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Yorke Peninsula Council

NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of Council
will be held on Wednesday 11th February 2015,
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 | <u>YORKE PENINSULA COUNCIL</u> |
| 1.1 | <u>Welcome by Mayor</u> – meeting declared opened |
| 1.2 | <u>Opening Prayer</u> |
| 1.3 | <u>Present</u> |
| 1.4 | <u>Leave of absence</u> |
| 1.5 | <u>Apologies</u> |

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 21st January 2015 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
1. Monthly Report from Mayor Agnew 4

ITEM 3 COUNCILLORS' REPORT
Nil

ITEM 4 **INFORMATION AGENDA** Page 5

4.1 Items for exclusion

4.2 Receipt of Information Reports

4.3 Chief Executive Officer Pages
1. CEO Activities 6
2. Correspondence Liberal Party Emergency Services Levy 7-10
3. Action List 11-14

4.4 Corporate and Community Services
Nil

4.5 Assets and Infrastructure Services Pages
1. Construction and Maintenance Works 15-16

4.6	<u>Development Services</u>	Pages
	1. Development Application Decisions	17-21
	2. Waste Management System Application Decisions	22-23
	3. Inspectoral – Activity Report	24-25
	4. Environmental Health – Activity Report	26-27
ITEM 5	<u>VISITORS TO THE MEETING</u>	
	Nil	
ITEM 6	<u>DEBATE AGENDA</u>	Page 28
6.1	<u>CHIEF EXECUTIVE OFFICER</u>	Pages
	1. Nomination John Legoe Award	29-31
	2. CLRG Representative to LGA Board	32-44
6.2	<u>CORPORATE AND COMMUNITY SERVICES</u>	Pages
	1. December 2014 Budget Review	45-58
	2. Financial Report	59-60
	3. Port Victoria Hotel – Motel Lease	61-63
	4. Section 41 Committee Dissolution	64-65
6.3	<u>ASSETS AND INFRASTRUCTURE SERVICES</u>	
	Nil	
6.4	<u>DEVELOPMENT SERVICES</u>	Pages
	1. Authorisation Land Management Agreement	66-77
	2. Upgrade of St Vincent Highway Intersections	78-95
	3. Expert Panel on Planning Reforms	96-100
	4. Access Advisory Committee	101-104
ITEM 7	<u>GENERAL BUSINESS</u>	
	Council has resolved that an Agenda Item “General Business” be included on the Council Agenda to enable members to raise matters of a minor nature for action by the Administration, or to call for reports.	
ITEM 8	<u>CONFIDENTIAL AGENDA</u>	
	Nil	
ITEM 9	<u>NEXT MEETING</u>	
	Wednesday 11 th March 2015	
ITEM 10	<u>CLOSURE</u>	

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 January 2015.

RECOMMENDATION

That the report be received.

COMMENT

13 th January	Meeting with Vanessa Bouley and CEO, Andrew Cameron
16 th January	Attended Australia Day Luncheon at the Adelaide Entertainment Centre with His Excellency Hieu Van Le, AO and Dr Gill Hicks, OBE
21 st January	Attend monthly Council meeting
23 rd January	Attended Access Advisory Committee meeting at Minlaton
26 th January	Addressed on behalf of Council at the Stansbury Australia Day Breakfast Addressed on behalf of Council at the Port Victoria Australia Day celebrations with Rod Gill as guest speaker for their Flag raising ceremony. Hosted the Australia Day Celebrations and award presentation at Minlaton Town Hall <ul style="list-style-type: none">○ Citizen of the Year – John Edwards○ Junior Citizen of the Year – Tim Cross○ Community Award – Curramulka Community Club
28 th January	Whale retrieval thank you dinner with CEO and Deputy Mayor Trevor Davey, Ardrossan
29 th January	LGA Board meeting, Adelaide

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

(File Ref:9.24.1.1)

INTRODUCTION

To keep Elected Members informed of other meetings and activities during the month of January 2015.

RECOMMENDATION

That the report be received.

COMMENT

8 th January	Meet with representatives from the Environmental Protection Authority (EPA) at Tiddy Widdy
13 th January	Meeting with Vanessa Boulley
14 th January	Attend Council workshop
15 th January	Meeting with Grantley Dodd
16 th January	Meeting with Valma Clift
21 st January	Meeting with Jo Buchanan Attend Council meeting
22 nd January	Meeting with DASH Architects
26 th January	Attend Australia Day Celebration ceremony and award presentation at Minlaton Town Hall
27 th January	Meeting at Black Point Meeting at Tiddy Widdy Reserve Ardrossan Trust and Hospital Board meeting
28 th January	Meeting with Lachlan Treloar and Di Rhode
28 th January	Whale retrieval thank you dinner with Mayor and Deputy Mayor Trevor Davey, Ardrossan
30 th January	Meeting with DASH Architects and Romaldi Constructions

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Not Applicable.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not Applicable.

CHIEF EXECUTIVE OFFICER

IA/ITEM 4.3

2. CORRESPONDENCE LIBERAL PARTY EMERGENCY SERVICES LEVY

(File Ref:9.24.1.1)

INTRODUCTION

To advise Council of correspondence in relation to Liberal Party Policy about the Emergency Services Levy if they gain power in 2018.

RECOMMENDATION

That the report be received.

COMMENT

Correspondence (copy attached) has been received from the local member Steven Griffiths MP, in relation to the release of the Liberal Party policy in relation to the Emergency Services Levy should they gain power in the 2018 State Elections.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 199

Strategic Plan

Key Theme: Corporate Governance

Strategic Goal: 2.1 Financially Sustainable Organisation

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

It is estimated this initiation would reduce Council's expense by approximately \$10,000 p.a. The 2014/15 budget for the ESL was estimated at \$30,000 with the actual cost totalling \$33,000. This compares to a total cost of \$23,000 in the 2013/14 financial years



STEVEN GRIFFITHS MP

Member for Goyder



21 January 2015

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

22 JAN 2015

Item Number

401-2015-1

GDS Number

10.3.2.5

Distribution

Dear Mayor Agnew *Ray,*

Several months ago I wrote to all 68 councils in South Australia requesting details about the financial impact of the removal by the South Australian Labor Government of the general remissions for the Emergency Services Levy (ESL).

The information I received highlighted real concerns across the board, with accompanying cited dollar increases being significant, severely impacting on current and future budgets.

State Labor has refused to budge on the ESL, with Premier Weatherill and Treasurer Koutsantonis continuing to refuse to recognise the full consequences of this collective additional \$90 million per year hit.

However, I am pleased that this week Steven Marshall MP has announced that the Liberal Party will, if successful at the 2018 State Election, put the general remission back in place as its first act in government.

Please find attached a copy of the press release issued by Steven Marshall – an announcement that is a good one for local government and the communities it serves.

If you require any information on this announcement do not hesitate to contact me.

Yours sincerely

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

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Media Release



Steven Marshall MP

State Liberal Leader

Sunday 18 January 2015

Massive Liberal tax cut for South Australian families

The State Liberals have committed to reversing the Weatherill Government's savage increases in the Emergency Services Levy (ESL) giving South Australians desperately needed tax relief.

The State Liberals opposed the Weatherill Government's massive increase to the ESL when it was announced and if elected in 2018 our first act will be to reverse this \$90 million tax grab.

"The Weatherill Government's massive increase to the ESL tax has placed many ordinary South Australians under intense financial pressure at the very moment they can least afford it," said State Liberal Leader Steven Marshall.

"This \$90 million tax cut will deliver annual cost of living relief for ordinary South Australians who already have the most expensive gas, water and electricity in the country.

"The ESL is a tax on the family home and the State Liberals commitment to restore the remission on the ESL will deliver an annual \$168 tax cut for owners of a home worth \$450,000. This amounts to a \$672 tax cut over the life of the Government.

The Weatherill Government's massive increases in the ESL tax doesn't just hit homeowners, it is also levied on sporting clubs, community organisations, churches and independent schools.

"The increases in the ESL are cascading throughout the community, embedding higher costs for struggling families at every turn.

"The Weatherill Government's ESL tax hike is also impacting on the quality of education South Australia's independent schools are able to provide.

"With 35% of students attending independent schools they are an important plank in South Australia's education system and the massive increases in the ESL is forcing them to cut services or increase fees.

"The Weatherill Labor Government is also putting its hand into the pockets of hard working parents every time they pay a sporting club fee or use a community facility.

