation to the complaint and the Mayor's response have sufficiently resolved the complaint.

Taking the above into account, in light of the fact that the Acting CEO has made a finding that the Mayor acted in breach of clause 2.6 of the Code, this report is presented to the Council for determination in accordance with the Procedure.

For members information both the Complainant and the Mayor have requested a full review of Policy PO125, especially in relation to replacement of stolen bins.

The CEO will provide a formal, written response to the complainant to advise the complainant of the Council's determination.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Independent Commissioner Against Corruption Act 2012

PO125 Waste and Recycling Service Policy

Mandatory Code of Conduct for Elected Members

PFC 123 Process for Managing Complaints and Breaches under the Code of Conduct for Elected Members

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

It is imperative that all complaints, in particular complaints relating to code of conduct breaches, are appropriately assessed and then investigated (if necessary) through the proper process to avoid the potential for further risks such as reoccurring breaches and maladministration.

COUNCIL POLICY

Waste & Recycling Policy

Policy Number:	PO125		
Strategic Plan Objective	Sustainable Infrastructure		
Policy Owner:	Chief Executive Officer	**File Number:**	5.63.1
Responsible Officer:	Director Assets & Infrastructure Services	**Minute Reference:**	104/2014 (11/06/2014)
Date Adopted:	11/06/2014	**Next Review Date:**	June 2018

1. POLICY OBJECTIVES

This Policy sets out the service to be provided to properties in regard to a waste and recycling collection service within the Yorke Peninsula Council.

Council is committed to the provision of efficient, environmentally friendly waste collection and recycling services.

2. SCOPE

This policy applies to all eligible properties within the Yorke Peninsula Council region in relation to waste and recycling collection service.

3. DEFINITIONS

The Act	means the Local Government Act 1999
Assessment	means a parcel of land identified within Council's Assessment book
Service Charge	is the charge imposed by Council for the service, in accordance with Section 155 of the Local Government Act 1999
Non-Rateable	means properties identified as non-rateable in accordance with the Local Government Act 1999
Standard Entitlements	means: - Residential Properties within Town Service area – 1 Putrescible (140L) per week, 1 Recyclables (240L) per fortnight and 1 Green Organics (240L) per month ie "3 bin system". - Commercial / Industrial / Other / Non-rateable Properties – 1 Putrescible (140L) per week, 1 Recyclables (240L) per fortnight at the designated pick up point determined by Council ie "2 bin system".
Bin	is a 140 or 240 litre mobile garbage bin (MGB)
Residential properties	are those properties where there is an identified habitable household, ie a residence which can be used for living by having the reasonable facility and comfort for a person (or persons) to stay (eg a building protecting from weather, having facility for running water, access to public road and toilets with reasonable accessories).

Town Service area	are those properties located within a restricted speed zone of less than 100km/hr or as determined by Council.
Rural Service area	is all other areas within the Council boundary.
Council	means Yorke Peninsula Council, including any of its authorised representatives or staff under the delegated authority of Council.
Putrescible	is the part of household waste remaining after the removal of Recyclables and Green Organics.
Recyclables	means the following containers, packages and products: • newspapers, magazines, junk mail, stationery, office paper, envelopes, telephone books, egg cartons, cardboard; • liquid paperboard cartons (eg milk and ice coffee containers); • glass bottles (including wine bottles) and jars (excluding crockery); • aluminium rigid and semi rigid packaging; • all rigid plastic packaging and bottles; • steel rigid packaging, including aerosol cans; • any other recyclables as nominated by Council.
Green Organics	means: • small prunings, cuttings and branches no larger than one metre long and 50mm in diameter; • lawn clippings, leaves, weeds (excluding prescribed plants) and cut flowers; • any other materials as included by Council from time to time.
Waste	means any discarded object or material (whether or not it has any apparent value).

4. POLICY STATEMENT

- Each residential property who pay the relevant service charge will be provided with one (1) Putrescible (140L) and one (1) Recyclables (240L) bin to enable the collection service to commence regardless of the size of the premise.

- Existing residential properties within a town service area will be required to utilise their existing 240 litre MGB for the green organics collection. New residential properties within the town service area can provide their own 240 litre MGB or purchase a 240 litre MGB for green organics.

- Where multiple residences exist and are identified within Council's assessment book, a standard entitlement will be provided to each residence unless otherwise approved within this policy. Refer to 3.4 for Business, Industrial and Commercial Premises.

- All bins allocated by Council must remain with the property, and remain the property of Council for the first ten years after initial allocation. Ongoing repairs and replacement to be carried out at the expense of the property occupant. Replacement putrescible waste and recycling bins must be purchased from Council.

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- Upon request all new eligible properties may collect their allocated bins from any Council office and these bins must remain with the property, with ongoing repair and replacement to be carried out at the expense of the occupant.

- The supply and collection of extra bins in addition to the standard entitlement, is by arrangement with Council. The annual Service Charge is determined by Council.

- Council is committed to providing education and support to the community on the implementation of the waste reform strategies and will continue to work with residents and organisations to assist them to identify and facilitate solutions to their waste management issues, associated with the introduction of these waste management reform strategies.

- The Chief Executive Officer in collaboration with the Director Assets & Infrastructure Services will have delegated authority to approve waste management solutions where the resident or organisation can demonstrate exceptional circumstances that require flexibility in the application of this policy and that the solution/s will have little or no cost implications for Council or its contractor.

4.1 Putrescible Collection Service

- The putrescible collection service will be provided to all properties that are entitled to receive the service (refer to Standard Entitlements in Definitions). Non-rateable properties can apply to receive the entitlement when a written application is received, including those premises defined in Clause 3.5.

- The waste collection service will be provided via the use of a Council issue 140 litre MGB, collected weekly identified with a red lid.

4.2 Recyclables Collection Service

- The recyclables collection service will be provided to all properties that are entitled (refer to Standard Entitlements in Definitions). Non-rateable properties can apply to receive the entitlement when a written application is received, including those premises defined in Clause 3.5.

- The recycling collection service will be provided via the use of a Council issue 240 litre MGB, collected fortnightly, identified with a yellow lid.

4.3 Green Organics Collection Service

- The green organics collection service will be provided to residential properties within the Town Service area only.

- The green organics service will be provided via the use of a 240 litre MGB, collected monthly, identified with a green lid.

- Premises with an existing 240 litre MGB will may utilise this bin for the green organics collection.

- Council may consider providing an additional green organic collection (additional bin/bins/per monthly collection) to eligible properties, subject to the following conditions;

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- Applications must be made in writing; and
- Upfront payment of the appropriate fee as set by Council (calculated per annum) must be forthcoming for the remainder of the financial year.

4.4 Business, Industrial and Commercial Premises

- It is outside of Council's responsibility to collect waste generated by the activities of business, industrial and commercial premises. All business premises will be required to organise and access a commercial waste, recycling and green collection suppliers for any needs in excess of the collection services defined within this policy. Written applications will be considered by Council for a maximum of up to three (3) Putrescible (140L MGB) collections per week and three (3) Recyclables (240L MGB) collections per fortnight and additional bin fees will be applied.

- Multiple tenancies on a single allotment may each apply for a standard entitlement and will be charged a Service Charge for each service as detailed in Clause 3.

4.5 Council Owned Properties and Other Occupied Premises

- A Council owned property and other occupied premises (generally non rateable) may include but is not limited to premises/organisations such as schools, community groups, sports clubs, health services, religious centres, child or aged care, etc.

- In addition to the above, a discretionary provision also allows Council to provide a waste and recycling collection service to other groups, organisations, or activities that can demonstrate they are of a general benefit or that they operate in the community's best interest.

- A service will only be provided for properties within this category once a written application is approved by Council and the appropriate service charge (as determined by Council) will be applied.

4.6 Collection Times

Where a regular collection day falls on a public holiday, all services will continue on the same day as normal, (unless otherwise advised) with the exception of Good Friday, Christmas Day and New Year's Day with further collections for that week being delayed by one day. Any such changes will be shown on Council's website www.yorke.sa.gov.au and advertised in the local newspaper.

4.7 Prohibited Waste

The following substances are **prohibited** from collection by the Council Waste and Recycling Collection Service**:**

Hot ashes; liquids; dust and fine loose material unless it is securely wrapped in paper; pool chemicals; paints, varnishes and solvents; listed waste (refer to Schedule 1 of the Environment Protection Act); car batteries; acids and alkalis; soil, sand, gravel, rocks; building materials including concrete, bricks, masonry, tiles; asbestos; bitumen; vehicle bodies, engines and parts; tyres; explosives and ammunition; gas bottles; medical waste (includes prescribed waste from dental and veterinary practices); wastes resulting from medical or veterinary research; radio-active waste; e-waste and any other item or

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substance that may constitute a hazard to the waste collectors, to the mechanism of the collection vehicle and/or to the environment at large.

4.8 Refusal of Service

- **Service may be refused in circumstances where:**
  - The approved waste collection container is not used;
  - The bin contains prohibited waste as detailed in Clause 3.7;
  - A bin and its contents weigh more than 50kg;
  - A bin is placed in a location that cannot be **easily** accessed by the collection vehicle;
  - There is repeated and recorded misuse of the bin;
  - An occupier has repeatedly failed to remove bins within the 24 hours after being emptied.

- Council reserves the right to refuse service where it is impractical to collect, store or present bins or where, as part of planning approval conditions, responsibility for waste management is vested with the owner/occupier.

- Bins will only be collected from a township service area as defined, the designated rural route or at an identified waypoint or bin station.

4.9 Fees and Charges for the Service

- A service charge will be levied on all properties to which the service is made available.

- There will be different service charges for a “2 bin system” and “3 bin system” as determined by Council annually, with rural properties charged based upon a sliding scale principle subject to the distance from the property (being the identified rural property access) to the collection route.

- Where additional bins are provided at the request of the Business, Industrial and/or Commercial premises fees will be calculated on an annual basis and invoiced separately to the Annual Service Charge.

- The service charge will be set each year by Council and will cover the costs necessary to establish, operate and maintain the service. Income from the service charge will only be used to fund costs associated with the Waste and Recycling Service.
- A service charge for the service will be included on the Rates Notice for each assessment, which receives the service and will be payable at the same time general rates are payable. The service charge will be recovered as if it were a rate, even if the service charge is against a non-rateable assessment.

- A request for additional bins may be considered by Council.

- Rural properties outside of the 5 km collection area may elect to access the waste and recycling service. This service shall be provided by agreement only and upon payment of the appropriate fee, as determined by Council.

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5. COMPLAINTS

Complaints about this policy can be made in writing to the Operations Manager. Complaints will be managed in accordance with Council's Complaints Policy PO147.

6. REVIEW

This policy will be reviewed every four years and as deemed necessary in consideration of any changes to legislation and relevant standards, codes and guidelines. Elected Members and employees will actively participate in evaluation processes.

7. TRAINING

Council is committed to supporting employees who will be trained to manage complaints efficiently and effectively, and provided with a level of delegated authority appropriate for the nature of complaints they are expected to resolve.

Training needs will also be identified through the performance review and audit processes. Training will also occur and as necessary in response to changes to legislation and relevant standards, codes and guidelines.

8. RELATED COUNCIL POLICIES AND DOCUMENTS

Yorke Peninsula Council – Strategic and Corporate Plan 2012-2015

- Objective 1.3 – Sustainable Infrastructure - Provide waste and recycling services to our community in order to reduce waste to landfill.

9. REFERENCES AND LEGISLATION

State Government Strategic Plan
Environment Protection Authority guidelines
Zero Waste SA – South Australia's Strategy 2011-2015

10. COUNCIL DELEGATION

Details of Delegation:	
Delegate:	Chief Executive Officer
Sub Delegate:	Director Assets & Infrastructure Services

11. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Waste & Recycling Policy	PO125	11/03/2008	08/06/2010

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The District Council of Yorke Peninsula: Deployment Flowchart

Process:	**Process for Managing Complaints and Breaches under the Code of Conduct for Elected Members**
Intent:	To ensure that complaints about Elected Member behaviour contrary to the Code of Conduct are adequately investigated and addressed.
Owner:	Chief Executive Officer
File Number	Minute Reference No:
Date Adopted	**Next Review Date:**

Mayor (**CEO** in the case that complaint is about the Mayor)	**CEO**	**Council**	**Local Government Governance Assessment Panel**	**Comments/ References**
Written complaint received ↓ Advise CEO of complaint within 24 hours ↓ Forward written complaint to CEO within 24 hours (unless otherwise agreed with CEO) →	Send written acknowledgement of complaint to complainant within 3 working days. ↓ Is the allegation about criminal or illegal behaviour? No → Go to page 2 Yes ↓ Undertake preliminary investigation. ↓ Make a balanced & fair assessment of the complaint based on all available evidence. ↓ Breach of substance & further referral warranted? Yes ↓ Refer to appropriate authority ↓ Go to page 2	No → Go to page 2		Complaints about Elected Member behaviour under this policy must be writing to the Mayor, identifying which provision under the Code is alleged to have been breached and provide all available evidence to support the allegation(s). In the case of a complaint against the Mayor, complaints must be delivered to the Chief Executive Officer. **Criminal/illegal behaviour complaints must be kept confidential until fully investigated and finally determined.** Criminal/illegal behaviour includes: ●corruption ●fraud ●theft Examples of appropriate authorities include: ●SAPOL ●Minister for State and Local Government Authorities ●Ombudsman A breach under any of the Related Policies & Documents referred to in the District Council of Yorke Peninsula's Elected Member Code of Conduct Policy, is a also a breach of the Elected Members Code of Conduct Policy. No further action will be taken where the Chief Executive Officer determines that the allegation is frivolous or vexatious. **Neither the Elected Member(s) who is the subject of the complaint or the Council can be advised until after the investigating authority investigations are complete.**

The District Council of Yorke Peninsula: Deployment Flowchart

Process:	**Process for Managing Complaints and Breaches under the Code of Conduct for Elected Members**
Intent:	To ensure that complaints about Elected Member behaviour contrary to the Code of Conduct are adequately investigated and addressed.
Owner:	Chief Executive Officer
File Number	Minute Reference No:
Date Adopted	**Next Review Date:**

Mayor (**CEO** in the case that complaint is about the Mayor)	**CEO**	**Council**	**Local Government Governance Assessment Panel**	**Comments/ References**
From Page 1	From Page 1	From Page 1		May be received by Council in confidence providing that the allegations meet the special circumstances set out under Section 93 of the Local Government Act 1999
	Upon completion of authority investigations, table findings & complaint details at the next formal Council meeting			
	Written response to complainant			Where charges are laid, the relevant authority is responsible for reporting to the Elected Member who is being charged & the public as necessary.
	Manage records in accordance with Council's Records Management Policy			
	Advise the Elected Member(s) who is the subject of the complaint & its nature within 24 hours & explain the right to explain his/her actions &/or make a written submission in response			The Elected Member(s) who is the subject of the complaint & Council may seek legal advice subject to Council's Elected Member Legal Advice Policy (under development).
	Undertake thorough investigation.			
	Make a balanced & fair assessment of the complaint based on all available evidence.			A breach under any of the Related Policies & Documents referred to in the District Council of Yorke Peninsula's Elected Member Code of Conduct Policy, is a also a breach of the Elected Members Code of Conduct Policy.
Yes	Breach of substance & further referral warranted?			
	No			No further action will be taken where the Chief Executive Officer determines that the allegation is frivolous or vexatious.
Go to page 3	Go to page 3	Go to page 3		

The District Council of Yorke Peninsula: Deployment Flowchart

Process:	**Process for Managing Complaints and Breaches under the Code of Conduct for Elected Members**
Intent:	To ensure that complaints about Elected Member behaviour contrary to the Code of Conduct are adequately investigated and addressed.
Owner:	Chief Executive Officer
File Number	**Minute Reference No:**
Date Adopted	**Next Review Date:**

Agriculturally rich – naturally beautiful

Mayor (**CEO** in the case that complaint is about the Mayor)	**CEO**	**Council**	**Local Government Governance Assessment Panel**	**Comments/ References**
From Page 2	From Page 2	From Page 1		
	Advise the Elected Member(s) who is the subject of the complaint & its nature within 24 hours & explain the right to explain his/her actions &/or make a written submission in response			The Elected Member(s) who is the subject of the complaint & Council may seek legal advice subject to Council's Elected Member Legal Advice Policy (under development).
	Breach of the Code of Conduct?			
Yes		No		
	Refer to the LG Governance Panel by completing a Code of Conduct Complaint Referral Form & attaching supporting information			The LG Governance Panel report is final. There is no right of appeal. The Elected Member may respond in writing on the findings of the report & the appropriateness of disciplinary actions.
	Table the fact that there has been a complaint, with out allegation details, at the next formal Council meeting		Complaint assessed. Necessary investigations undertaken	May be received by Council in confidence providing that the allegations meet the special circumstances set out under Section 93 of the Local Government Act 1999
	Table written report about complaint with recommendations for action at next formal Council meeting		Written report to Council with recommended action(s)	Recommended actions may include: ●Mediation ●Training ●Counselling ●Apology ●Changes to policies/procedures/ processes ●Public announcement of complaint & determination.
	Go to page 4	Go to page 4		Report to show due process & reasons for decision/recomendations

The District Council of Yorke Peninsula: Deployment Flowchart

Process:	**Process for Managing Complaints and Breaches under the Code of Conduct for Elected Members**
Intent:	To ensure that complaints about Elected Member behaviour contrary to the Code of Conduct are adequately investigated and addressed.
Owner:	Chief Executive Officer
File Number	**Minute Reference No:**
Date Adopted	**Next Review Date:**

Mayor (**CEO** in the case that complaint is about the Mayor)	**CEO**	**Council**	**Local Government Governance Assessment Panel**	**Comments/ References**
	From Page 3	From Page 3		The principles of procedural fairness must be observed from receipt of the complaint to final determination.
		Determine appropriate action by resolution		The Elected Member(s) who is the subject of the complaint & Council may seek legal advice subject to Council's Elected Member Legal Advice Policy (under development).
	Copy of report & Council's related resolution to Elected Member(s) who is the subject of the complaint. Explain the right to make a written submission in response			**RIGHTS TO APPEAL DECISIONS ABOUT COMPLAINTS** Both the Elected Member who is the subject of the complaint and the complainant have the right to request that assessments made by the CEO without referral to Council be referred to Council for review by resolution.
	Implement action as per Council resolution			
	Written response to complainant			Both the Elected Member who is the subject of the complaint and the complainant have the right to request that resolutions made by Council without referral to the LG Governance Panel be reviewed by the LG Governance Panel.
	Manage records in accordance with Council's Records Management Policy			The LG Governance Panel report is final. There is no right of appeal. The Elected Member may respond in writing on the findings of the report & the appropriateness of disciplinary actions.
				Members of the community have the right to seek an external review through the State Ombudsman, or other legal process, at any time.

CHIEF EXECUTIVE OFFICER

DA/ITEM 6.1

3. PENSIONER RATES CONCESSIONS (File Ref:9.24.1.1)

INTRODUCTION

RECOMMENDATION

That Council:

1. will not replace the withdrawn Federal and State Government funding for pensioner concessions;
2. agrees to participate in the LGA's campaign to seek reinstatement of the concessions;
3. agrees to insert a flyer in the next quarterly Council rates notices alerting ratepayers to the "Bill Shock" of the impact of removal of pensioner concessions on rates.

COMMENT

Within South Australia, the State Government has provided pensioners with a maximum concession of $190 ($100 for self-funded retirees) on Council rates within any financial year.

This funding has been supported through a Federal Agreement (the *National Partnership Agreement on Certain Concession Card and Senior Card Holders)* which provided funding to the State Government to enable concessions to be paid to part pension concession holders on utilities, water and Council rates.

Specifically for South Australia, the Agreement provided approximately $27.7 million in funding for the 2013/2014 financial year to cover all concessions to part pensioners.

Earlier this year the Commonwealth Government made a decision to cut the Agreement on Certain Concessions for Pensioner Concession Card and Senior Card Holders.

The State Government agreed to fill this funding gap for the 2014/2015 financial year, however in its 2014/2015 Budget the State Government announced that concessions on Council rates would cease as of June 2015.

Despite the Agreement providing funding for part pensioners across various taxes and utility charges, the State Government decision will pass cuts entirely onto Council rate concession recipients from next year, this will impose significant hardship on only one category of concession recipient.

For our Council the funding for pensioner concessions received from the State Government is a total of $415,320. This equates to 22.5% of our residential ratepayers who receive these concessions.

The specific cost impost on each pensioner concession entitlement will vary across the Council area (and collectively other Councils); however by way of example the average "bill shock" on a pensioner rate payer will be approximately 20.7%

The average SA Council rates 2014/15 are approximately $1,240 and using that average, pensioners receiving the $190 concession paid, on average, a net $1,050 this year.

When pensioners lose this concession and you also factor in the annual Local Government Price Index, (2.6% based on 2013/14), the total increase for pensioners will be $217 or an increase of 20.7%.

A letter addressing concerns with cutting the pensioner concession on Council rates was sent by the LGA to the Treasurer, the Hon Tom Koutsantonis, in July 2014. A subsequent meeting was held on 13 August 2014 between the LGA President and Chief Executive Officer and the Treasurer to discuss concessions on Council rates.

Historically rate payers may be eligible for a pensioner concession on Council rates if they own or part-own their principal place of residence on the date that the first Council rates account is payable for that financial year and responsible for paying the rates on that property. Also, they must have one of the following cards:

- a Pensioner Concession Card;
- Gold Card from the Department of Veterans' Affairs;
    - Totally and Permanently Incapacitated (TPI);
    - Extreme Disablement Adjustment (EDA);
    - War Widow;
- Gold Card from the Department of Veterans' Affairs issued to a person with 80 or more overall impairment points under the *Military Rehabilitation and Compensation Act 2004;*
- Seniors Card; and/or
- State Concession Card.

In light of the significant impact to pensioners and the wider community and the lack of commitment by the State and Federal Government, the LGA Board meeting on 20 November 2014 resolved:

That the LGA Board:

1. *authorises the LGA President and CEO to continue to lobby the State Treasurer and relevant Minister to reinstate the pensioner concession on Council rates;*
2. *authorises the President to write to all Councils advising that the LGA's position is not to support Councils funding pensioner or self-funded retiree concessions;*
3. *authorises the Executive Committee to work with the Secretariat on a campaign to support Councils in their discussions with the community and local MPs on the matter of pensioner and self-funded retiree concessions; and*
4. *establish a Local Government policy position in consultation with Councils on the removal of pensioner/self-funded retirees concession from Council rates from the 2015 budget.*

Pursuant to this decision the LGA is now seeking the co-operation of all Councils to participate in a State-wide concerted campaign on this issue.

The LGA also advises that to date:

- the President has again written to the State Government to request the reinstatement of pensioner concessions on Council rates;
- the President has written to the Commonwealth seeking the reinstatement of the Agreement;
- the Secretariat has provided all Councils with a draft pro-forma letter to be sent to Local Federal Members of Parliament and relevant Ministers seeking the reinstatement of the Agreement; and
- the Secretariat wrote a discussion paper to outline the issues and complexities of pensioner concessions on Council rates, with recommendation that Councils consult their communities on this issue. A copy of this paper was provided to all Councils as an attachment to an email to all CEOs on 23 October 2014.

To assist in this campaign, the Council Mayor Ray Agnew OAM sent a copy of the pro-forma letter to Local Federal Members of Parliament on 25th November 2014. A copy of this letter was provided to the LGA.

The campaign strategy is being finalised and further details will be provided to Council.

The LGA envisages providing model resources, such as wording for inserts, pro-forma petitions and media releases to Councils for each of the proposed elements in this campaign.

The LGA is continuing to have ongoing discussions with the Minister for Local Government, the Hon Geoff Brock, and Treasurer, the Hon Tom Koutsantonis.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The removal of the pensioner rates concession will cause a significant impact on people who may already be considered as disadvantaged members of the community.

Local Government Association of South Australia

Insert Council Logo

Pensioner Concessions

Dear Ratepayer,

In June 2014 the Commonwealth Government cut funding to the State Government for pensioner and other concessions amounting to $27m.

The State Government has maintained your concession on Council rates paid under the SA Parliament's *Rates and Land Tax Remission Act 1986* ($34m) this financial year. However it has announced it will **stop your concessions** on rates from 1 July 2015.

We estimate that next year's rates, for most people currently eligible for a concession, will include a "bill shock" of around 20% without the concession.

Council is opposed to the Federal cut and is also opposing the State Government's decision to abolish concessions on Council rates.

Help us to help our most vulnerable to retain their concession payments.

To support your Council's aim to reverse this decision, please contact your local Member of Parliament - go to: www.lga.sa.gov.au/localmp.

From

your Council

Local Government Association of South Australia

Insert reverse version of your Council Logo here

Rates Concessions

Dear Ratepayer,

In June 2014 the Commonwealth Government cut funding to the State Government for pensioner and other concessions amounting to $27m.

The State Government has maintained your concession on Council rates paid under the SA Parliament's *Rates and Land Tax Remission Act 1986* ($34m) this financial year. However it has announced it will **stop your concessions** on rates from 1 July 2015.

We estimate that next year's rates, for most people currently eligible for a concession, will include a "bill shock" of around 20% without the concession.

Council is opposed to the Federal cut and is also opposing the State Government's decision to abolish concessions on Council rates.

Help us to help our most vulnerable to retain their concession payments.

To support your Council's aim to reverse this decision, please contact your local Member of Parliament - go to: www.lga.sa.gov.au/localmp.

From

your Council

Insert Council contact details

Office of the President

In reply please quote our reference: 613059 / SS : LC

4 December 2014

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

Dear Mayor Agnew

Abolition of State Government Rate Concessions

As you would be aware, the holders of pensioner concession cards and others who receive payments from Centrelink or the Department of Veterans Affairs have been entitled to receive from the State Government a concession of $190 per year ($100 for self-funded retirees) on Council rates.

Earlier this year the Commonwealth Government made a decision to cut the National Partnership Agreement (NPA) on Certain Concessions for Pensioner Concession Card and Senior Card Holders.

For South Australia, the NPA provided approximately $27.7 million in funding for the 2013/2014 financial year to cover these concessions including to part pensioners.

The State Government agreed to fill this funding gap for the 2014/2015 financial year, however in its 2014/2015 Budget the State Government announced that these concessions on Council rates would cease as of June 2015.

As a consequence of this decision, in June or July next year, when your Council determines its annual rates increase those ratepayers who have in the past received the concession will likely react to both your rates increase and the discontinuation of their $190 concession.