"This massive tax cut will also have a positive effect on South Australia's moribund economy, boosting business confidence, investment and job creation.

"The Weatherill Government was already the highest taxing State Government in Australia before it jacked up the ESL on families and businesses across the state.

Contact: Greg Charter 0488 177 243

www.stevenmarshall.com.au

www.facebook.com/stevenmarshallMP

twitter.com/marshall_steven

"Taking tens of millions of dollars in the ESL tax from SA businesses further restricts their capacity to grow their businesses and create jobs.

"The South Australian economy is flat lining under the Weatherill Labor Government's punitive tax regime and the unemployed are paying the ultimate price of these policy failures.

"Our commitment on the ESL will be paid for through existing policies we have already announced to create efficiencies in the public sector.

"The policy we took to the 2014 election would save more than the cost of reinstating the remissions to the ESL.

"In the lead up to the 2018 election, we will have more to say on tax reform, and more importantly tax relief, to help all South Australians struggling under the burden of SA Labor's exorbitant tax regime."

Note: ESL tax cut would begin from 1 June 2018 under this policy.

Contact: Greg Charter 0488 177 243

www.stevenmarshall.com.au
www.facebook.com/stevenmarshallMP
twitter.com/marshall_steven

CHIEF EXECUTIVE OFFICER

IA/ITEM 4.3

3. 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 11th February 2015

Action List

Responsible Officer	Agenda Item Number	Task	Due Date	Status
Director Corporate & Community Services	10 th Aug 10 Item 20.4	Advise the Dept of Environment and Natural Resources that Council wish to Relinquish Care and Control of Crown Land Lot 88 Main Street Curramulka CR 5856/772	As soon as DEWNR responds	Underway - DEWNR advised, no response to date
22 nd January 2014				
Director 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
14 th 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	February 2015	Trevor to contact Ardrossan Area School Principal re: connection to the scheme
Director Assets & Infrastructure Services	DA/AIS/R3	Organise to have the following documents signed and sealed for the Walk the Yorke Leisure Trail with the State Government and private landholders	July 2014 – ongoing for duration of project	All Crown Leases executed. Private landowners under consideration and some require further information.
13 th August, 2014				
Director Corporate & Community Services	DA/CCS/R6	Seek Ministerial approval for the revocation of the Community Land classification to accommodate the necessary requirements for the Minister for Emergency Services to build a new Country Fire Service station at Pt Victoria	October 2014	Underway
10 th December 2014				
CEO	DA/CEO/Urgent Matter	Write to the State Government Minister Hunter seeking funding support for the disposal	February 2015	Final invoices submitted for processing. Correspondence

		of the whales at Pararra Beach.		being drafted, seeking funding assistance.
CEO	DA/CEO/R2	Director Assets & Infrastructure Services to undertake a full review of the Waste and Recycling Service Policy PO 125 particularly in relation to replacement bins following theft	March 2015	Underway
21 st January 2015				
CEO	DA/CEO/R1	Prepare a draft Elected Members Records Management Policy for consideration at the March 2015 meeting.	March 2015	Underway
CEO	CEO/DA/R2	Organise for the Purchasing and Procurement Policy to be included in Policy Manual and on website	January 2015	Completed
CEO	CEO/DA/R3	Advise the Star Club Field Officer that Council have adopted the YP and LMN Recreation, Sport and Open Space Strategy 2014	February 2015	Completed
CEO	CEO/DA/R4	Advise the CEO WRC that Council have endorsed the Regional Public Health Care Plan	February 2015	Completed
Director Corporate and Community Services	CCS/DA/R3	Advise the Minlaton Skate Park Committee of Council's acceptance of the Skate Park for inclusion in the Asset Register	February 2015	Completed
Director Corporate and Community Services	CCS/DA/R4	Advise Ardrossan Progress Association that Council is unable to subsidise the Emma Anna Public Art Display	February 2015	Completed
Director Corporate and Community Services	CCS/DA/R5	Organise for the updated Credit Card Policy to be included in Council's website and policy manual	February 2015	Completed
CEO	CCS/DA/R6	Organise to facilitate a meeting between the Friends of Troubridge	February / March 2015	Steven Griffiths MP advised of Council resolution

		Island and Minister Mulligan in relation the lighthouses future.		pending information from Minister for Transport and Infrastructure Stephen Mulligan
Director Assets and Infrastructure Services	AIS/DA/R1	Advise SITA that Council have agreed to extend the contract under clause 3.2.4 of the agreement	February 2015	SITA officially advised
Director Development Services	DDS/DA/R1	Organise for the Development Assessment Panel members to be advised and for the documents to be incorporated into the corporate documents.	February 2015	Completed
Director Development Services	DA/DS/R3	Advise Black Point Progress Association that Council has granted consent for the Memorial Wall in the Black Point Boat Ramp car park	February 2015	Ongoing
Director Assets and Infrastructure Services	DA/CA/R1	Advise Cavill Power Products that Council accept the Tender for supply of a Patrol Grader	February 2015	Cavpower notified and order placed

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 February 2015 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 available resources.
- Road construction and/or maintenance activities have been applied to the following roads in accordance with 2014/15 budget allocations:
 - Clinton Road – construction ongoing
 - Coleman Road – patching completed
- The Walk the Yorke Project is progressing well (74% complete), with the status of major componentry as follows:
 - Installation of infrastructure (trail markers, bollards and bench seats) – 53% complete
 - Compacted gravel trail – 94% complete
 - Installation of shelters, flooring, picnic settings and tanks – 20% complete
 - Fencing and stile installation – 30% complete
 - Podium signage – 30% complete
 - Project management – 65% complete (month 19 of 29)
- Approximately forty five (45) Customer Service Requests have been addressed throughout January with activities including:
 - Attention to street trees
 - Coastal infrastructure maintenance
 - Sign replacement and repairs
 - Maintenance to public buildings
 - Stormwater infrastructure maintenance
 - Sealed and unsealed road maintenance
 - Response to vandalism
- Footpath maintenance has been attended to within Price, Ardrossan, Maitland, Minlaton, Curramulka and Yorketown.
- Roadside vegetation trimming has been undertaken within the Hundred of Para Wurlie (Sturt Bay Road).

- Replacement of white posts has been targeted on the following roads:
 - White Hut Road
 - Liddiard Road
 - Mt Rat Road
 - Ardrossan Road
- Upgrading to the footpath area and jetpatching adjacent the Yorketown Telecentre and CFS has been undertaken catering to the undulation of the area.
- The following upgrades/works have been applied to the Community Wastewater Management Systems (CWMS) and stormwater harvesting schemes:

CWMS

- Bypass decant tank installed – **Port Victoria**
- Gravity drain maintenance – **Black Point**
- Upgrade to switchboard and alarm system – **Sultana Point**
- Upgrades to WWTP – **Maitland**
- Pump station upgrade – **Maitland**
- Gravity drain repairs – **Maitland**
- Repairs to pump station – **Ardrossan**
- Chlorine dosing pump upgraded – **Chinaman Wells**
- Upgrade to switchboard screen – **Hardwicke Bay**

Stormwater Harvesting

- Upgrade to switchboard and levelling system – **Maitland**
- All CWMS and water supply schemes are continually monitored and tested in accordance with SA Health and Environment Protection Authority (EPA) licence conditions.

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. DEVELOPMENT APPLICATION DECISIONS

(File Ref: 9.24.1.1)

INTRODUCTION

Development Applications for the period 5 January 2015 to 30 January 2015.

RECOMMENDATION

That the report be received.

COMMENT

The following is a list of all Development Applications processed for the period 5 January 2015 to 30 January 2015.

Yorke town

544/1230/2012	544/1111/2013	544/1254/2013
544/1031/2014	544/1093/2014	544/1210/2014
544/1224/2014	544/1231/2014	544/1236/2014
544/1003/2015	544/1011/2015	

Maitland

544/2263/2013	544/2268/2013	544/2128/2014
544/2151/2014	544/2190/2014	544/2229/2014
544/2241/2014	544/2247/2014	544/2248/2014
544/2249/2014	544/2268/2014	544/2271/2014
544/2276/2014	544/2285/2014	544/2290/2014
544/2294/2014	544/2001/2015	

Land Divisions

544/D024/2014

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 5 JANUARY 2015 TO 30 JANUARY 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
544/1230/2012	A Mikhail 12 Lohse Street LAVERTON VIC	(Lot 7, 8 and 9) 9-13 Edith Street EDITHBURGH	Retail Shop & Residential Building & Balconies	6 2 10a	292.51 391.2 125.24	400,000	REFUSED	210526 5405042009	19 January 2014	Owner Builder
544/1111/2013	M Hinds 25 Banksia Road ABERFOYLE PARK	(Lot 19) 15 Northshore Road HARDWICKE BAY	Garage	10a	54	8,000	REFUSED	322909 5408979163	19 January 2015	TBA
544/1254/2013	D Healey PO Box 67 CORNLY POINT	(Lot 102) 220 Cornly Point Rd CORNLY POINT	New Dwelling, Carport & Verandah	1a 10a 10a	110.88 11.52 90.72	85,000	Planning 7 Building 2	422311 5400661206	20 January 2015	TBA
544/1031/2014	A & A Easther PO Box 363 MINLATON	(Lot 12) 17314 Yorke Hwy MARION BAY	New Dwelling, Carport & Garage Extension	1a 10a 10a	271.5 51 122.86	400,000	Planning 8 Building 3	409912 5400926956	8 January 2015	Owner Builder
544/1093/2014	Ericsson Aust C/- Visionstream Locked Bag 3 BENTLEIGH EAST	(PTS 646) Park Terrace EDITHBURGH	Telecommuni- cations Facility	10b	60	150,000	Planning 3 Building 1 Private Certifier	406058 5405105102 A0020	29 January 2015	TBA
544/1210/2014	M Bain-Cureton 81 Alfred Street PARKSIDE	(Lot 11) 1662 South Coast Road FOUL BAY	Dwelling Addition	1a	21.6	50,000	Planning 4 Building 6 Private Certifier	107508 5400715913	29 January 2015	TBA
544/1224/2014	GR Boumard 6 Coringle Cres HALLETT COVE	(Lot 204) 16 Giles Street EAST COOBOWIE	Verandah & Garage	10a 10a	48 54	14,024	Planning 7 Building 2	215467 5405698008	14 January 2015	Alpha Industries BLD255973
544/1231/2014	Southpark Hostel 1 South Terrace MINLATON	(Lot 50) 1 South Terrace MINLATON	Carport	10a	60	4,500	Planning 2 Building 2	303917 5407838300	13 January 2015	A Gourdie
544/1236/2014	C Thompson PO Box 283 DAW PARK	(Sec 1012) 40 Willyama Drive MARION BAY	Carport	10a	51.6	3,500	Planning 1 Building 2	118885 5400935254	8 January 2015	Owner Builder
544/1003/2015	S Irlam PO Box 296 PORT VICTORIA	(Lot 129) 6 West Terrace MINLATON	Demolition of Existing Dwelling	1a	185	5,000	Planning N/a Building 7	301143 5407605004	13 January 2015	Owner Builder
544/1011/2015	Melville Hotel 1 Minlaton Road YORKETOWN	(Lot 8) 1-5 Minlaton Road YORKETOWN	Concrete Floor	6	50.4	5,000	Planning N/A Building 1	204446 5403663004	29 January 2015	CC Tape & Sons Pty Ltd BLD4511
TOTAL						\$717,024				

MAITLAND

Dev. App. No.	Name & Addresses	Location	Proposal	Class	Area m ²	Cost \$	Conditions Planning Building	Assessment / Valuation No	Decision Date	Builder Licence No
544/2263/2013	CJ Slater 9 Cooper Place Paralowie	(Sec 614) 46 The Esplanade Port Clinton	Detached Dwelling	1a	124	140,000	Planning 10 Building 1 Private Certifier	44255 4607117465	06 Jan 2015	TBA
544/2268/2013	Port Vincent Sailing Club PO Box 144 MINLATON	(Lot 6) 14 Marine Parade PORT VINCENT	Demolish Existing Area, New Deck & Internal Alterations	10a 6	186	300,000	Planning 7 Building 1 Private Certifier	306332 5408150558	21 Jan 2015	TBA
544/2128/2014	GJ Carling 12 Halbert Court ANDREWS FARM	(Lot 8) 3 Main Street PINE POINT	Demolish Existing Dwelling; New Elevated Dwelling & Deck	1a 10a	46 122.9 21.5	150,000	Planning 6 Building 1 Private Certifier	19935 4603831071	21 Jan 2015	TBA
544/2151/2014	Breona Farming PO Box 33 STH KILKERRAN	(Lot 101) 185 Lizard Park Drive SOUTH KILKERRAN	Winery, Cellar Door Sales & Function Building	8 6 9b	709	22,000	Planning 6 Building 5	423129 4604183150	20 January 2015	Owner Builder
544/2190/2014	P Carrington 27 Glenrowan Rd WOODVILLE STH	(Lot 40) 31 Ocean Parade BALGOWAN	Two Storey Dwelling, Balcony, Carport & Garage	1a 10a	190.79 75.64	250,000	Planning 11 Building 1 Private Certifier	426882 4605120206	06 Jan 2015	TBA
544/2229/2014	B & S Sutcliffe 2 Lancelot Avenue HAZELWOOD PK	(Lot 609) 59 Marine Parade PORT VINCENT	Garage	10a	110.11	11,250	Planning 7 Building 2	311092 5408436505	21 Jan 2015	A Semmens BLD219894
544/2241/2014	CJ Slater 9 Cooper Place Paralowie	(Sec 614) 46 The Esplanade Port Clinton	Verandah	10a	22	5,000	Planning 4 Building 1 Private Certifier	44255 4607117465	06 Jan 2015	TBA
544/2247/2014	MS Errington 21 West Terrace ARDROSSAM	(Lot 36) 33-35 Caroline Street MAITLAND	Dwelling, Carport & Alfresco	1a 10a	168.33 63.3	181,644	Planning 8 Building Nil Private Certifier	9357 4601727000	21 Jan 2015	Fairmont Homes Group 188013
544/2248/2014	S Munro 32 Oxford Terrace TARINGA	Lot 102 Moorara Drive PORT VICTORIA	Garage	10a	54	11,500	Planning 7 Building 2	432120 4604723830	08 Jan 2015	Owner Builder
544/2249/2014	Greensbrook P/L PO Box 197 PORT VICTORIA	(Lot 7) 84 Davies Terrace PORT VICTORIA	Verandah x 2	10a	17 40	9,790	Planning Nil Building 2	432310 4604727858	13 Jan 2015	Owner Builder
544/2268/2014	M Absalom PO Box 660 COOPER PEDY	(Lot 43) 65 Urania Road PORT VICTORIA	Carport	10a	108	6,600	Planning 2 Building 2	429225 4604722184	22 Jan 2015	Owner Builder

544/2271/2014	BM Quinlan 4/9 Walnut Grove DERNANCOURT	(Lot 537) 7 Esplanade BALGOWAN	Garage	10a	36	5,860	Planning 7 Building 2	35600 4605034009	21 Jan 2015	TBA
544/2276/2014	BP Stubberfield 28 Main Street PORT VINCENT	(Lot 16) 28 Main Street PORT VINCENT	Dwelling Alteration & Additions	1a	112.7	80,000	Planning 4 Building 2 Private Certifier	310367 5408399003	21 Jan 2015	TBA
544/2285/2014	DA Black 8a Fuller Street WALKERVILLE	Lot 141 Black Point Drive BLACK POINT	Extension to Garage	10a	9	3,000	Planning 5 Building 2	50054 4604910038	08 Jan 2015	Metal As Anything BLD58265
544/2290/2014	JM Koch 57 Robert Street MAITLAND	(Lot 207) 57 Robert Street MAITLAND	Advertising Sign 1.8m x .9m	10b	1.62	250	Planning 4 Building 1	9258 4601716205	06 Jan 2015	Owner Builder
544/2294/2014	DP Le Feuvre PO Box 13 PORT VINCENT	(Lot 3) 1225 Dump Road PORT VINCENT	Shipping Container	10a	28.8	3,000	Planning 5 Building 2	324327 5409026209	22 Jan 2015	Owner Builder
544/2001/2015	MT Coleman RMD 1049 KADINA	(Sec 467) 1662 Melton Sth Rd CLINTON CENTRE	Garage	10a	108	10,860	Planning 4 Building 2	43323 4607067007	23 Jan 2015	TBA
TOTAL						\$1,190,754				

LAND DIVISIONS

Dev. App. No.	Name & Address	Location	Proposal	Conditions Planning Building	Assessment / Valuation No	Decision Date
544/D024/2014	Main North Developments C/- Bleeze Neale Surveyors 27 19 th Street GAWLER SOUTH	(Lots 34, 35, 36, 37, 38 & 39) Captain Hutchinson Drive POINT TURTON	Land Division	Planning 1 Land Division 1	426114 5401028509	9 January 2015

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

2. WASTEWATER SYSTEM APPLICATION DECISIONS

(File Ref: 9.24.1.1)

INTRODUCTION

Wastewater System application decisions for the period 5 January 2015 to 30 January 2015.