The average SA Council rates 2014/15 are approximately $1240 and using that average, pensioners receiving the $190 concession paid, on average, a net $1050 this year.

When pensioners lose this concession and you also factor in your annual rate rise, likely to be based upon the annual Local Government Price Index, (2.6% based on 2013/14), the total increase for pensioners, on average will be $217 or an increase of 20.7%.

When this vulnerable section of your community is confronted by this increase in their first rates notice for the 2015-16 financial year, it is likely to prompt substantial public and media reaction.

…/2

148 Frome Street Adelaide SA 5000 | GPO Box 2693 Adelaide SA 5001 DX 546 | **Tel** 08 8224 2029 | **Fax** 08 8232 6336 | **Web** www.lga.sa.gov.au

In light of the significant impact to pensioners and the wider community and the lack of commitment by the State and Federal Government, the LGA Board meeting of 20 November 2014 resolved:

That the LGA Board:

1. *authorises the LGA President and CEO to continue to lobby the State Treasurer and relevant Minister to reinstate the pensioner concession on Council rates;*
2. *authorises the President to write to all Councils advising that the LGA's position is not to support Councils funding pensioner or self-funded retiree concessions;*
3. *authorises the Executive Committee to work with the Secretariat on a campaign to support Councils in their discussions with the community and local MPs on the matter of pensioner and self-funded retiree concessions; and*
4. *establish a Local Government policy position in consultation with Councils on the removal of pensioner/self-funded retirees concession from Council rates from the 2015 budget.*

I now seek the co-operation of your Council in a State-wide campaign on this issue.

We seek your support by encouraging your Council to pass a resolution - that the Council:

1. Will not replace the withdrawn Federal and State Government funding for pensioner concessions;
2. Agrees to participate in the LGA's campaign to seek reinstatement of the concessions; and
3. Agrees to insert a flyer in the next quarterly Council rates notice alerting ratepayers to the "Bill Shock" of the impact of removal of pensioner concessions on rates.

There will be other activities which the LGA will ask Councils to be involved with and we will provide model resources, such as wording for leaflets, pro forma petitions and media releases to Councils for each of the proposed elements in this campaign.

The first necessary step, however, is for me to ask your Council to participate in the campaign.

I have enclosed a draft Council report including a proposed Council resolution that we encourage your Council to adopt at the earliest possible opportunity, preferably at a Council meeting in December 2014.

In anticipation, I thank you for your support and kindly request that you provide a copy of any Council resolution regarding this matter by email to shane.sody@lga.sa.gov.au.

I also remind you of a previous request to write to local Federal MPs on this issue if this has not already been achieved.

I will write to you again in early January 2015 to provide the relevant resources.

For further information please contact David Hitchcock, Director Infrastructure via email on david.hitchcock@lga.sa.gov.au or phone 08 8224 2052.

Kind regards

Mayor David O'Loughlin
President

Telephone: 8224 2022
Email: lgapresident@lga.sa.gov.au

Attach: Draft suggested Council Report and Resolution

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

1. SEPTEMBER 2014 BUDGET REVIEW (File Ref: 9.24.1.1)

INTRODUCTION

To consider a review of Council's 2014/2015 adopted budget.

RECOMMENDATION

That Council adopt the September 2014 Budget Review changes as presented in the attached September 2014 Budget Review – Summary of Changes and the financial reports (Uniform Presentation of Finances, Statement of Comprehensive Income).

COMMENT

As required under Local Government (Financial Management) Regulations 2011 Council staff in all Directorates have completed a review of the adopted budget and made adjustments incorporating approved rollovers, approved Council amendments and review changes based on the financial results to 30th September 2014.

As a result of the September 2014 review the proposed Revised Budget for the 2014/2015 financial year shows a Net Borrowing of $4.332m (previously Net Borrowing of $4.215m - an increase of $117k).

The major cash variation to the Adopted Budget is the inclusion of the Yorketown Stormwater Consultancy project totalling $118k which has been carried forward from the 2013/14 budget year. Other variations as noted in the Summary of Changes result in a minor decrease in net borrowing of $1k.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Local Government (Financial Management) Regulations 2011

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Regular Budget Reviews, at least in accordance with Local Government (Financial Management) Regulations 2011 requirements, contribute significantly to both Financial and Risk Management procedures.

Yorke Peninsula Council

Budgeted Uniform Presentation of Finances
First Quarter Revised Budget 2014/2015

	2014/2015 Adopted Budget	Sept 14 Quarter Budget Adjustments	2014/2015 Revised Budget
Income	-$25,976	-$290	-$26,266
Less Expenses	$29,536	$75	$29,611
Operating Deficit before Capital Amounts	$3,560	-$215	$3,345
Less Net Outlays on Existing Assets			
Capital Expenditure on renewal and replacement of Existing Assets	$6,498	$118	$6,616
Less Depreciation, Amortisation and Impairment	-$9,153	$0	-$9,153
Less Proceeds on Sale of Assets	-$280	$0	-$280
	-$2,935	$118	-$2,817
Less Net Outlays on New and Upgraded Assets			
Capital Expenditure on New and Upgraded Assets	$4,746	$249	$4,995
Less Amounts received specifically for New and Upgraded Assets	-$1,156	-$35	-$1,191
Less Proceeds for Sale of Surplus Assets	$0	$0	$0
	$3,590	$214	$3,804
NET(LENDING) / BORROWING FOR FINANCIAL YEAR	$4,215	$117	$4,332

District Council of Yorke Peninsula

Budgeted Statement of Comprehensive Income
First Quarter Revised Budget 2014/2015

	2014/2015 Adopted Budget	Sept 14 Quarter Budget Adjustments	2014/2015 Revised Budget
Rates	-$19,094	-$26	-$19,120
Statutory Charges	-$450	$0	-$450
User Charges	-$2,941	$7	-$2,934
Grants Subsidies Contributions	-$2,870	-$191	-$3,061
Investment Income	-$121	$0	-$121
Reimbursements	-$344	-$1	-$345
Other Income	-$156	-$78	-$234
TOTAL REVENUES	-$25,976	-$289	-$26,265
Employee Costs	$7,670	$0	$7,670
Materials Contracts & Other Expenses	$12,335	$75	$12,410
Depreciation	$9,153	$0	$9,153
Finance Costs	$378	$0	$378
TOTAL EXPENSES	$29,536	$75	$29,611
OPERATING DEFICIT BEFORE CAPITAL AMOUNTS	$3,560	-$214	$3,346
Asset Disposals	-$40	$0	-$40
Amounts Specifically for New Assets	-$1,156	-$35	-$1,191
NET DEFICIT	$2,364	-$249	$2,115

District Council of Yorke Peninsula
September 2014 Budget Review - Summary of Changes

	Increase Deficit/ Capital Exp $	Decrease Deficit/ Capital Exp $	Net Change Increase/ (Decrease) $	Reason for Change
Executive Services				
Income				
Youth - refund from supplier		(728)		Refund received
Exec Services Net Change - Income	**0**	**(728)**	**(728)**	
Operating Expenses				
Youth - refund from supplier	728			Allocation of refund
HR Employee Expenses		(66,152)		Transfer of salaries to trainee allocation
HR Employee Expenses		(1,500)		Transfer of reclassification to salaries allocation
HR Employee Expenses	67,652			Transfer of salaries to trainee allocation
Exec Services Net Change - Operating Expenses	**68,380**	**(67,652)**	**728**	
Capital Expenditure				
Exec Services Net Change - Capital Expenditure	**0**	**0**	**0**	
Total increase/(decrease) - Executive Services			**0**	

District Council of Yorke Peninsula
September 2014 Budget Review - Summary of Changes

	Increase Deficit/ Capital Exp $	Decrease Deficit/ Capital Exp $	Net Change Increase/ (Decrease) $	Reason for Change
Assets and Infrastructure Services				
Operating Expense				
Parks and Reserves - Wages		(25,000)		transfer wages allocations to Halls
Recyclable collection		(5,000)		Reallocate to transfer stations contractual costs
Refuse collection		(5,000)		Reallocate to transfer stations contractual costs
Transfer Stations	10,000			Increase contractual expenses underestimated
Foreshore Protection	10,000			Gleesons Landing Fencing Project - grant funded
Roadside Vegetation	13,845			Roadside Vegetation Survey - grant funded
Point Pearce MUNS	27,908			Increase MUNS expenditure - admin grant
Assets & Infrastructure Net Change - Operating Expenses	**61,753**	**(35,000)**	**26,753**	
Capital Expenditure				
Walk The Yorke		(25,000)		Budget allocated incorrectly - move to Pt Vincent Open Space
Pt Vincent Open Space	25,000			Reallocation from Walk The Yorke
General Capital Projects - Minlaton Skate Park	84000			Minlaton Skate Park project - funded by contribution
Yorketown Stormwater Consultancy	118,060			Project carried forward from 13/14
Beach Access Stairs - Stimulus Grant	25,804			Beach Access project from 13/14 - grant funds not expended
Pt Vincent Open Space	32,000			Walkway project from 13/14 - grant funds not expended
Walk The Yorke	60,149			Project carried forward from 13/14 - grant funds not expended
Yorketown /Weaners Flat Boardwalk	47,252			Boardwalk project from 13/14 - grant funds not expended
Assets & Infrastructure Net Change - Capital Expenditure	**392,265**	**(25,000)**	**367,265**	
Total increase/(decrease) - Assets & Infrastructure			**394,018**	

District Council of Yorke Peninsula
September 2014 Budget Review - Summary of Changes

	Increase Deficit/ Capital Exp $	Decrease Deficit/ Capital Exp $	Net Change Increase/ (Decrease) $	Reason for Change
Development Services				
Income				
Development Services Net Change - Income	**0**	**0**	**0**	
Operating Expenses				
Emergency Services Levy	3,151			Increased levy as a result of State Budget
Ardrossan Hall - wages	1000			Salaries transferred from Operations
Maitland Hall - wages	1000			Salaries transferred from Operations
Minlaton Hall - wages	1000			Salaries transferred from Operations
Yorketown Hall - wages	1000			Salaries transferred from Operations
Warooka Hall - wages	1000			Salaries transferred from Operations
Unallocated Halls - wages	20,000			Salaries transferred from Operations
Development Services Net Change - Operating Expenses	**28,151**	**0**	**28,151**	
Capital Expenditure				
Development Services Net Change - Capital Expenditure	**0**	**0**	**0**	
Total increase/(decrease) - Development Services			**28,151**	

District Council of Yorke Peninsula
September 2014 Budget Review - Summary of Changes

	Increase Deficit/ Capital Exp $	Decrease Deficit/ Capital Exp $	Net Change Increase/ (Decrease) $	Reason for Change
Corporate and Community Services				
Income				
Foreshore Protection		(10,000)		Grant Income - Gleesons Landing Fencing Project
Foreshore Protection		(25,804)		Grant Income from 13/14 - Beach Access Stairs
Foreshore Protection		(32,000)		Grant Income from 13/14 - Pt Vincent Foreshore Walkway
Foreshore Protection		(47,252)		Grant Income from 13/14 - Yorketown/Weaners Flat Boardwalk
Walk The Yorke		(60,149)		Grant Income from 13/14 - Walk The Yorke
Traffic Control		(13,845)		Grant Income - Roadside Vegetation Survey Grant
MUNS funding		(27,908)		Administration Grant
CYP Caravan Parks - Other		(3,910)		Increase in Ardrossan CP Lease income
Maitland Library		(1,000)		Donation received for purchase of dvd's
Community Group Reimbursements		(76,000)		Contribution to Minlaton Skate Park
Stansbury Caravan Park	3844			Decrease in Stansbury CP Lease Income
Coobowie Caravan Park	2900			Decrease in Coobowie CP Lease Income
Edithburgh Caravan Park	3986			Decrease in Edithburgh CP Lease Income
YP Community Transport		(1,200)		Grant income - Volunteers
NRM Levy	255			NRM Levy adjustment
Sealed Road Construction Income - Roads to Recovery	24964			Decrease in RTR funding
Sealed Road Construction Income - Grants Commission	25388			Adjustment to revenue as per Grants Commission advice
Grants Commission Allocation		(58,737)		Adjustment to revenue as per Grants Commission advice
Corp & Comm Services Net Change - Income	**61,337**	**(357,805)**	**(296,468)**	
Operating Expenses				
Office Expenses		(2,000)		Reallocation - installation of new phone system for YPCT
IT - professional services	2,000			Reallocation - installation of new phone system for YPCT
NRM Levy		(255)		NRM Levy adjustment
Maitland Library - dvd purchases	1,000			dvd purchases funded by donation
YP Community Transport- volunteers	1,200			volunteer expenses - grant funded
Donations NEC		(8,000)		move budget to capital project - Minlaton Skate Park
Insurance		(2,231)		insurance adjustments
Corp & Comm Services Net Change - Operating Expenses	**4,200**	**(12,486)**	**(8,286)**	
Capital Expenditure				
Computer Equipment	8000			Reallocation - installation of new phone system for YPCT
Office Equipment		(8,000)		Reallocation - installation of new phone system for YPCT
Corp & Comm Services Net Change - Capital Expenditure	**8,000**	**(8,000)**	**0**	
Total increase/(decrease) - Corporate & Community Services			**(304,754)**	
Overall increase/(decrease) for September Budget Review			**117,415**	

District Council of Yorke Peninsula
September 2014 Budget Review - Summary of Changes

	Increase Deficit/ Capital Exp $	Decrease Deficit/ Capital Exp $	Net Change Increase/ (Decrease) $	Reason for Change
Summary				
Decrease /(Increase) in Operating Income		(237,047)		
Increase/(Decrease) in Operating Expenses		47,346		
Net Increase/(Decrease) in Operating Deficit			(189,701)	
Net Decrease/(Increase) in Capital Amounts Received		(60,149)		
Net Increase/(Decrease) in Deficit after Capital Receipts			(249,850)	
Increase/(Decrease) in Spending on New Capital Items		249,205		
Increase/(Decrease) in Spending on Renew of Capital Items		118,060		
Net Increase/(Decrease) in Capital Expenditure			367,265	
Overall increase/(decrease) for September Budget Review			117,415	
Adjust reduction in Depreciation (Non-Cash)			0	
Net Increase/(Decrease) in Borrowings			$117,415	

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

2. FINANCIAL REPORT 30th NOVEMBER 2014 (File Ref: 9.24.1.1)

INTRODUCTION

Finance staff have undertaken to present a financial report to Council encompassing results to the end of each calendar month preceding each scheduled Council meeting.

RECOMMENDATION

That Council receive the financial report as at 30th November 2014.

COMMENT

The attached Financial Report is submitted with the following qualifications and comments:

- Actuals included in the report 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 report does not include year-end income and expense accruals.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

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

PO 142 Budget Reporting and Amendment Policy

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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.

Yorke Peninsula Council

Budgeted Uniform Presentation of Finances as at 30th November 2014	2014/15 Actuals YTD $'000	2014/15 Full Year Adopted Budget $'000	2014/15 Full Year Budget Revisions $'000	2014/15 Full Year Revised Budget $'000
Income	-$22,190	-$25,976	-$289	-$26,265
Less Expenses	$9,872	$29,536	$75	$29,611
Operating Deficit before Capital Amounts	**-$12,318**	**$3,560**	**-$214**	**$3,346**
Less Net Outlays on Existing Assets				
Capital Expenditure on renewal and replacement of Existing Assets	$942	$6,498	$118	$6,616
Less Depreciation, Amortisation and Impairment		-$9,153	$0	-$9,153
Less Proceeds on Sale of Assets	-$153	-$280	$0	-$280
	$789	**-$2,935**	**$118**	**-$2,817**
Less Net Outlays on New and Upgraded Assets				
Capital Expenditure on New and Upgraded Assets	$1,155	$4,746	$249	$4,995
Less Amounts received specifically for New and Upgraded Assets	-$337	-$1,156	-$35	-$1,191
	$818	**$3,590**	**$214**	**$3,804**
NET(LENDING) / BORROWING FOR FINANCIAL YEAR	**-$10,711**	**$4,215**	**$118**	**$4,333**

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

3. JUNE 2014 BUDGET REVIEW (File Ref: 9.24.1.1)

INTRODUCTION

In accordance with the requirements of the Local Government (Financial Management) Regulations 2011 the 2013/14 adopted budget is compared with the 2013/14 audited statements.

RECOMMENDATION

That the explanations and the attached financial reports, comparing the adopted 2013/2014 budget with the audited financial statements, be received.

COMMENT

The attached financial statements show the budget figures as adopted in July 2013 and the final figures from the audited financial statements.

The major variations between the budget and actual statements are explained below.

Income Statement:

Grants, Subsidies and Contributions - $1.360m under budget

- Reduction (adjustment) in Financial Assistance Grants to compensate for pre-payments in previous years of $1.169m
- Clinton Road funding of $653k withdrawn
- $385k additional funding received through Operations grant applications
- Additional $30k grant – MUNS funding

Investment Income – $55k over budget

- LGFA Bonus $32k received
- Investment interest up $23k

Reimbursements – $276k over budget

- Road reimbursements down $14k
- Fuel Reimbursements up $12K
- HR Traineeship subsidies/reimbursements $73k
- Risk administration reimbursements $71k
- Insurance bonuses/reimbursements $46k
- YPCTS reimbursement to Council $42k
- Wages adjustment reimbursement $29k

Other Income - $115k over budget

- Effluent Augmentation Fees received $88k (not budgeted)
- Reimbursement for alteration to Black Point Boat Ramp design $42k
- YPCTS/YPLO $24k under budget
- Parks and Reserves $5k over budget

Materials, Contract and Other Expenses – $580k over budget

- HR training (contractors) $116k over budget (funded from reimbursements received)
- Increased energy costs (public lighting) $80k over budget
- Cleaning contractors costs $95k over budget
- Rubble $95k over budget
- Professional fees $89k over budget

Depreciation - $1.108m under budget

- Decrease due to revaluation of Road Infrastructure at July 1, 2013: revaluation and reclassification under AASB13 of Land, Buildings and Structures at July 1, 2013; and revaluation of Water Supplys at June 30, 2014.

Finance Costs - $19k under budget

- Reduced bank charges due to change of provider.

Cash Flow Statement:

	Budget $'000	Actual $'000	Difference $'000
Renewal/Replacement of Assets	5,015	4,709	306
New/Upgraded Assets	2,534	2,528	6
	7,549	**7,237**	**312**

- Capital Roads unsealed works down $387k
- Capital Roads sealed works down $629k ($653k Clinton Road funding withdrawal)
- Stormwater project deferred - down $118k (Yorketown Consultancy)
- Buildings & Structures up $35k (building accommodation project adjusted first quarter review)
- Plant and Equipment up $101k (early replacement of fleet vehicles)
- Inventory (rubble) down $323k (capital costs transferred to inventory at year end)
- Other Assets up $1.01m (Walk The Yorke $800k, Black Point Boat Ramp $230k)

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government (Financial Management) Regulations 2011

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Comparison of the final results with the Adopted Budget strengthens Council's accountability and transparency. It allows Council and the community to review changes made to the Adopted Budget and compare to endorsed quarterly budget reviews.

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

4. PROGRESS ASSOCIATION ANNUAL ALLOCATIONS 2014/2015 (File Ref: 9.24.1.1)

INTRODUCTION

The Grants Working Party submits to Council their recommendation for the distribution of Progress Association Allocations for 2014/2015.

RECOMMENDATION

That Council:

1) endorses the following Progress Association Allocations for 2014/2015.

Ref	Recipient	Amount
1.	Arthurton Progress Association Inc.	$1,500
2.	Balgowan Progress Association Inc.	$1,500
3.	Black Point Progress Association Inc.	$1,500
4.	Bluff Beach Community Group Inc.	$1,500
5.	Chinaman Wells Shackowners Association Inc.	$1,500
6.	Corny Point Progress Association Inc.	$1,500
7.	Foul Bay Progress Association Inc.	$1,500
8.	Friends of Wauraltee & District Inc.	$1,500
9.	Hardwicke Bay& District Progress Association Inc.	$1,500
10.	James Well & Rogues Point Progress Association Inc.	$1,500
11.	Maitland & District Progress Association Inc.	$1,500
12.	Marion Bay Township Inc.	$1,500
13.	Minlaton & District Progress Association Inc.	$1,500
14.	Pine Point Progress Association Inc.	$1,500
15.	Point Turton Progress Association Inc.	$1,500
16.	Port Julia Progress Association Inc.	$1,500
17.	Port Rickaby Progress Association Inc.	$1,500
18.	Port Victoria Progress Association Inc.	$1,500
19.	Port Vincent Progress Association Inc.	$1,500
20.	Sheok Flat Progress Association Inc.	$1,500
21.	The Pines Community Association Inc.	$1,500
22.	Tiddy Widdy Progress Association Inc.	$1,500
23.	Warooka Progress Association Inc.	$1,500
24.	Wool Bay Progress Association	$1,500
25.	Yorketown Progress Association	$1,500
	TOTAL	$37,500

2) authorise the Director Corporate & Community Services to complete a review of Policy PO094 Annual Progress Allocations to address concerns expressed by Progress Associations in regard to the current “one policy fits all” approach and return a reviewed policy to Council for consideration in March 2015.

COMMENT

In recognition of the important contribution that Progress Associations make to the communities of Yorke Peninsula, Council has continued to budget for an annual financial contribution to assist Progress Associations and similar organisations, in supporting Council to achieve their goal of encouraging optimistic and thriving communities through positive participation in community life.

Policy PO094 Annual Progress Association Allocations (attached) defines the criteria for these contributions.

The Progress Association Allocations were advertised in the Yorke Peninsula Country Times dated 05.08.2014 and 12.08.2014 and on Councils website from 1.08.2014 until the closing date on 11.09.2014.

A total of 30 applications have been received including applications from Progress Associations which are currently precluded by PO094 as "Council has a reasonable expectation that Progress Associations have access to other substantial income sources, such as the operation of caravan parks or other commercially orientated ventures".

Progress Associations that fit within the category of "access to other substantial income sources" have questioned this approach stating that they have a need for assistance just as the other Progress Associations do and they should not be precluded on these grounds.

This is evidenced by the applications made by Ardrossan Progress Association, Coobowie Progress Association, Port Clinton Progress Association and Price Progress Association, all of whom have access to substantial income sources via caravan park leases.

Policy PO094 also states that 'Generally, Council will make one financial contribution per township'. In the past, applications have been received from 2 associations representing the township of Port Moorowie and Council resolved at its meeting held 9th October 2013 to hold allocations for Port Moorowie in abeyance until the two groups were able to compromise:

"Cr Butler moved Cr Nicholls seconded

That Council withhold the distribution of funding for the Port Moorowie township until such time as the two groups can come to an agreement, in writing, as to the distribution of these funds.

CARRIED UNANIMOUSLY 211/2013 (09/10/2013)"

Both groups have been removed from this recommendation and are the subject of a further report included at 6.2 R7 for this meeting.

Several smaller Progress Associations have written to Council claiming that the $1,500 p.a. for each Progress Association has been in place for some considerable period of time whilst expenses such as insurance premiums have risen markedly and have requested that Council consider "extra" assistance on a case by case basis. A letter received from the Pine Point Progress Association in this regard is attached for Councillors reference.

It is recommended the 25 applications that meet the current criteria within PO094 be allocated as listed, with a total of $37,500 to be distributed and that Council authorise staff to undertake

a review of PO094 and submit this review for Consideration by Council at its March 2015 meeting.

The 2014/2015 Adopted Budget provides $43,500 for this allocation leaving Council with a surplus of $6,200 prior to consideration of any review of the policy requested by Progress Associations.

The Grants Working Party considered details of all applications and have authorised the Director Corporate and Community Services to present this report in this format.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Key Theme:	Community Engagement 1. Vitality and Connection
Strategic Goal:	1.1 Develop and facilitate ongoing partnerships and relationships with Progress Associations, Tidy Towns and other key community groups

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

A total of $43,500 has been provided for in the 2014/2015 Adopted Budget for distribution as Progress Association Allocations.

COUNCIL POLICY

Annual Allocations to Progress Associations

Policy Number:	PO 094		
Strategic Plan Objective	Strategic Plan – Key Theme – Corporate Governance and Leadership		
Policy Owner:	Chief Executive Officer	**File Number:**	18.63.1.1
Responsible Officer:	Corporate Services Officer	**Minute Reference:**	**058/2012 (14/03/2012)**
Date Adopted:	14/03/2012	**Next Review Date:**	24 months

1. POLICY OBJECTIVES

In recognition of the important contribution that Progress Associations make to the infrastructure and fabric of the townships of Yorke Peninsula, Council will budget for an annual financial contribution to assist the organisations identified in this policy to continue to support Council in its strategic goal to have well presented and vibrant townships and holiday settlement zones.

The financial contribution is untied, but to ensure transparency, accountability and responsible management of ratepayer funds, Council requires a written submission from organisations wishing to receive this contribution.

Where Council has a reasonable expectation that Progress Associations have access to other substantial income sources, such as the operation of caravan parks or other commercially orientated ventures, no provision of financial support under this policy will be provided. Progress Associations (or similar not for profit organisations) are required to produce a copy of their most recent financial statement as part of the annual application for this contribution.

Generally, Council will make one financial contribution per township.

Where an incorporated not for profit body undertakes the role which would usually be provided by a Progress Association, Council will consider a financial contribution to that organisation, upon application.

Council will seek applications once per year from progress associations (or similar not for profit organisations) with the aim of providing the grant no later than November of each year. Granting of the contribution is at the discretion of Council.

2. COUNCIL DELEGATION

Details of Delegation:	
Delegate:	Chief Executive Officer
Sub Delegate:	Director Corporate and Community Services
Minute Number:	Last review 08/06/2010

3. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Replaces PO094 updated 14/3/12	PO094	12/01/2004	08/06/2010

Andrew Cameron
Chief Executive Officer

....
Chief Executive Officer Signature Date

SUBJECT: PPPA MEMORIAL HALL INSURANCE COVER

In reference to the "Building Insurance Policy" for the Town Hall, our group is working very hard to achieve a manageable resolution.

SUPPORT:

We would like to congratulate the efforts of David Harding and Goldy who have shown professionalism and support, to help us work through our issues and assist wherever they can, both in and outside of working hours.

ABOUT US

AIM:

The present committee is dedicated to making Piney a better place to live and visit than before they became members. Significant improvements to the township, amenities and hall are well noted.