RECOMMENDATION

That the report be received.

COMMENT

The following is a list of all Wastewater System applications processed for the period 5 January 2015 to 30 January 2015.

Maitland

050/152/2013 050/063/2014 050/127/2014

050/129/2014 050/135/2014 544/148/2014

050/150/2014

Yorketown

050/145/2014 050/147/2014 050/050/2014

050/001/2015

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 5 JANUARY 2015 TO 30 JANUARY 2015**

Maitland

Septic App. No.	Owner	Location	Proposal	Conditions	Assess. No	Decision Date	Plumber & Licence No
050/152/2013	CJ & H Slater 9 Cooper Place PARALOWIE	(Sec 614) 46 The Esplanade PORT CLINTON	Aerobic System	11	44255	06 January 2015	S Palecek
050/063/2014	GJ Carling 12 Halbert Court ANDREWS FARM	(Lot 8) 3 Main Street PINE POINT	Alteration to Holding Tank	11	19935	21 Janaury 2015	Owner Applicant
050/127/2014	Port Vincent Sailing Club PO Box 14 MINLATON	(Lot 6) 14 Marine Parade MINLATON	Alteration to STED Connection	11	306332	21 January 2015	D Le Feuvre
050/129/2014	P & MH Carrington 27 Glenrowan Road WOODVILLE SOUTH	(Lot 40) 31 Ocean Parade BALGOWAN	Aerobic System	11	426882	06 January 2015	Owner Applicant
050/135/2014	MS Errington 21 West Terrace ARDROSSAN	(Lot 36) 33-35 Caroline Street MAITLAND	STED Connection	11	9357	21 January 2015	Fairmont Homes Group
050/148/2014	B & S Stubberfield 28 Main Street PORT VINCENT	(Lot 16) 28 Main Street PORT VINCENT	Alteration to Septic & Soakage	11	310367	21 January 2015	Shane Edwards
050/150/2014	JA Zwar PO Box 135 ARTHURTON	(Lot 11) 3 Fourth Street ARTHURTON	Alteration to Septic & Soakage	11	415471	06 January 2015	Peninsula Plumbing

Yorke town

Septic App. No.	Owner	Location	Proposal	Conditions	Assess. No	Decision Date	Plumber & Licence No
050/145/2014	M Bain-Cureton 81 Alfred Street ALFORD	(Lot 11) 1662 South Coast Road FOUL BAY	Alteration to Septic & Soakage	11	107508	29 January 2015	Owner Applicant
050/147/2014	A & A Easterher PO Box 363 MINLATON	(Lot 12) 17314 Yorke Highway MARION BAY	Septic & Soakage	11	409912	8 January 2015	GP Architects
050/050/2014	D Healey PO Box 67 CORNLY POINT	(Lot 102) 220 Corny Point Road CORNLY POINT	Aerobic System	11	422311	20 January 2015	Owner Applicant
050/001/2015	Minlaton Golf Club PO Box 182 MINLATON	(Lot 1) 20 East Terrace MINLATON	Alteration to Septic & Soakage	11	303776	13 January 2015	Shane Edwards

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

3. 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 illegal campers, wandering and nuisance dogs, noisy dogs, and nuisance cats. One dog owner received an expiation notice for owning an unregistered dog after it was impounded in Ardrossan for wandering at large. A Port Vincent dog owner received an expiation notice for dog wandering at large after a Ranger was requested to attend and impound the dog.

A Minlaton dog owner contacted council to surrender his dog after it had escaped from a yard and harassed nearby residents. The dog was subject to a Control (Nuisance Dog) Order and had been involved in several previous similar incidents. The dog was voluntarily surrendered and no further action was taken over the incident.

A Marion Bay property owner was issued with several expiations in relation to complaints received in relation to his dog. This dog is registered with the City of Salisbury and is subject to a Control (Dangerous Dog) Order. The expiations were issued as a result of the dog harassing neighbours and for two accounts of dog wandering at large. No Court proceedings have been initiated in relation to the non-compliance of the control order, however if further incidents occur court action may be the only option to remedy the situation.

Routine patrols of boat ramps have also been performed to ensure the users are paying to use the facilities.

Regular patrols have also taken place at the bush camping reserves to ensure users are paying for the facilities. These facilities were well utilised over the Australia Day long weekend.

Extra attention has been paid to parking in the vicinity of schools as the 2015 school year commenced. Several motorists have been cautioned in relation to the manner they have parked in the vicinity of schools. An Expiation has been issued in relation to a motorist parking on a yellow edged line.

Council's Fire Prevention Officers (FPO) attended further "Bushfire Survival" meetings in conjunction with the Country Fire Service, the Price Progress Association and the Friends of Port Moorowie. These educational sessions assist property owners in their preparation for a bushfire.

On Monday 16 February 2015 farmers can start burning off in preparation for the coming season. Prior to burning off they need to obtain a Schedule 9 Permit from an Authorised Officer at any of the Council Offices. Council's FPO will closely monitor the burn offs to ensure compliance with the conditions on the permits.

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

4. 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.

Despite the high number of holiday makers on the Yorke Peninsula during the summer period very few public health or food complaints were received by Council.

A report was received from a resident who felt something consumed on Christmas day had caused food borne illness symptoms seven (7) days later. As explained to the complainant this is a long time delay; we expect the microbes responsible for food borne illness to take 24-48 hours to establish within the body and provoke symptoms. Even when the Department of Health takes food histories from people involved in a food borne illness incident the participants are only asked to try and recall food from over a five (5) day period.

All persons with food borne illness symptoms need to seek medical advice and have samples taken so that the organism causing the problem can be identified. Without any evidence of a link between the organism and a food source it is unreasonable to make allegations against a particular food or food business.

Regular inspections of food businesses allow the Environmental Health Officer to gain knowledge of the food handling skills of the various premises and can help allay concerns that may be generated by customers. Issues and complaints raised by patrons are discussed with the business, as improvement of their service or hygiene levels is only possible if they are cognisant of the problem.

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.

DEBATE

AGENDA

CHIEF EXECUTIVE OFFICER

DA/ITEM 6.1

1. NOMINATION JOHN LEGOE AWARD

(File Ref:9.24.1.1)

INTRODUCTION

To seek Council approval to submit a nomination for Mayor Ray Agnew for the 2014/2015 John Legoe Award.

RECOMMENDATION

That Council nominate Mayor Ray Agnew for the 2014/2015 John Legoe Award prior to the closing date.

COMMENT

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

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

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Not Applicable.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not Applicable.

The John Legoe Award

In recognition of personal and professional development of Council Members and their commitment and service to their communities



Introduction:

The late Councillor John Legoe, former President of the LGA of SA passed away in December 2005. He was a strong supporter of, and gave encouragement to, people (particularly younger people) nominating and participating in Local Government. He was an advocate for improved education, training and development of Council Members as community leaders and representatives. This Award was established by the LGA in honour of his own exemplary performance as a community leader over many years. The Award is promoted and presented annually.

In 2010 the Judging Panel determined that given the intent of the award was to recognise personal development as well as achievement, it would be valuable to have a two-tiered approach to the judging of nominations as follows:

1. The John Legoe Award (certificate, engraved glass and complimentary registration at Council Members residential) awarded for excellence in carrying out the role; and
2. The John Legoe Encouragement Award (Certificate) awarded to a person who is progressing their personal development and enhancing achievements in their role.

Eligibility:

To enter you must be a current serving Council Member at the time of the call for nominations and you must be nominated by your Council.

Why you should be nominated:

There are many benefits from entering the Award, including:

- recognition of leadership
- highlighting excellence
- identifying strong commitment and high level performance
- promoting Local Government

Timetable:

31 October 2014	Nominations open
23 February 2015	Nominations close
March 2015	Judging Panel meets
30 April 2015	Award presentation at LG Showcase & Ordinary General Meeting Dinner

Awards Committee:

An Awards Committee is responsible for the judging of nominations. The Panel comprises the LGA President and Chief Executive Officer, Mrs Gayle Legoe and the Minister for State/Local Government Relations (or her/his representative). The Panel may co-opt other members as necessary to undertake research / interviews.