RELATIONSHIPS:

We pride ourselves with raising the standards of communication with our neighbouring progress associations and in particular with the YP Council. We believe the link between these organisations is stronger than ever before, resulting in achieving common goals. A significant number of new memberships have been gained in recent years, a reflection on improving our identity.

CHALLENGES:

As with most small townships we are struggling to maintain our services to the community. This is primarily due to most of the permanent residents being senior citizens and a high proportion of dwellings are weekend visitors. This dictates our capable volunteer numbers. At present, half of our committee reside in Adelaide and we commend them for out of pocket expenses and time given to assist with the functioning of our Association. It is likely this year at our Annual General Meeting (August) that we will not fill all the retiring seats of our committee. Some members have served eight and nine years but replacing these volunteers with active members is becoming increasingly difficult.

Fortunately we have good part time workers for our larger functions but they are not prepared to be a committee member. Most of this group have commitments with other organisations as well, including Meals on Wheels, YP Community drivers etc.

PROJECTS:

Our working group has made themselves available to assist the community and those disadvantaged. Tidy Town jobs are ongoing with the parks and Walking Trails maintained. We pride ourselves with seeking limited support to fulfill our maintenance programme except for large scale projects, thereby reducing the drain on council resources. Social inclusion to avoid isolation is well practiced and home assist garden and domestic jobs for the needy are performed along with local transportation.

FUNDING:

Income is achieved mainly by committee operations i.e.

Recycling Bottles and Cans

Membership Fees and Donations

Grants

Council Allocation

Household Lawn mowing

Raffles

Entertainment Functions (Melbourne Cup, Anzac Day, monthly bbqs etc.)

(NB) Wherever assistance has been received by council for funding or projects the result of this has been published in our Newsletter with photos and editorial.

EXPENDITURE:

Electricity/Utilities

Ride on Mowers maintenance

Fuel

Registrations

Communication/Printing/Computers

Hall Improvements and sundries

Kitchen/Catering Equipment

Public Liability, Theft & Damage Insurance

As seen from supplied documentation of our ledger to YP Council we had a deficit of $1,000.00 last financial year. This was due to growing our income resources and services for the future.

RECENT CAPITAL INVESTMENT:

Functional equipment and man hours have been donated and purchased to encourage us to maintain and improve our operations. In the short term we have gained two modern Ride on Mowers, Whipper Snipper, Chainsaw and full complement of garden utensils.

A new Recycling trailer has been acquired and a second shed purpose built to house a recycling workshop. (A long list of sundries to be fabricated to finish this project).

In keeping with kitchen regulations a commercial dishwasher was installed and other products to comply with OH&S for catering.

Other hall renovations have been:

Full kitchen replacement

Jarrah floors polished

Electrical Improvements/Emergency Lighting

New doors and access ramps

Large screen TV and new PA system

Fridge replacement

Bain Marie and Deep Fryer

Hot Water Urn

Honour Board

Window Blinds

Catering Equipment

Barbeque

We acknowledge the assistance received with the annual $1500.00 allocation. This funding enables us to produce our Newsletters, Printing, Communications, Administration and some Hall expenses.

REX:

Unfortunately this group has inherited Rex Minerals neighbouring relationship. By default we have been imposed with communication supply to our members from DMITRE, Rex, CCG, YPLOG and all other interested parties. This has led to an additional workload and responsibility to pass on factual documentation. Various meetings with informed groups and the filtering of relevant details has proved difficult to avoid emotion and division, is having an impact on our ability to focus on local needs.

INSURANCE:

Public Liability, Theft & Damage

These three policies were passed over to PPPA four years ago from Council. It has increased from $300.00 to $1,000.00 and Jardines (local community insurance) have informed that it will rise to $1500.00 as we have been assisted by them with gradual increases. We have a high component excess penalty and have never made a claim.

THIS WILL ABSORB OUR CURRENT TURNOVER OF BOTTLE &CANS COMPLETELY NULIFYING THIS INCOME STREAM OF $1500.00

BUILDING INSURANCE:

Our meetings with David Harding regarding the tenant's obligation to supply the coverage for the Memorial Hall has been positive and upfront. David has explained the massive responsibility council has with its caretaker role for hundreds of buildings. A daunting task we commend the Council for its work.

We are hoping the value appraisal of $720,000.00 can be realistically assessed for all involved. The amount of $1500.00 for the building is an un-forecasted eventuation for this committee to absorb and would result in rendering it ineffective.

Previously a handshake agreement was made to offset this policy in lieu of maintenance, some 9 or 10 years ago, by a retired committee and Council members.

To budget for this extra cost would eliminate the returns of all our fundraising activities.

A NEW APPROACH:

With much deliberation we believe an appropriate new "working model" can be put in place.

We regard our self-funded input to assisting the Council with grounds maintenance an invaluable service. It is with pride and enthusiasm we put something back into the community. Our mowing cycle has a three week delivery of south to north, cutting the verges, footpaths and parks taking four days to complete. Broken branches and dangerous tree limbs, along with dead bushes and cuttings are all removed and transported to the Garden Waste Depot. This has been part of the unwritten cooperation between PPPA and Council.

This pride will extend to Goldys "Walk the Yorke" venture. As part proposal to offset our Hall Insurance with public manpower we would offer our services to assist with the overall prep, maintenance, security and advertising of this great asset adopting it as our own.

We also envisage working parties for special projects identified by Council. These would include feral vegetation removal, beautification, and other maintenance activities.

STRATEGY:

Continued recruitment of members, forming working parties, purchasing and maintaining reliable equipment and fundraising to improve our services. Delivering cooperation with transparent alliances between neighbouring volunteer groups and Council.

VISION:

Making Yorkes an experience and recommended destination. Build a cohesive, enviable place to call home.

SUMMARY:

Our representatives strongly believe we need to promote the bond between our organisations. The continued alliance and working through a potentially new "model agreement" will guarantee the survival of PPPA and our two greatest assets ---- "The Memorial Hall" and the people who frequent it.

We look forward with anticipation for a workable solution for a common strategic result.

EXECUTIVE COMMITTEE

PINE POINT PROGRESS ASSOCIATION

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

5. FRIENDS OF PORT MOOROWIE PROGRESS ALLOCATION (File Ref: 9.24.1.1)

INTRODUCTION

The Friends of Port Moorowie have requested that Council reconsider their resolution in relation to the 2013/2014 Progress allocation for Port Moorowie and also consider the Friends of Port Moorowie for inclusion in the 2014/2015 round of Progress Allocations.

RECOMMENDATION

That Council:

1) authorise the payment of the 2013/2014 Progress Association allocation of $1,500 to the Friends of Port Moorowie;

2) authorise the payment of the 2014/2015 Progress Association allocation of $1,500 to the Friends of Port Moorowie.

COMMENT

In recognition of the important contribution that Progress Associations make to the communities of Yorke Peninsula, Council has continued to budget for an annual financial contribution to assist Progress Associations and similar organisations, in supporting Council to achieve their goal of encouraging optimistic and thriving communities through positive participation in community life.

Individual applications for the 2013/2014 allocation were received from two community groups representing Port Moorowie. These groups are Friends of Port Moorowie and the Port Moorowie Progress Association.

Policy PO094 states that 'Generally, Council will make one financial contribution per township'. Council in 2012/2013 moved to distribute the full $1,500 to the longest established group being Friends of Port Moorowie. At its meeting held on the 9th October 2013 Council made the following resolution in regard to these 2 applications:

"Cr Butler moved Cr Nicholls seconded

That Council withhold the distribution of funding for the Port Moorowie township until such time as the two groups can come to an agreement, in writing, as to the distribution of these funds.

CARRIED UNANIMOUSLY 211/2013 (09/10/2013)"

Council staff have maintained communication with the Port Moorowie Progress Association and have been advised of the Treasurer's resignation from that group and have requested copies of minutes of any meetings held by the group – to date none have been received by Council.

A letter dated 14th February 2014 (attached) was received from the Port Moorowie Progress Association stating that the group will no longer seek funding from Council in the form of Progress Association allocations and claiming the group will no longer undertake maintenance activities within the township.

A letter from the Friends of Port Moorowie dated 7th November 2014 (attached) requests that Council reconsider this resolution and give further consideration to remitting both the 2013/2014 and the 2014/2015 allocations to their group to allow them to continue to provide vital services to the community of Port Moorowie. This request is based on the belief that there is no evidence that the Port Moorowie Progress Association is still a functional group and that groups claims that they will no longer "do any maintenance to the town" in the letter dated 14th February 2014.

The Director Corporate & Community Services confirms there has been no new activity evident from the Port Moorowie Progress Association and that staff are undertaking communication with that group to ensure any proposed winding up will occur as prescribed in the group's Constitution.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

References to DC Yorke Peninsula Strategic Plan 2012 – 2015, Key themes;

- Sustainable Communities
- Community Engagement

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

A total of $43,500 has been provided for in the 2014/2015 Adopted Budget for distribution as Progress Association Allocations.

RECEIVED
17 FEB 2014

PORT MOOROWIE PROGRESS
Building a Stronger Community

Item Number
873-2014-3
GDS Number
4.14.3.40
Distribution

Director of Finance,
Mr David Harding,
Yorke peninsula Council,
P.O Box 88. Minlaton, 5575

14th February 2014

Dear David,

The Port Moorowie ProgressAssociation has had a meeting, and as a result, we wish to advise you, and the Friends of Port Moorowie, that the Progress Association withdraws its application for maintenance funding from the Yorke Peninsula Council for 2013 and any future years., for our own peace of mind, harmony and wellbeing..

It is obvious that the Friends of Port Moorowie are desperate for the funding. The .Progress has raised several thousand dollars since being formed, and since, has carried out maintenance to the town at our own cost with no help from Council or anyone else.

We also advise you that the Progress will finish off the projects in hand, still clean the Public Toilets and fund raise, but will no longer carry out any maintenance to the town.

The money we raised will be donated to worthy causes.

Yours Sincerely,

James R. Edlington

James Edlington,
Treasurer/Project Officer,
On behalf of the Port Moorowie Progress Association Inc.

Item Number
6882-2014-3
GDS Number
7.41.6.1
Distribution

Corporate Email Address

RECEIVED
10 NOV 2014

From: Andrew Cameron
Sent: Monday, 10 November 2014 10:56 AM
To: Corporate Email Address
Subject: FW: Progress Association Annual Allocation - Friends of Port Moorowie
Attachments: David Harding - Progress Allowance - 2014.doc

From: josephine daniels [mailto:fifidaniels@optusnet.com.au]
Sent: Friday, 7 November 2014 3:48 PM
To: David Harding
Cc: ray.agnew@yorke.sa.gov.au; Andrew Cameron
Subject: Fw: Progress Association Annual Allocation - Friends of Port Moorowie

Hi David

Further to our telephone conversation I now submit our letter in regard to the above.

I do understand and fully appreciate the position you are in but I also look forward to this matter being resolved.

Kind regards
Jo Daniels-Wilson
Chairperson

Friends of Port Moorowie Inc

P.O. Box 189 Yorketown SA 5576

Email: thefopm@gmail.com

7 November 2014

Mr David Harding
Director Corporate & Community Services
Yorke Peninsula Council
PO Box 88
MINLATON SA 5575

Re: **Progress Association Annual Allocation**

Dear Sir

The Committee of the Friends of Port Moorowie has raised the issue several times this year as to what is the current status of the 2013/2014 Progress Association Annual Allocation.

After the meeting with you, Merv Bryant, Chairperson of Port Moorowie Progress Association and me no resolution had been achieved but our Committee had voted that: 'The Progress Association Annual Allocation for Port Moorowie should be deferred until such time as the new Community Hall Development Application is passed and then the money be used to defray associated expenses of insurance, electricity, or lease costs at the discretion of the Yorke Peninsula Council.' We believed that this would be the best outcome as it would serve the whole community and prevent any divisiveness from occurring.

However, since then a letter written to the Yorke Peninsula Council on 14 February 2014 by Jim Edlington, Treasurer/Project Officer, Port Moorowie Progress Association indicated that they were withdrawing their application for maintenance funding and would no longer do any maintenance to the town other than finishing projects in hand.

Our association has now taken over all of the maintenance in terms of amenity pruning, weed control, mowing the reserves and general maintenance. No volunteer has requested any remuneration for out-going costs, ie petrol or use of equipment at any time, we are all ratepayers and the task of looking after our reserves and walking trails really is ultimately the responsibility of the Yorke Peninsula Council and we undoubtedly have saved Council thousands of dollars in man hours over the years. We do appreciate that the Yorke Peninsula Council has a large area to maintain and it is likely that our town would be given low priority but we are the original group in the town, have now been in existence for 20 years and there is no evidence to suggest that the Port Moorowie Progress Association is still a functional group, so we would have thought that we would have been more highly regarded, recognised and appreciated than seems to be the case.

We do understand that until the elections have been completed and that the new Councillors are sworn in that Council cannot make any decisions but we implore the Council to take some action

in the very near future to resolve this current situation. We would like to purchase a new piece of equipment that would make the work of our volunteers much easier but we are reluctant to spend money from subscriptions or funds raised by the hard work of our committee on the cost of equipment that should come out of our Progress Association Annual Allowance. The majority of our raised funds are currently being channelled into the proposed Community Centre for the whole of Port Moorowie.

We would like this matter to be brought before Council at its first fully-functional meeting after the elections and for it to be resolved, together with the 2014/2015 Annual Allocation, so that we can continue to get on with the work of keeping our town beautiful, pristine and much admired by landowners, permanent residents and visitors.