Nominee Information:

Nominations should demonstrate the nominees:

a) commitment to personal development:

Examples:

- *Attendance at ALGA National General Assembly*
- *Attendance at LGA General, AGM and/or President's Forums*
- *Participation in regional functions or collaboration with colleagues in adjoining Councils or with Councils with similar interest*
- *Attendance at conferences/seminars/workshops addressing Local Government issues*
- *Research and networking on issues of interest to the individual and/or his/her community and/or Council*
- *Representative for Local Government on outside body/bodies*
- *Formal studies/qualifications*

b) commitment and involvement in promoting the local Council, community or similar:

Examples:

- *Attendance at community events*
- *Development of good relationships with community groups*
- *Active involvement with schools, civic education or Council projects*
- *Commitment to citizen engagement in civic affairs beyond effective consultation on particular issues*

c) community service activities:

Examples:

- *Direct involvement in a community issue that resulted in an improvement to the community eg through extra services, successful in gaining grants, promoted an activity/issue resulting in a positive outcome for the community or a proportion of it*
- *Ongoing liaison/connection with community groups/organisations*
- *Must show a higher level of involvement in community issues than generally is the case for his/her colleagues*
- *Volunteer work (ie charity/not for profit organisation)*

Nominations Forms:

Nomination forms can be downloaded from the LGA website www.lga.sa.gov.au/goto/legoe. Nominations close on 23 February 2015 and completed forms and supporting documentation should be forwarded to rebecca.wake@lga.sa.gov.au.

For further information contact:

Rebecca Wake, Administration/Events Assistant, Executive Services on (08) 8224 2047 or rebecca.wake@lga.sa.gov.au.

CHIEF EXECUTIVE OFFICER

DA/ITEM 6.1

2. CLGR NOMINATION TO LGA BOARD

(File Ref:9.24.1.1)

INTRODUCTION

To seek Council approval to submit a nomination for Mayor Ray Agnew as the Central Local Government Region representative supported by Yorke Peninsula Council to the Local Government Association Board.

RECOMMENDATION

That Council support and submit the nomination of Mayor Ray Agnew as the Central Local Government Region representative to the Local Government Association Board prior to the closing date.

COMMENT

The Local Government Association has called for nominations for the LGA Board and advised any nomination must be endorsed by Council prior to submission.

The Chief Executive Officer has advised that the nomination for Mayor Agnew as the Central Local Government Region to the LGA Board must be submitted by Yorke Peninsula Council.

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

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Not Applicable.

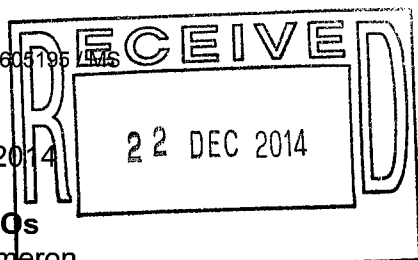
FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not Applicable.



Our Reference:

603195 / Ms



18 December 2014

COUNTRY CEOS

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

Item Number
7803-2014-1
GDS Number
10.3.2.6
Distribution

Dear Andrew

Call for Nominations for LGA President, Board Members & Deputy Board Members

The term of the current LGA President, Board Members and Deputy Board Members of the LGA Board will conclude at the LGA Ordinary General Meeting to be held on 1 May 2015.

In accordance with clause 55 of the LGA Constitution (available at <https://www.lga.sa.gov.au/webdata/resources/files/LGA%20Constitution%20April%202014.pdf>), the LGA is required to call for nominations to fill these positions and, if necessary, to conduct an election.

Accordingly, I write to you in your capacity as the Chief Executive Officer of an Ordinary Member Council to invite nominations from your Council for the positions, firstly, of LGA President and, secondly, for the positions of Board Member(s) and Deputy Board Member(s) representing your Region.

ELIGIBILITY CRITERIA FOR PRESIDENT

Clause 57.1. of the Constitution requires that the President must:

- be a Councillor or Mayor of an Ordinary Member Council who has served as a Board Member on the LGA Board for at least 12 continuous months from the conclusion of the previous Ordinary General Meeting, being 11 April 2015, to the date of calling for nominations for President; and
- the office of President must be occupied on a rotational basis by a member of a 'country' Council (being any Council that is not a member of the Metropolitan Local Government Group) and then, a member of a constituent Council of the Metropolitan Local Government Group. Commencing in May 2015 a member of a 'country' Council is required to fill the office of President for a two year term.

I have enclosed for your information a list of the Board Members who are eligible to be nominated for President.

ELIGIBILITY CRITERIA FOR BOARD MEMBERS AND DEPUTY BOARD MEMBERS

Pursuant to clause 57 of the Constitution:

Call for Nominations for LGA President, Board Members & Deputy Board Members

- in order to be eligible for nomination as a Board Member or Deputy Board Member representing a Region, a person must be a member of a constituent Council of that Region;
- a Council may nominate one eligible person to act as a Board Member or Deputy Board Member from their own Council . However, only one member of a Council may be nominated for such office;
- a nomination (for President and a Board Member) may only be made by resolution of the Council and using the **enclosed** form. The form must be signed by both the candidate nominated by the Council to indicate his/her willingness to stand for election, and by you as the Chief Executive Officer of the nominating Council; and
- unless stated otherwise. A nomination to act as a Board Member includes a nomination to as a Deputy Board Member.

ELECTION OF PRESIDENT

Nominations for President (and any accompanying candidate information) must be addressed **to me** using the enclosed nomination form and envelope and must be received by **5.00pm on 13 February 2015**.

As the Returning Officer for the President Election, I am required to conduct a postal ballot if 2 or more persons are nominated for the office of President. If a ballot is required, the distribution of ballot papers to Councils will include any information provided by the candidates to the Returning Officer in accordance with the **attached requirements**, as specified in clause 64.2 of the Constitution. This information is to be provided by the candidate with the nomination form.

As per the LGA Constitution, if an election is required, a preferential voting system will be used being the system contained in the *Local Government (Elections) Act 1999*, commonly known as 'proportional representation'.

The following timetable will be adhered to:

Action	Responsibility	Due Date
Provision of nominations for President, Board Member/Deputy Board Members to the Returning Officer	CEO of Ordinary Member Council	By 5pm Friday 13 February 2015
Ballot Papers prepared (if required)	Chief Executive Officer of the LGA	by Thursday 19 February 2015
Ballot Papers poster to Councils	Chief Executive Officer of the LGA	Friday 20 February 2015
Closing date for receipt of votes	CEO of Ordinary Member Council	by 5pm Tuesday 7 April 2015
Vote count and (provisional) declaration		from Wednesday 8 April 2015

ELECTION OF BOARD MEMBERS & DEPUTY BOARD MEMBERS

Nominations for Board Members or Deputy Board (and any accompanying candidate information) must be addressed to **the Executive Officer of your Region** using the enclosed nomination form and envelope and must be received by **5.00pm on 13 February 2015**.

If the number of nominations for Board Member and Deputy Board Member representatives of a Region (excluding the Metropolitan Local Government Group) exceeds the number of positions that are required to be appointed for that Region under clause 49 of the Constitution, the Region will determine which Board Members and Deputy Board Members it wishes to appoint.

In this case it will be necessary for each Council to liaise with the other constituent councils comprising its respective Region to determine which candidates will be appointed as the representatives of the Region. The Executive Officer of your Region will coordinate and work with you in relation to the nomination and appointment process.

Each Region is required to notify me of its determination regarding the persons the Region wishes to appoint as its Board Member and Deputy Board Member representatives on the LGA Board **no later than 5pm, 17 March 2015**.

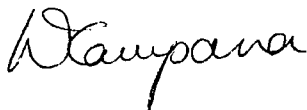
The following timetable will be adhered to:

Action	Responsibility	Due Date
Provision of Nominations (for Board Member/Deputy Board Members) to Executive Officer of the Region	CEO of Ordinary Member Council	By 5pm Friday 13 February 2015
Where the number of candidates exceed the positions available, a list of nominees and candidate details will be provided to CEOs of Ordinary Member Councils to facilitate the appointment process	Executive Officer of the Region	by Thursday 19 February 2015
Constituent Councils of Regions to liaise and determine who to appoint as its Board representatives	Executive Officer of the Region to coordinate	up to 16 March 2015
Regions to notify LGA of determination regarding Board Member and Deputy Board Member representatives	Executive Officer of the Region	by 5pm 17 March 2015

Extracts from the LGA Constitution in relation to the role and responsibilities of the President and other LGA Board Members are **attached** for your information.

If you have any queries in relation to the election process, please contact myself or Michael Stewart, Director of Finance and Corporate Services on 8224 2037.

Yours sincerely



Wendy Campana
Chief Executive Officer/Returning Officer

Telephone: 8224 2022
Email: wendy.campana@lga.sa.gov.au

Attachments:

- 1 List of Board Members eligible to be nominated as President
- 2 Nomination Form and envelope – President
- 3 Nomination Form and envelope – Board Member/Deputy Board Member
- 4 Returning Officer requirements for candidate information
- 5 Role & Responsibilities – President and Board Members (extract from LGA Constitution)
- 6 Councils in each Region

PERSONS ELIGIBLE FOR NOMINATION AS PRESIDENT

Mayor Allan Aughey (Clare & Gilbert Valleys)
Mayor Julie Low (Lower Eyre Peninsula)
Mayor David Burgess (Mid Murray)
Mayor Peter Hunt (Berri Barmera)
Mayor Ann Ferguson OAM (Mt Barker)



**2015 NOMINATION FORM
PRESIDENT
RETURN TO CEO OF LGA**

The
(Name of Council making the nomination)

hereby nominates
(Full Name)

of
(Name of Council of which the nominee is a member)

being a Member of such Council to the position of

LGA PRESIDENT

Dated this day of 2014/15

.....
(Signature of Chief Executive Officer)

and I, the person nominated, hereby accept such nomination and consent to act as
President if so elected.

.....
(Signature of Candidate)

Close of Nominations: 5.00pm 13 February 2015



**2015 NOMINATION FORM
BOARD MEMBER/DEPUTY BOARD MEMBER
RETURN TO EXECUTIVE OFFICER OF REGION**

The
(Name of Council making the nomination)

hereby nominates
(Full Name)

of
(Name of Council of which the nominee is a member)

being a Member of such Council to the position of

**BOARD MEMBER OR DEPUTY BOARD MEMBER
REPRESENTING THE
REGION**

Dated this day of 2014/15

.....
(Signature of Chief Executive Officer)

and I, the person nominated, hereby accept such nomination and consent to act as
a Board Member or Deputy Board Member if so elected.

.....
(Signature of Candidate)

Close of Nominations: 5.00pm 13 February 2015

Specifications for the Provision of Candidate Information

LGA President/ Board Member Representative of a Region

The information must:

- Be typed in the attached format (and must not exceed one side of an A4 sheet of paper);
- be provided under the following headings:
 - Name of Candidate
 - Name of Council
 - Current Council Position(s)
 - Local Government Experience/Knowledge
 - Local Government Policy Views and Interests
 - Other Information;
- not contain any references, direct or otherwise, to any other candidates;
- not include a photograph;
- be supplied in a manner that is suitable and ready for photocopying; and
- not contain any statement purporting to be a fact which is inaccurate or misleading.

Please note:

1. The information does not need to be authorised by anyone.
2. The Returning Officer reserves the right to determine whether or not the information provided fits within the above requirements. In the event that the Returning Officer determines that it does not, she will endeavour to contact the candidate to discuss the matter.
3. The information needs to be received by the Returning Officer by 5.00pm on 13 February 2015.

Wendy Campana
Returning Officer (for election of President)

LGA ELECTION CANDIDATE INFORMATION

Position Sought: LGA President

Word Limit is strictly 1,000 words (pursuant to clause 64.2 of the Constitution)

1. NAME

2. COUNCIL

3. CURRENT COUNCIL POSITION(S)

4. LOCAL GOVERNMENT EXPERIENCE/KNOWLEDGE

5. LOCAL GOVERNMENT POLICY VIEWS & INTERESTS

6. OTHER INFORMATION

**This information is to accompany a nomination form and must be received by the Returning Officer,
being the CEO of the LGA, by 5.00pm on 13 February 2015**

Call for Nominations for LGA President, Board Members & Deputy Board Members

LGA ELECTION CANDIDATE INFORMATION

**Position Sought: Board Member/Deputy Board Member of
Region**

Word Limit is strictly 1,000 words (pursuant to clause 64.2 of the Constitution)

7. NAME

8. COUNCIL

9. CURRENT COUNCIL POSITION(S)

10. LOCAL GOVERNMENT EXPERIENCE/KNOWLEDGE

11. LOCAL GOVERNMENT POLICY VIEWS & INTERESTS

12. OTHER INFORMATION

**This information is to accompany a nomination form and must be received by the Executive Officer
of the Region by 5.00pm on 13 February 2015**

Call for Nominations for LGA President, Board Members & Deputy Board Members

LGA BOARD MEMBER ROLES & RESPONSIBILITIES
Extract from LGA Constitution

The President

46.4 The President has these functions:

- 46.4.1 to be a member of, to chair and to provide leadership to the Board;*
- 46.4.2 to be a member of, to chair and to provide leadership to the Management Group;*
- 46.4.3 to chair general meetings;*
- 46.4.4 to represent the LGA to the wider community and the media, consistent with adopted policy positions of the LGA; and*
- 46.4.5 those of a Board Member, as if a Board Member.*

Board Members

50.4 A Board Member has these functions:

- 50.4.1 to be on the Board and make reasonable endeavours to attend and participate in each meeting of the Board;*
- 50.4.2 contribute to the LGA by providing leadership for local government and pursuing the objects of the LGA;*
- 50.4.3 represent the LGA in a positive manner to the wider community in South Australia and, if the opportunity arises, nationally and internationally;*
- 50.4.4 present to the Board the interests and views of the Ordinary Members of the Region they represent or of the Unincorporated Areas as the case may be; and*
- 50.4.5 (subject to any overriding duty of confidentiality) convey decisions of the Board and other information back to the Ordinary Members of the Region they represent or Unincorporated Areas as the case may be.*

Councils in each Region

Central Region

Comprises such of the following as are at the time an Ordinary Member: (a) The Barossa Council; (b) District Council of Barunga West; (c) Clare and Gilbert Valleys Council; (d) District Council of Copper Coast; (e) The Flinders Ranges Council; (f) Goyder Regional Council; (g) Light Regional Council; (h) District Council of Mallala; (i) District Council of Mount Remarkable; (j) Northern Areas Council; (k) District Council of Orreroo/Carrieton; (l) District Council of Peterborough; (m) Port Pirie Regional Council; (n) Wakefield Regional Council; (o) District Council of Yorke Peninsula.

Eyre Peninsula Region

Comprises such of the following as are at the time an Ordinary Member: (a) District Council of Ceduna; (b) District Council of Cleve; (c) District Council of Coober Pedy (d) District Council of Elliston; (e) District Council of Franklin Harbour; (f) District Council of Kimba; (g) Wudinna District Council; (h) District Council of Lower Eyre. Peninsula; (i) District Council of Streaky Bay; (j) District Council of Tumby Bay; (k) City of Whyalla.

Murray and Mallee Region

Comprises such of the following as are at the time Ordinary Members: (a) The Berri Barmerra Council; (b) The Coorong District Council; (c) District Council of Karoonda/East Murray; (d) District Council of Loxton Waikerie; (e) Mid Murray Council; (f) Rural City of Murray Bridge; (g) Renmark Paringa Council ; (h) Southern Mallee District Council.

South East Region

Comprises such of the following as are at the time Ordinary Members: (a) City of Mount Gambier; (b) District Council of Grant; (c) Kingston District Council; (d) Naracoorte Lucindale Council; (e) District Council of Robe; (f) Tatiara District Council; (g) Wattle Range Council.

Southern and Hills Region

Comprises such of the following as are at the time Ordinary Members: (a) Alexandrina Council; (b) Kangaroo Island Council; (c) District Council of Mount Barker; (d) City of Victor Harbor; (e) District Council of Yankalilla.

Spencer Gulf Cites Region

Comprises such of the following as are at the time Ordinary Members: (a) City of Port Augusta; (b) City of Port Lincoln; (c) Municipality of Roxby Downs.

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

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

INTRODUCTION

To consider a review of Council's 2013/2014 adopted budget.

RECOMMENDATION

That Council adopt the December 2014 Budget Review changes as presented in the December 2014 Budget Review – Summary of Changes and the attached financial reports. (Uniform Presentation of Finances, Statement of Comprehensive Income, Balance Sheet, Cash Flow Statement, Statement of Changes in Equity and Financial Ratios Report).