We look forward to hearing from you in the near future.

Yours faithfully

Jo DANIELS-WILSON
Chairperson

(Mobile) 0411072836

cc Mayor Ray Agnew
Andrew Cameron (CEO)

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

6. EDITHBURGH PROGRESS ASSOCIATION PROPOSED LEASE (File Ref:9.24.1.1)

INTRODUCTION

Earlier this year Edithburgh Progress Association Inc. (Progress) wrote to Council requesting that Council give consideration to granting a lease over the property of Part Section 649 and Section 648, the land of which are both located adjacent to the Edithburgh Caravan Park.

RECOMMENDATION

That Council:

1. Receive and consider the written submissions in response to the Public Consultation on reclassifying a portion of Section 649 Old Honiton Road Edithburgh, Plan 130900 Crown Record Volume 5757 Folio 197 from Category 1 Reserves to Category 3 Public and Community Facilities on Council's Community Land register.
2. Authorise a portion of Section 649 Old Honiton Road Edithburgh, Plan 130900 Crown Record Volume 5757 Folio 197 to be reclassification to Category 3 Public and Community Facilities on Council's Community Land register, to allow a five year lease with a five year right of renewal be granted to Edithburgh Progress Association Inc. for the purpose of installing a RV dump point.
3. Authorise the Mayor and Chief Executive Officer to sign and affix Councils seal to the relevant documents necessary to execute the lease.

COMMENT

It is the intention of Progress to install and provide a dump point for Recreational Vehicles and a facility for washing down boats on the proposed leased land. Progress had since notified Council that only a portion of Section 649 would be required and to not include Section 648 in the consideration.

11 June 2014 (Attachment 1) - A report was presented to Council requesting permission to proceed with public consultation for granting a five year lease with a five year right of renewal to Progress over the land, for the purpose of installing a dump point and boat washing facility. As a result a recommendation was carried giving permission to proceed with public consultation.

It was explained to Progress that any future change to the use of the land other than for a dump point or boat washing facility will require further public consultation and a lease granted by Council would be subject to Crown consent to lease dedicated land.

The public consultation process entailed advertising a Public Consultation notice in the Yorke Peninsula Country Times and on Council's website with an information report made available at Council offices and on Council's website.

13 August 2014 (Attachment 2) - A report was presented back to Council outlining the outcome of the public consultation process including five written submissions to be considered. One submission included a request from Mrs Julie Doyle who appeared before Council to address her concerns with the proposed lease being granted.

Council carried the recommendation that a five year lease with a five year right of renewal to Progress be granted for installing a RV Dump Point however not allowing for the boat washing facility to proceed.

Unfortunately it was inadvertently omitted from the 11 June 2014 report that the site being used for the proposed dump point is not in line with Councils Land Management Plan, being Category 1 Reserves on Council's Community Land register.

Therefore because Council recommended to proceed with the lease, a recommendation was also carried for Council to go back to public consultation for the reclassification of the portion Section 649 Category 1 Reserves to Category 3 Public and Community Facilities to accommodate the dump point.

A public notice on the reclassification was placed in the Yorke Peninsula Times and an information report made available to the public on Council's website and at all Council offices on request.

At the close of the public consultation period on the 17th September 2014, three submissions were received.

A & J Mill, property owners of 22 O'Halloran Drive Edithburgh commented on Council's Public Consultation process in this instance noting that the process did not extend far enough to include persons that do not reside full time at Edithburgh. The issue of the location of the dump point and the odour caused by the prevailing south westerly winds blowing over the township were also raised. Attachment 3

Julie Doyle, property owner of Panfry Terrace Edithburgh commented on the proposed location of the dump point and suggested an alternative location would be Beach Road, with the dirt road between the cemetery and the golf course allowing access by entering from either Beach Road or Park Terrace North. Attachment 4

GD & PJ Hutchins, also property owners of Panfry Terrace, ask why the lease area granted to Progress cannot have been for only the area required for the dump point, instead of a larger portion of Section 649 as proposed. Near the cemetery at the old Dump has been suggested as an alternative location. Attachment 5

An acknowledgement letter on receiving the submissions was sent to the author of each letter.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Section 201 (2) (a) & Section 194 (3) of the Local Government Act 1999.

Division 3 – Community Land, Local government Act 1999.

PO057 – Public Consultation Policy.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The lease fee for the proposed lease is $100 + GST per annum.

The application fee charged for the Consent to lease dedicated Crown land approval will be the responsibility of Edithburgh Progress Association Inc.

The solicitor's $600.00 lease document preparation fee will be equally shared by Council and the Edithburgh Progress Association Inc.

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

5. EDITHBURGH PROGRESS ASSOCIATION INC. PROPOSED LEASE

(File Ref: 9.24.1.1)

INTRODUCTION

Edithburgh Progress Association Inc. (Progress) has requested that Council give consideration to granting a lease over Part Section 649 and Section 648 which are both located adjacent to the Edithburgh Caravan Park.

RECOMMENDATION

That Council give permission to proceed with the public consultation process for granting a five year land only lease with a five year right of renewal, to the Edithburgh Progress Association Inc. over Part Section 649 Plan 130900 Crown Record Volume 5757 Folio 197 Old Honiton Road Edithburgh and the whole of Section 648 PLN: 130900 Crown Record: Volume 5757 Folio 197 South Terrace Edithburgh.

COMMENT

It is the intention of Progress to install and provide a dump point for Recreational Vehicles on the proposed leased land. Progress is also giving consideration to providing a facility for washing down boats on the property. Edithburgh currently does not provide this service therefore other inappropriate areas in town are being used for boat washing.

Progress understands they will have sole responsibility for the maintenance of the proposed lease area and this condition of the lease will be documented.

By leasing the land now, it gives Progress ample time to work through the process of investigating the possibility / viability of a future expansion of the Edithburgh Caravan Park on a portion or all of the section of land. There is no plan however, to forge ahead with any expansion project within the next five years.

In the event the purpose / use of the proposed leased area changes, a new lease will be negotiated which will be presented to Council for approval to commence a new public consultation process.

Section 649 consists of two development zones being ‘Community’ for one portion while the area for the proposed lease is zoned as ‘Caravan & Tourist Park’. Please refer to Attachment 1.

Any lease granted by Council will be subject to Crown consent to lease dedicated land.

The public consultation process entails advertising a Public Consultation notice in the Yorke Peninsula Country Times and on Council’s website with an information report made available at Council offices and on Council’s website.

After the 21 days public consultation period a report will be prepared for Council outlining the outcome of the public consultation process including any written submissions.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Section 201 (2) Local Government Act 1999

PO057 Public Consultation Policy

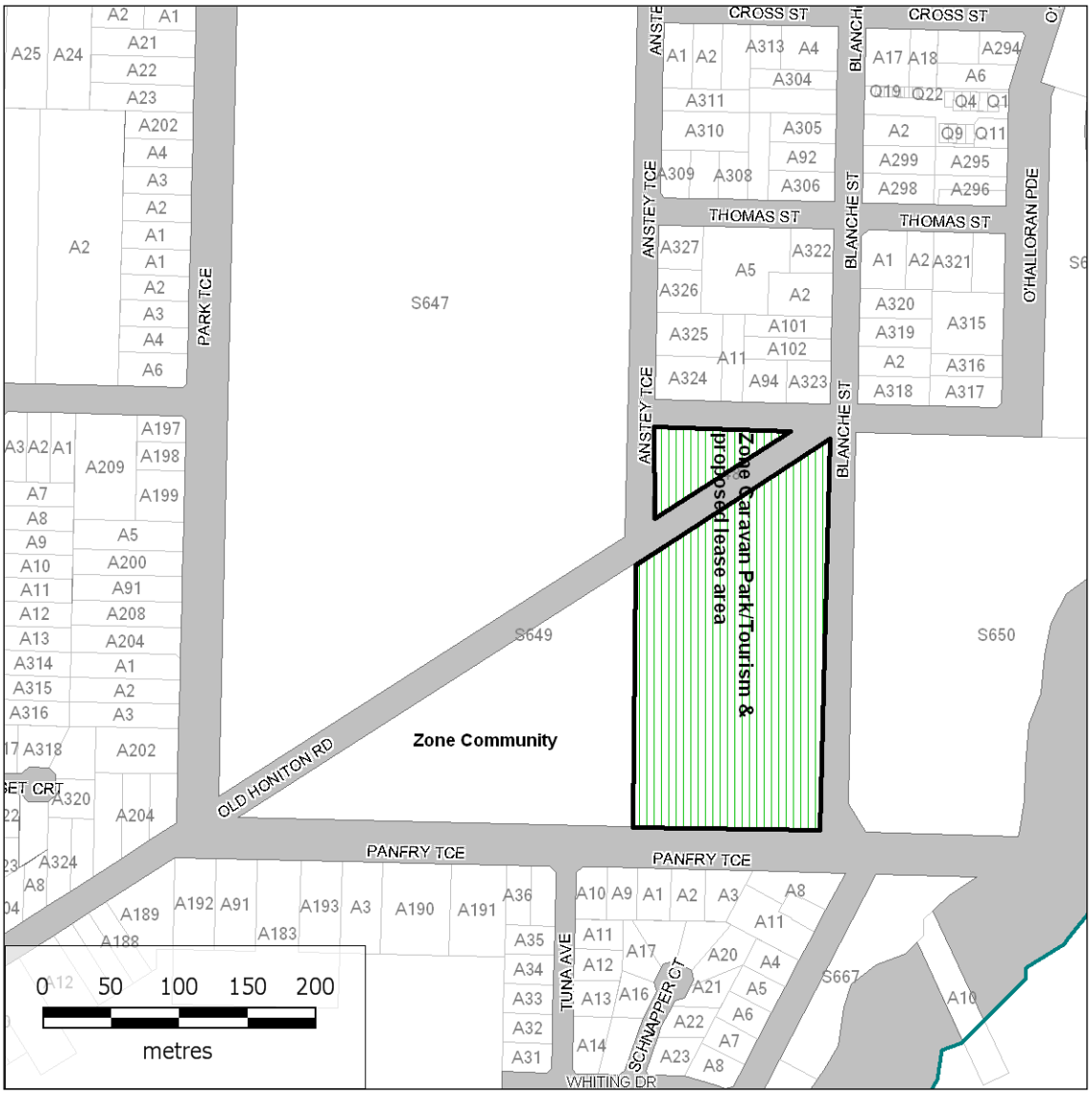
FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The lease fee for the proposed lease is $100 + GST per annum

The solicitor's $600.00 lease document preparation fee will be equally shared by Council and the Edithburgh Progress Association Inc.

The application fee charged for the Consent to lease dedicated Crown land approval will be the responsibility of Edithburgh Progress Association Inc.

Attachment 1 – Location map of proposed lease area



Minutes 11 June 2014 Council meeting

DA/CCS/R5

EDITHBURGH PROGRESS ASSOCIATION INC PROPOSED LEASE

Cr Davey moved Cr Sendy seconded

That Council give permission to proceed with the public consultation process for granting a five year land only lease with a five year right of renewal, to the Edithburgh Progress Association Inc. over Part Section 649 Plan 130900 Crown Record Volume 5757 Folio 197 Old Honiton Road Edithburgh and the whole of section 648 PLN: 130900 Crown Record: Volume 5757 Folio 197 South Terrace Edithburgh.

CARRIED 103/2014 (11/06/2014)

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

4. EDITHBURGH PROGRESS ASSOCIATION INC. PROPOSED LEASE (File Ref: 9.24.1.1)

INTRODUCTION

Submissions have been received in response to public consultation on the proposed lease to Edithburgh Progress Association Inc. (Progress) for the purpose of installing a Recreational Vehicle (RV) Dump Point and boat washing facility.

RECOMMENDATION A

That Council:

1. receive and consider the written submissions in response to the Public Consultation on the proposed lease for Edithburgh Progress Association Inc.
2. grant a five year lease with a five year right of renewal to Edithburgh Progress Association Inc. for the purpose of installing a RV dump point as well as a boat washing facility on a portion of Section 649 Old Honiton Road Edithburgh, Plan 130900 Crown Record Volume 5757 Folio 197.
3. authorise the public consultation process for reclassifying a portion of Section 649 Old Honiton Road Edithburgh, Plan 130900 Crown Record Volume 5757 Folio 197 from Category 1 Reserves to Category 3 Public and Community Facilities on Council's Community Land register.
4. authorise the Mayor and Chief Executive Officer to sign and affix Councils seal to the relevant documents necessary to execute the lease.

or

RECOMMENDATION B

That Council

1. receive and consider the written submissions in response to the Public Consultation on the proposed lease to Edithburgh Progress Association Inc.
2. decline to grant a five year lease with a five year right of renewal to Edithburgh Progress Association Inc. for the purpose of installing a RV dump point and a boat washing facility on a portion of Section 649 Old Honiton Road Edithburgh, Plan 130900 Crown Record Volume 5757 Folio 197.

COMMENT

Following approval at the 11th June 2014 Council meeting for Council to proceed with the public consultation process, the following steps were taken:

- A public consultation notice was placed in the Yorke Peninsula Country Times.

- An information report was made available to the public on Council's website, at all Council offices and on request to Council.

At the close of the public consultation period on the 9th July 2014 five submissions, including one submission with a petition, were received.