COMMENT

As required by Local Government (Financial Management) Regulations 2011, Council budget managers in all directorates have completed a review of the adopted budget and the Revised Budget from the September 2014 review adopted by Council.

Further adjustments have been made incorporating approved Council amendments, review changes based on financial results to date, and known changes in circumstances at 31st December 2014.

As a result of the December 2014 review the Net Borrowing for the financial year has decreased by \$119,007 to a total of \$4.214m in the proposed Revised Budget for the 2014/2015 financial year.

Major items include:

- Increase in operating income of \$227,485 – grant income for Seawater Flooding Investigation \$66k – workers compensation bonus received \$67k – risk administration reimbursements received \$97k – other minor adjustments \$3k
- Increase in operating expenditure of \$209,708 – Seawater Flooding Investigation \$95k – transfer of capital projects balances (completed projects) to unsealed roads expenditure \$48k – risk administration projects \$97k – reduction of \$30k in budgeted insurance expenditure
- Increase in capital income received for specific projects – Clinton Road \$53k
- Decrease in capital expenditure of \$48k (transferred to maintenance/operating) after completion of projects.

Other minor reallocations of income and expenditure have also been made (both within directorates and between directorates) during the review which when netted off do not

materially change the revised Net Borrowings. A list of all changes proposed has also been included for Elected Members information.

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.

**District Council of Yorke Peninsula
December 2014 Budget Review - Summary of Changes**

		Increase Deficit/ Capital Exp \$	Decrease Deficit/ Capital Exp \$	Net Change Increase/ (Decrease) \$	Reason for Change
Executive Services					
Income					
20007/911/841	Risk Admin Reimbursements		(15,000)		WHS Award
20007/911/841	Risk Admin Reimbursements		(81,577)		Risk bonus received
	Exec Services Net Change - Income	0	(96,577)	(96,577)	
Operating Expenses					
18870/130/260	Risk administration	14000			Expenditure matching WHS Award
18870/130/380	Risk administration	1,000			Expenditure matching WHS Award
18870/130/260	Risk administration	81,577			Expenditure matching Risk bonus received
	Exec Services Net Change - Operating Expenses	96,577	0	96,577	
Capital Expenditure					
	Exec Services Net Change - Capital Expenditure	0	0	0	
Total increase/(decrease) - Executive Services				0	

**District Council of Yorke Peninsula
December 2014 Budget Review - Summary of Changes**

Assets and Infrastructure Services

Operating Expense

		Increase Deficit/ Capital Exp \$	Decrease Deficit/ Capital Exp \$	Net Change Increase/ (Decrease) \$	Reason for Change
6648/252/260	Seawater Flooding Investigation - contractual	95,250			Seawater Flooding Investigation - grant funded
6433/252/260	Hardwicke Bay CWMS - contractual	1,000			Reallocation to balance project costs
6433/252/300	Hardwicke Bay CWMS - materials	2,000			Reallocation to balance project costs
6432/252/300	Rogues Point CWMS - materials		(3,000)		Reallocation to balance project costs
6465/252/260	Sultana Pt CWMS - contractual	3,500			Reallocation to balance project costs
6465/252/300	Sultana Pt CWMS - materials	4,000			Reallocation to balance project costs
6438/252/300	Pt Turton CWMS - materials		(1,500)		Reallocation to balance project costs
6443/252/300	Balgowan CWMS - materials		(3,000)		Reallocation to balance project costs
6444/252/300	Pt Julia CWMS - materials		(3,000)		Reallocation to balance project costs
6410/252/300	Maitland CWMS - materials		(4,000)		Reallocation to balance project costs
6439/252/260	Stansbury CWMS - contractual		(2,000)		Reallocation to balance project costs
6439/252/300	Stansbury CWMS - materials	6,000			Reallocation to balance project costs
6907/252/300	Hardwicke Bay Water Supply - materials		(800)		Reallocation to balance project costs
6900/252/300	Black Pt Water Supply - materials		(500)		Reallocation to balance project costs
6900/252/260	Black Pt Water Supply - contractual		(1,000)		Reallocation to balance project costs
6905/252/300	Balgowan Water Supply - materials		(500)		Reallocation to balance project costs
6905/252/260	Balgowan Water Supply - contractual		(1,000)		Reallocation to balance project costs
6900/252/260	Ardrossan CWMS - contractual		(6,000)		Reallocation to balance project costs
6916/252/260	Marion Bay Desal - contractual	9,800			Reallocation to balance project costs
6437/252/300	Foul Bay CWMS - materials		(1,000)		Reallocation to balance project costs
6438/252/260	Pt Turton CWMS - contractual		(1,500)		Reallocation to balance project costs
6435/252/260	Pt Vincent CWMS - contractual	2,500			Reallocation to balance project costs
6438/252/300	Pt Turton CWMS - materials		(2,000)		Reallocation to balance project costs
6467/252/300	Chinaman Wells CWMS - materials		(2,000)		Reallocation to balance project costs
6468/252/260	Pt Victoria CWMS - contractual		(3,000)		Reallocation to balance project costs
6410/252/300	Maitland CWMS - materials		(2,000)		Reallocation to balance project costs
6435/252/300	Pt Vincent CWMS - materials	9,000			Reallocation to balance project costs
13940/252/101	Unsealed Roads - wages	1,211			Reallocation from final capital project costs
13940/252/520	Unsealed Roads - plant hire	3,516			Reallocation from final capital project costs
13940/252/338	Unsealed Roads - internal rubble	42,205			Reallocation from final capital project costs
13940/258/300	Unsealed Roads Patrol Grading - materials	1,298			Reallocation from final capital project costs
18500/272/442	Machinery - insurance		(5,591)		Adjust to actuals
Assets & Infrastructure Net Change - Operating Expenses		181,280	(43,391)	137,889	

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

		Increase Deficit/ Capital Exp \$	Decrease Deficit/ Capital Exp \$	Net Change Increase/ (Decrease) \$	Reason for Change
Capital Expenditure					
54008/571/338	Brutus Road - internal rubble		(16,400)		Reallocation to finalise capital project costs
53519/571/300	South Coast Road - materials	1,805			Reallocation to finalise capital project costs
53519/571/260	South Coast Road - contractual		(10,500)		Reallocation to finalise capital project costs
53519/571/101	South Coast Road - wages		(1,211)		Reallocation to finalise capital project costs
53519/571/520	South Coast Road - plant hire		(3,516)		Reallocation to finalise capital project costs
54027/571/338	Nalyappa Road - internal rubble		(16,545)		Reallocation to finalise capital project costs
53544/571/338	Clasohm Road - internal rubble		(1,863)		Reallocation to finalise capital project costs
44263/570/300	Sultana Pt CWMS - materials	1,314			Reallocation to balance project costs
44254/570/300	Maitland CWMS - materials		(1,314)		Reallocation to balance project costs
Assets & Infrastructure Net Change - Capital Expenditure		3,119	(51,349)	(48,230)	
Total increase/(decrease) - Assets & Infrastructure				89,659	

**District Council of Yorke Peninsula
December 2014 Budget Review - Summary of Changes**

		Increase Deficit/ Capital Exp \$	Decrease Deficit/ Capital Exp \$	Net Change Increase/ (Decrease) \$	Reason for Change
Development Services					
Income					
24007/950/850	Anderson Terrace House		(7,500)		Adjustment to income expected
25401/950/815	Hall hire fees	2000			Adjustment to income expected
25422/950/815	Maitland Hall Tenants rental	17000			Adjustment to income - hall unavailable
25470/814/840	Halls - other income		(1,884)		Adjustment to income expected
22050/840/810	Septic Tank Application fees	5000			Lower than expected applications
22050/841/810	Septic Tank Inspection fees	8000			Lower than expected inspections
24020/851/810	Planning Assessment fees	9000			Lower than expected development applications
24020/852/810	Public Consultation fees	5000			Lower than expected development applications
24020/856/810	Building assessment fees		(10,000)		Adjustment to development applications allocations
25300/889/810	Boat Ramp expiations		(2,085)		Higher than expected expiation fees
21051/868/810	Animal Expiations		(1,500)		Higher than expected expiation fees
21200/815/810	Dog registrations		(4,500)		Increased dog registrations
Development Services Net Change - Income		46,000	(27,469)	18,531	
Operating Expenses					
6055/130/260	Building Fire Safety - contractual		(1,631)		
6050/130/260	Development and Planning - contractual	1631			
Development Services Net Change - Operating Expenses		1,631	(1,631)	0	
Capital Expenditure					
Development Services Net Change - Capital Expenditure		0	0	0	
Total increase/(decrease) - Development Services				18,531	