Rhonda & Peter Dixon, property owners of 1A George Street Edithburgh are against the proposed location of the lease area and requested in their submission to appear before Council. Attachment 1.

Julie Doyle, property owner of 4 Panfry Terrace Edithburgh also requested in her submission to appear before Council. There was concern raised about why the boat cleaning facility would not be located at the Edithburgh boat ramp as well as the need for keeping Section 649 as a Reserve only. Attachment 2.

A second letter was received from Julie Doyle which also included a petition with twenty eight signatures, opposing the proposed lease to Progress and asking for the reserve to stay as is. Attachment 3.

G. D. & P. J. Hutchins, property owners of 7 Panfry Terrace Edithburgh, had various concerns including use of 'Reserve' grounds for a dump point and boat washing facility and the possibility of the closure of Blanche Street for caravan park expansion in the future. Attachment 4.

Bruce & Bev Scarce, property owners of 1 Sultana Point Road Edithburgh included a request for the proposed installations, with necessary parking space, be screened off with natural vegetation and rubbish not allowed to be left at site. Attachment 5.

An acknowledgement letter was sent to the author of each submission along with a map of the reserve showing the approximate location of the proposed dump point. Attachment 6.

It has been confirmed with Edithburgh Progress that no fee will be charged for the proposed facilities.

It was also noted in the submissions, and omitted from the last report on this matter, that the intended use of the portion of Section 649, being the proposed site for the dump point and boat washing facility, is not in line with the Land Management Plan for Category 1 Reserves on Council's Community Land register. In the event that it is recommended to proceed with the lease it is proposed that Council go back to public consultation for the reclassification of the portion of Section 649, from Category 1 Reserves to Category 3 Public and Community Facilities to accommodate the proposed use of the land.

Any future change to the use of the land other than for a dump point or boat washing facility will also require further public consultation.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Section 201 (2) (a) & Section 194 (3) of the Local Government Act 1999.

Division 3 – Community Land, Local government Act 1999.

PO057 – Public Consultation Policy.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The lease fee for the proposed lease is $100 + GST per annum.

The application fee charged for the Consent to lease dedicated Crown land approval will be the responsibility of Edithburgh Progress Association Inc.

The solicitor's $600.00 lease document preparation fee will be equally shared by Council and the Edithburgh Progress Association Inc.

DA/CCS/R4

EDITHBURGH PROGRESS ASSOCIATION INC – PROPOSED LEASE

Cr Brundell moved Cr Rich seconded

That Council:

1. receive and consider the written submissions in response to the Public Consultation on the proposed lease for Edithburgh Progress Association Inc.
2. grant a five year lease with a five year right of renewal to Edithburgh Progress Association Inc. for the purpose of installing a RV dump point on a portion of Section 649 Old Honiton Road Edithburgh, Plan 130900 Crown Record Volume 5757 Folio 197.
3. authorise the public consultation process for reclassifying a portion of Section 649 Old Honiton Road Edithburgh, Plan 130900 Crown Record Volume 5757 Folio 197 from Category 1 Reserves to Category 3 Public and Community Facilities on Council's Community Land register.
4. authorise the Mayor and Chief Executive Officer to sign and affix Councils seal to the relevant documents necessary to execute the lease.

CARRIED 145/2014 (13/08/2014)

Submissions received

RECEIVED
- 9 JUL 2014

Item Number
4075-2014-3
GDS Number
16.20.2.1
Distribution
copy to Jackie

Rhonda and Peter Dixon

1A George Street

Edithburgh SA 5583

Edithburgh Progress Lease

Yorke Peninsula Council

PO BOX 88'Minlaton SA 5575

8th July, 2014

To Chief Executive Office

We request to appear in person before Council on the 13th August, 2014 in the matter of the Proposal. From the Edithburgh Progress Association INC.

To speak against the Proposed Lease area in adjacent to the Edithburgh Caravan Park. Portion of Section 649. Edithburgh and the actual way the

Proposal has been proceeded.

Regards

Rhonda and Peter Dixon

RECEIVED
- 7 JUL 2014

Item Number
4036-2014-3
GDS Number
16.20.2.1
Distribution

5.7.14

Edithburgh Progress Lease
Yorke Peninsula Council
PO Box 88
Minlaton SA 5575

Dear Madam/Sir,

Re: Proposed Lease to Edithburgh Progress Association Volume 5757 Folio 197 Old Honiton Road Edithburgh.

Edithburgh is a beautiful town and I thank the Community for keeping it that way. Living in a town catered for Tourist is fantastic BUT why when some one comes up with "new ideas" the above Land is mentioned and again I oppose to any changes to this Land.

Why do they need all this land for a Dump Stations and Boat Washing. I have seen these facilities located by the Laundry Building at Caravan Parks (Parks smaller then Edithburgh). I envisage this Land may become "eye sore" being used as Caravan Storage as well.

There are Yorke Peninsula Towns which have their Boat Wash by the Boat Ramp, why not have one at Edithburgh Boat Ramp. Tourist/Visitors and Locals pay their Ramp Fees why isn't this facility available for their use

Being a Rates Payer, I propose Council keeps this Land as a Reserve, which will look much better than a Dump Station/Boat Wash Area/ Caravan Storage Area etc. Maybe, Edithburgh Progress should consider using the $500 in changing this Land into the a Reserve.

Can you please accept this my request to attend the Meeting on the 13th August 2014. Please advise time and venue.

Yours faithfully,

Julie Doyle
PO Box 279
Edithburgh SA 5583
Phone: 88229 234

7/7/14

RECEIVED
- 9 JUL 2014

Item Number
4080-2014-3
GDS Number
16.20.2.1
Distribution

Edithburgh Progress Lease
Yorke Peninsula Council
PO Box 88
Minlaton SA 5575

Dear Sir / Madam,

Re: Proposed Lease to Edithburgh Progress Association - Volume 5757 Folio 197 Old Honiton Road Edithburgh.

Please find enclosed, copy of Partition signed by Friends and Locals of Edithburgh who were happy to oppose the above Proposed Lease to Edithburgh Progress Association.

I was very surprised majority of the signatories were unaware of this "Proposal", and were happy to Oppose it. Some suggested the Dumping Station should be located outside the Township not near homes and mentioned if not treated/maintain properly this will attract flies and sewage smell which will not be environmentally friendly. It was also mentioned the "soak age pit" which already exists on this Land, does have a sewage smell particularly in the Summer. As for the Boat Washing, they are happy to keep doing what they always do, wait to they get home, and this facility should be at the Boat Ramp. They also questioned why $500.00 ($100.00 a year)! Happy to pay the Council and keep the Land as it is.

On this occasion, Edithburgh Progress Association Inc. should start thinking outside of the Triangle! And listen to their local community by NOT proceeding with this "Proposed Lease".

Yours faithfully,

Julie Doyle
PO Box 279
Edithburgh SA 5583

Phone: 88229234

PARTITION:

EDITHBURGH PROGRESS HAVE APPROACHED COUNCIL TO LEASE THE BLOCK OF LAND ON OLD HONITON ROAD / BLANCHE ST EXTENTION/ PANFRY TCE (ACROSS THE ROAD FROM CARAVAN PARK). THEY PROPOSE TO USE THIS LAND FOR DUMP STATION/BOAT WASH AND MAYBE CARAVAN STORAGE AREA. THIS LAND IS A RESERVE AND SHOULD BE LEFT THAT WAY, TREES WOULD BE A BETTER VIEW THAN HAVING A DUMP STATION/BOAT WASH ETC. YOUR SUPPORT BY OPPOSING THIS PROPOSAL WOULD BE APPRECIATED, PLEASE SIGN. THANK YOU.

Name	Sign
ROSS WILLIAMS	
Sonya Williams	
KEN FORREST	
MAX SLATER	
JULIE DOYLE EDITHBURGH	
REYPETERSON	
PAUL DOYLE	
Chris McArthur	
RITA SPRY	
SHIRLEY ROLL	
RUDULF ROLL	
BRUCE Scarce	
Bev Scarce	
Darell Parker	
John Chapman	
DOROTHY CHAPMAN	
JULIE HANCOCK	
PHIL. HANCOCK	
M.D. MARKO	
MICK CRAWFORD	
GARRY HUTCHINS	
Pam Hutchins	
Peter Dixon	
Rhonda Dixon	
Deb Arnold	
Geoff Arnold	
NICOLA TAYLOR	
JEFF TAYLOR	

RECEIVED
- 7 JUL 2014

Item Number
4037 - 2014 - 3
GDS Number
16.20.2.1
Distribution

G.D.& P.J.Hutchins.
7 Panfry Terrace .
Edithburgh .
South Aust 5583.
Ph 0422306607
5th July 2014

RE : **Edithburgh Progress proposed Lease**

Attn : Marilyn Mensforth.

We are in receipt of the Yorke Peninsula Council public consultation report and wish to comment accordingly prior to the council consideration on the 13th August 2014 and list our comments and concerns detailed in this report and which should noted and read in conjunction with the Council meeting.
Whilst we understand that progress may be a priority of some due consideration must be given to others before decisions are made on behalf of the community.

The report clearly states the Progress intentions and this consultation report indicates that given council approval it will be a " carte blanche " go ahead for the Progress to do what they wish without any further consultation and this being the " thin edge of the wedge " for any thing on this land.

Progress should be made to submit planning to the Council for both public comment and approval with this planning made be by a reputable authority.

It is noted that the land in question is Category ! Reserve Schedule 9 (Federal ?) so how can a commercial operation be approved on this land ? As we are sure that there will be fees payable for use of the proposed facilities, Therefore it is a commercial profit making operation.

The proposal is for a " Rec Vehicle Dump Zone " and " Boat Wash " and we comment accordingly.

It is understood that other towns have these facilities , but they are not located in the Caravan Parks but in other areas.

In respect to the " Dump " we cannot see that it will increase the patronage of the town as they will " Dump" and continue on their journey after paying a fee and not contributing to the community.

An area is also being considered for a boat wash and states that a facility is not available in Edithburgh That may be so but if you own or build in Edithburgh surely you have the sense to include this facility in your own home when planning and if people wash in inappropriate areas they should be issued with an expiation notice if detected.

The council is continuing to advise us of the necessity to conserve water in our region as it is a limited resource in this area and this proposal is doing nothing to conserve it , and lets face it what local is going to pay to wash their boat, and in addition what of the effluent run off and pollution of the enviroment from these facilities as the Park only operates on a septic system (ALL NEW HOUSEHOLDS HAVE TO INSTALL INVIRO STYLE SYSTEMS) So should the park prior to any new proposals.

The only people that will benefit from these proposals will be the Progress and the Caravan park managers as these proposed facilities will be a profit orientated venture and really we cannot see the town as a whole obtaining a benefit as a result of these proposals.

Whilst on the subject of the Caravan Park expansion we would appreciate advise as to whether the current Blanche St past the park is a gazetted road (the old O Hallaran Road ran in front of the park did it not ?) and if it is not what is stopping the Progress from closing it and relocating it from its current rout to the new boundary of the park from Anstey to Panfry Terrace without consultation to the public.

(If this is their secret agenda it would be more practical to run from Anstey to meet up with Sultans Pt road at the fish house and would not effect anyone)

This potential rerouting of the road would make traffic in the area of Panfry / Tuna unbearable because it would be the only route to Sultana Pt and these streets are not designed for this type of traffic (boats & caravans) it is OK for the progress members as they would not be effected and say it's not my problem as it is not in my back yard and not effecting us.

What is to become of the caravans in storage on Yorketown road are the going to be located here creating an eyesore and DETRACTING from what the council profile states that the Yorke Peninsula is "Agriculturally rich - naturally beautifill "

We think not, it is profit orientated and not in the best interest of the wider community with what appears secrecy in the Progress intentions

In the first instance beautifying the area with trees etc should be the first priority before any decisions are made by the Council together with an appropriate planning programme submitted for approval prior to any proposal approval being granted.

We look forward to you reply and comments to this communication

Without Prejudice

G.D.& P.J. Hutchins

Item Number
4098-2014-3
GDS Number
16.20.2.1
Distribution

July 7th 2014

RECEIVED
10 JUL 2014

Edithburgh Progress Lease
Yorke Peninsula Council
PO Box 88
Minlaton SA 5575

Dear Sir/Madam

- Re: Edithburgh Progress Association Inc. Proposed Lease. Public Notice 17/6/14.

We would like to inform the Yorke Peninsula Council of our point of view and thoughts regarding the above proposed lease.
We also wish the Edithburgh Progress Association well in regard to their endeavours and benefits outlined in the consultation document, and are mindful that progress will and needs to happen.

Visitors to the town will judge it on the first impression of what they see. Reserves have and always will be highly sought after in making a town pretty and attractive. We see some visitors, towing their vans, drive past the Caravan Park, turn around and go out without staying or using the town's facilities or businesses. Maybe they would use the proposed facilities ??

Residents in the town who use the town businesses and may put a lot of their time into the town will see these developments/facilities day in and day out instead of the present green and attractive reserve.

Request that the granting of any lease of crown land reserve ensures that the following points are covered.

- That the development is screened off with natural vegetation in preference to galvanised or colourbond iron fencing.
- That rubbish is not allowed to be left on or around the property.
- That no smells come from the development.
- That adequate parking on the property within the screened area is provided.

Personal We selected our home site and built our retirement home four years ago for the view and ambience of the reserve, which is a lot nicer than a commercial dump and cleaning facility. We also admired the row of pine trees down the western boundary of the Caravan Park. These have mostly been removed, which to us is disappointing as our window looks directly at both above points.
We believe our point of view is shared by others!!

General The following thoughts have crossed our mind

- District Council of Yorke Peninsula Community Land Register Sec. 49 C.T. 5757/197, does not include Caravan Park, dump point or washing facility.
- Crown land reserves' purpose excludes any commercial activity and the objectives are to strictly exclude any commercial use.
- Edithburgh is a destination. It is not on a major highway with a lot of passing tourists requiring a dump point. There are dump points at Ardrossan and Stansbury. Any dumping may have been done before they arrive or pass through the town.
- There is land available bounded by Yorketown Road, Edith Street and Park Terrace more suited to public commercial use as required in this proposal. More particularly a dump point.

- Modern caravans have toilet canisters which they have to empty. Wouldn't it be better that this development be carried out within the Caravan Park. We don't think visitors want to carry their canisters across a public road to empty them. You may find you have less visitors, which is not the purpose intended.
- Good boat ramps have the wash down facility at the ramp. Unfortunately many boaties will be highly critical of this development as proposed.
- Edithburgh boat ramp could easily have a boat washing facility next to the anchor. The water is already there. More practical, sensible and cheaper.
- The Caravan Park has a captive market if the dump point is within the Park and still maintains its boat washing facilities. No doubt that in the dry months the fresh water would be welcome on lawns if recycled.
- Do you require a ten year lease to investigate future expansion of the Edithburgh Caravan Park? It appears to us, being a destination town – it only fills up three times a year at peak holiday times. Maybe other services to the town could be investigated instead , for the greater benefit of all. Would any expansion of cabins affect the established motels? They may lose business and be adversely affected.
- The reserve should and must be kept as a reserve for the highest and best use and benefit of all residents, visitors and future generations, which will add beauty to the town, and visitors are attracted to beautiful towns with parks, gardens and reserves.

Questions We understand that the development application for a waste water system has already been approved. Does this mean that Council and Progress are merely going through the motions, as this proposal is a fait accompli?

- Should the public consultation report have been more open and advised that the development application for a waste water system has already been approved? If in fact it has.
- Is there a land management document for this proposal?
- Will there be any fees charged for the proposed facilities?

Yours sincerely
Bruce and Bev Scarce.

1 Sultana Point Road
PO Box 337
Edithburgh SA 5583

South Tce
LOT 648
Old Honiton Rd
Existing Soakage
Approx. area dump point will be within
Bancle St
Old Honiton Rd
Pantry Tce

Attachment 3 – Submission for reclassification

31.8.14

Yorke Peninsula Council

PO Box 88

Minlaton SA 5575

RECEIVED 11 SEP 2014

Item Number S646-2014-3

GDS Number 16.20.2.1

Distribution

Dear Sirs/ Madams,

Further to my phone call, we are writing to express our disappointment, concern and amazement re: the public consultation process for the RV dumping point at Edithburgh and our objection to the Edithburgh Community Land Reclassification.

Our family live at our holiday home at Edithburgh most weekends and all school holidays. We have been proud to support and be involved with Edithburgh over the years through Gala days, Anzac days, library, artist events, markets, sporting clubs, Christmas concert, museum, fund raising and buying all our supplies locally through the deli/newsagent, Location Café, Garage Diner, Surf and Tackle Shop, Edithburgh Motors and hotels. We choose to bring our family to Edithburgh for Vac swim every year, even though we have direct access at home. We have also contributed our mosaic to your beautiful walking trail. We have the house plans ready to rebuild for our retirement in Edithburgh, but wonder if indeed we need to put that on hold.

We note in your public consultation policy that you are "open, accountable and responsive to the needs and aspirations of the local community". What does this mean to each of you? We cannot accept that you perceive public consultation to entail an advertisement in your local paper and notice on your website. Please explain why individual land owners (i.e. your rate payers) were not informed via post, email, newsletter, phone call etc.? How can this be allowed to happen with all the information technology available today? What is your communication process? How do you keep rate payers in the loop? How do **you** reach out to us, rather than us to you? Newsletters, generic emails? "Flexible enough to meet the community needs" is stated in your document. We find it insulting in the least that you do not acknowledge a great proportion of us that do not live permanently in Edithburgh. Do you think that by keeping us in the dark, that you can make decisions for us? As elected members how can you consciously make an informed vote without sourcing the opinions of ALL in your community that you represent? A quick count of all in our property's close proximity alone shows 5 out of the 6 of us are not permanent residents and have a postal address outside your council district, yet we have been excluded from this decision making process. Surely the CEO must consider the 7 consultation strategies.

Imagine our surprise to find out after the consultation period that you had indeed approved the proposal even though you received one of the 5 submissions with a 28 signature petition. Is it true that you consider that to be one submission opposing the project, when we know that in fact it displays 28 people who oppose it? Do not say that these are counted as one letter just because they

are your rules, not ours. It is the voice of each individual person who signed. Please use your common sense. Your process may work for you but does it work for us? When was your last review of that policy?

Please do not hide behind the idea that this may be minor in your view (as the cost is only $100 lease per year) and put it in that category, as we all know that the project will be of significant proportions with many more dollars spent on construction, compliance, maintenance etc. It is truly a very big, significant develop for Edithburgh and the price of the change in the aesthetics and traffic in the town, in many ways, is not to be underestimated.

Last week we checked The Country Times and indeed asked for the report to be sent to us re the reclassification. Having NO voice for the previous matter, we wish to express our utmost concern at the reclassification for many reasons.

Firstly due to this being the way that many children, including our own, ride their bikes to Fisherman's jetty and access the mosaic trail. We oppose any invitation to promote further traffic in and around this area. What will stop R. V. s pulling onto the side of that road? There is no clear footpath. We looked at many towns on the peninsula before deciding to invest in Edithburgh, mainly because of its relative quietness.

Also this is the main corner for many, on such a busy road, so any development here will be unsightly for many. Is a reserve not for the benefit of the whole community? We implore you to keep it as an open reserve as the unsightliness of this proposal in such a public area is deplorable.

Also we are confident that we should not have to point out the prevailing south westerly winds that will be blowing straight from this point over the township! This issue really does affect so many of us in the town even though we do not have to view this site from our place, we will smell it. How many of you have been to a site where these are installed? This area can already emit an odour.

Also in regard to the perceived extra support of local businesses, we would imagine our continued permanent dollars invested in the town would benefit local businesses just as much as the irregular passer-by to the dumping point. We also agree that if a boat washing facility is warranted then it must be at the boat ramp area.

We also ask progress to consider others before decisions are made on behalf of the community.

What other options have been considered? We suggest an area to the west or north of the town. At least the oval area provides plenty of room for vehicles to manoeuvre and toilets on both sides with soakage pits already. And the added benefit of playground/barbecue areas for these RV travellers. Where else are there available underground sewerage tanks already? The Caravan Park? We would hope that council is looking for a win-win outcome here. If indeed the RV dump point is located elsewhere then progress gets what it wanted and we get to keep our land classification. If another location is found you may find a loss of interest in the project. If you dig deeper you may become aware this specific piece of land is the actual pursuit, not the dump point. There is much talk of further developments, in the grand scheme of future plans on that land, once the land is reclassified. Please be aware as to what you may be opening the doors to before you make your decision. This is a very real fear and is highly discussed amongst residents.

Therefore we oppose any reclassification of this land. Unfortunately we cannot appear before council on this matter. We look forward to your written reply with answers to our questions.

We call for a deferment of all decisions until **all** rate payers are notified. We wonder why this was not the case, as it was for the Ardrossan rate payers? You will be amazed at how many people still do not know about this event.

We call for this decision to be postponed until such time as all rate paying land owners in Edithburgh are duly notified. Full public consultation is warranted. We look forward to all our Edithburgh neighbours being contacted about this, PRIOR to you moving forward with this delicate and sensitive development, in a more democratic way.

Yours Sincerely,

A and J Mill

PO Box 2

Kadina 5554

31.8.14

Attachment 4 - Submission for reclassification

Item Number
5774-2014-3
GDS Number
16.20.2.1
Distribution

14th September 2014

16 SEP 2014

Edithburgh Community Land Reclassification
Yorke Peninsula Council
PO Box 88
Minlaton SA 5575

Dear Sir,

Re: Portion of Land Old Honiton Rd Road Section 130900 to be leased to Edithburgh Progress for Recreational Vehicle Dump Point.

Firstly, I wish to thank Council for allowing me the opportunity to oppose the above at 13th August Council Meeting, and was pleased with the recommendation voted at this meeting, by not having the Boat Washing Facility, and advertise a Public Consultation, which I am hoping Edithburgh residents will respond.

In response to your Advertisement, I disapprove of having the Dump Station on this portion of land and ask the Council and Edithburgh Progress to re-locate this facility elsewhere. Having the Dump Station on Blanche Street is ridiculous, this is our busiest street, "the road where people drive to Sultana Point, Troubridge Shores Estate, Wattle Point Windmills, Light House, access roads to fishing areas and beautiful beaches along the coast road".

I have driven around Edithburgh seeking an alternative site for a Dump Station, and I hereby ask/ suggest Council and Edithburgh Progress to consider having the Dump Station on Beach Road (the dirt road between the Cemetery and golf course). Allowing driving access by entering from either Beach Road or Park Terrace North. Much more suitable location and convenient for Caravaner's etc. still within the Township and less traffic (than on Blanche Street) and most importantly not visual for our tourist to see. As the Golf Course is opposite my recommendation this shouldn't warrant any disapproval from the players. Please do not hesitate to contact me, should you wish to discuss this matter further.

Once again, I thank you for your time and hope you do consider my recommendation in re-locating the Dump Station to Beach Road.

Yours Faithfully,

Julie Doyle
Panfry Terrace.
Edithburgh SA 5583
88229 234.

Attachment 5 - Submission for reclassification

RECEIVED
16 SEP 2014

Item Number
5775-2014-3
GDS Number
16.20.2.1
Distribution

G . D. & P . J . Hutchins .
7 Panfry Tce .
Edithburgh.
South Aust 5583.
Ph 0422306607
11th Sept 2014

Re : Reclassification of Community Land - Edithburgh

Attn Marilyn Mensforth.

Again we contact the Council regarding the proposed lease of Section 649 to the Edithburgh Progress Association for a period of 5 years and a 5 year right of renewal.
Currently this land is crown land and the proposal is to convert this to community land for the purpose of a Recreational Vehicle Dump Point.
Our first question must be

Why is all this land required for a Rec vehicle dump point ???

We would have thought that if a dump point is required (We still question that) the proposed area on your photo is more than sufficient for the purpose.

This begs the question.

Is the current soakage on Crown land and has it been installed without consent ?
Is there another area that could be considered ?
The old dump location (near the Cemetry) or even on the boundry of the Sea Rescue property.

We are sure that that the residents in the vicinity would not wish for that as it would in their backyard and we cannot have that.

Furthermore this consultation process would not come to the attention of most as they would not possibly purchase the local press or visit your web site to observe the proposals and in addition a fair portion of the population are seasonal and again would not be aware of these intentions

Again referral to our letter of 5th July should be made and as indicated it is felt that this is the " Thin end of the wedge " for the Progress and the Park managers to have a " Carte blanche " approval to do whatever they want with proposed leased portion of the land whenever they want which in not necessarily in the best interest of the broader community.

Grant he proposed area as indicated on your photo but please leave the rest alone as you have heard the comment " If it ain,t broke why fix it "

We look forward to your comments to this communication

Without Predjuce.

G. D . & P . J . Hutchins.

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

7. PUBLIC LIBRARIES REVIEW (File Ref: 9.24.1.1)

INTRODUCTION

To keep Elected Members informed of the review of the Public Library System (PLS).

RECOMMENDATION

That Council appoint Cr …….. to the Public Libraries Review Advisory Group.

COMMENT

As previously approved by Council staff have commenced liaison with the Public Libraries review project team to review the operational model for community libraries within the Council area. This report looks to provide Council with an update and estimated timeline in relation to the Public Libraries (PLS) Strategic Planning Project and seeks appointment of an Elected member to the Public Libraries Review Advisory Group as the representative of the community.

- **November**
  - Establishment of Advisory Group
  - Letter to School Principals inviting them to be part of the advisory group
- **December**
  - Finalisation of Advisory Group
  - PLS to work on consultation framework
- **January**
  - Corporate Services Officer and PLS Staff to meet with Project Facilitator, to discuss consultation framework
- **February**
  - Initial consultation meeting to be held with advisory group – Tentative Date, Wednesday, 18th February 2015
- **April**
  - Stakeholder session be facilitated to determine what the YP libraries services may look like moving into the future
- **May / June**
  - Facilitator to provide a report to be revised by the advisory group and recommendations made to Council
  -

PLS have recommended that the advisory group consist of the following parties;

- 1 Elected Member
- 4 School Principals (Ardrossan, Maitland, Minlaton, Yorketown)
- 1 Senior Council Person (someone with the authority to make decisions in regard to direction of the Review)
- Council Corporate Services Officer
- 2 PLS Staff Members

All recommendations will be brought to Council for consideration and approval ahead of any changes to the current service model.

A letter signed by the CEO and Mayor has been forwarded to each of the four participating schools to gain their commitment and support of the project.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Community Engagement – Vitality and Connection

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

As a pilot exercise Council has no exposure beyond committing resources at this point.