**District Council of Yorke Peninsula
December 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					
24611/922/870	Foreshore Protection		(36,000)		Grant Income - CPB Seawater Flooding Investigation
24611/922/870	Foreshore Protection		(31,443)		Grant Income - Cmwth Seawater Flooding Investigation
29200/922/870	Special Roads Projects		(53,000)		Grant Income - Special Roads Projects, Clinton Road
20000/811/841	Workers Compensation		(65,796)		Higher than expected Workers Compensation Bonus
20130/807/840	Legal fees reimbursed		(10,000)		Higher than expected legal fees reimbursements
31000/942/830	LGFA Bonus Received		(5,679)		Higher than expected LGFA Bonus
20000/811/840	Insurance reimbursements	5679			Lower than expected insurance reimbursements
24338/951/860	Pt Victoria Effluent Augmentation		(32,778)		Reallocation of effluent augmentation budget
24337/951/860	Ardrossan Effluent Augmentation	30000			Reallocation of effluent augmentation budget
24322/951/860	Maitland Effluent Augmentation	10000			Reallocation of effluent augmentation budget
23000/910/850	YPCTS - Other Income		(12,034)		YPC contribution to YPCTS
29628/814/840	ATO Fuel Rebate		(10,000)		Increased rebate expected
20000/814/840	General reimbursements	10000			Lower than expected reimbursements
29625/814/840	Traffic control - reimbursements		(367)		Adjust to actuals
31286/910/840	Other Income - reimbursements		(7,166)		Increased NRM Collection fees reimbursement
25200/814/840	Sporting Club/Community Group reimbursements - general		(1,000)		Adjust to actuals
25200/811/840	Sporting Club/Community Group reimbursements - insurance	10000			insurances transferred directly to groups
29750/948/880	Gross proceeds - other assets		(2,855)		Adjust to actuals
	Corp & Comm Services Net Change - Income	65,679	(268,118)	(202,439)	
Operating Expenses					
5021/295/260	Living Skills - contractual		(14,000)		Transfer to salaries
5021/100/100	YPLO - salaries	14000			alteration of contractor to employee status
18084/195/380	Donations not elsewhere classified - YPCTS		(55)		Adjust to actuals
2256/220/400	Pt Pearce Aboriginal Corporation - electricity	584			Adjust to actuals (charged to PPAC)
various	Workers compensation insurance		(25,287)		Adjust to actuals
	Corp & Comm Services Net Change - Operating Expenses	14,584	(39,342)	(24,758)	
Capital Expenditure					
60100/571/300	Pt Vincent CP - hose reels		(10,000)		Reallocation to alternative project
60050/571/380	Other Caravan Parks - other		(10,000)		Reallocation to alternative project
60050/571/300	Minlaton CP - materials	20000			Powerheads at Minlaton Caravan Park
	Corp & Comm Services Net Change - Capital Expenditure	20,000	(20,000)	0	
Total increase/(decrease) - Corporate & Community Services				(227,197)	
Overall increase/(decrease) for December Budget Review				(119,007)	

District Council of Yorke Peninsula
December 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		(227,485)		
Increase/(Decrease) in Operating Expenses		209,708		
Net Increase/(Decrease) in Operating Deficit			(17,777)	
Net Decrease/(Increase) in Capital Amounts Received		(53,000)		
Net Increase/(Decrease) in Deficit after Capital Receipts			(70,777)	
Increase/(Decrease) in Spending on New Capital Items		0		
Increase/(Decrease) in Spending on Renew of Capital Items		(48,230)		
Net Increase/(Decrease) in Capital Expenditure			(48,230)	
Overall increase/(decrease) for December Budget Review			(119,007)	
Adjust reduction in Depreciation (Non-Cash)			0	
Net Increase/(Decrease) in Borrowings			(119,007)	

Yorke Peninsula Council

Budgeted Uniform Presentation of Finances 2014/2015 - December Budget Review

Income	-\$25,976
Less Expenses	\$29,536
Operating Deficit before Capital Amounts	\$3,560
Less Net Outlays on Existing Assets	
Capital Expenditure on renewal and replacement of Existing Assets	\$6,498
Less Depreciation, Amortisation and Impairment	-\$9,153
Less Proceeds on Sale of Assets	-\$280
	-\$2,935
Less Net Outlays on New and Upgraded Assets	
Capital Expenditure on New and Upgraded Assets	\$4,746
Less Amounts received specifically for New and Upgraded Assets	-\$1,156
	\$3,590
NET(LENDING) / BORROWING FOR FINANCIAL YEAR	\$4,215

2014/2015 Budget	Full Year To Date Adjustments	2014/2015 Revised Budget
-\$25,976	-\$514	-\$26,490
\$29,536	\$285	\$29,821
\$3,560	-\$229	\$3,331
\$6,498	\$70	\$6,568
-\$9,153	\$0	-\$9,153
-\$280	-\$3	-\$283
-\$2,935	\$67	-\$2,868
\$4,746	\$249	\$4,995
-\$1,156	-\$88	-\$1,244
\$3,590	\$161	\$3,751
\$4,215	-\$1	\$4,214

Yorke Peninsula Council

Budgeted Balance Sheet 2014/2015 - December Budget Review

	2014/2015 Budget \$'000	Full Year To Date Adjustments \$'000	2014/2015 Revised Budget \$'000
Current Assets			
Cash and Cash Equivalents	\$3,259	\$499	\$3,758
Trade and Other Receivables	\$1,168	-\$53	\$1,115
Investments and Other Financial Assets	\$20	-\$20	\$0
Inventories	\$887	-\$164	\$723
TOTAL CURRENT ASSETS	\$5,334	\$262	\$5,596
Non-Current Assets			
Financial Assets	\$447	\$9	\$456
Infrastructure, Property, Plant and Equipment	\$279,040	\$46,993	\$326,033
Other Non-Current Assets	\$0	\$0	\$0
TOTAL NON-CURRENT ASSETS	\$279,487	\$47,002	\$326,489
TOTAL ASSETS	\$284,821	\$47,264	\$332,085
Current Liabilities			
Trade and Other Payables	\$1,984	\$168	\$2,152
Borrowings	\$510	-\$117	\$393
Provisions	\$936	\$525	\$1,461
TOTAL CURRENT LIABILITIES	\$3,430	\$576	\$4,006
Non-Current Liabilities			
Borrowings	\$6,921	\$94	\$7,015
Provisions	\$315	\$356	\$671
TOTAL NON-CURRENT LIABILITIES	\$7,236	\$450	\$7,686
TOTAL LIABILITIES	\$10,666	\$1,026	\$11,692
NET ASSETS	\$274,155	\$46,238	\$320,393
Equity			
Accumulated Surplus	-\$4,708	-\$723	-\$5,431
Asset Revaluation Reserve	\$278,069	\$47,038	\$325,107
Other Reserves	\$794	-\$77	\$717
TOTAL EQUITY	\$274,155	\$46,238	\$320,393

Yorke Peninsula Council

Budgeted Statement of Comprehensive Income 2014/2015 - December Budget Review

Rates
Statutory Charges
User Charges
Grants Subsidies Contributions
Investment Income
Reimbursements
Other Income

TOTAL REVENUES

Employee Costs
Materials Contracts & Other Expenses
Depreciation
Finance Costs

TOTAL EXPENSES

OPERATING DEFICIT BEFORE CAPITAL AMOUNTS

(Gain)/Loss on Asset Disposals
Amounts Specifically for New Assets

NET DEFICIT

2014/2015 Budget	Full Year To Date Adjustments	2014/2015 Revised Budget
-\$19,094	\$4	-\$19,090
-\$450	\$9	-\$441
-\$2,941	\$18	-\$2,923
-\$2,870	-\$259	-\$3,129
-\$121	-\$5	-\$126
-\$344	-\$148	-\$492
-\$156	-\$133	-\$289
-\$25,976	-\$514	-\$26,490
\$7,670	-\$10	\$7,660
\$12,335	\$299	\$12,634
\$9,153	\$0	\$9,153
\$378	-\$4	\$374
\$29,536	\$285	\$29,821
\$3,560	-\$229	\$3,331
-\$40	-\$3	-\$43
-\$1,156	-\$88	-\$1,244
\$2,364	-\$320	\$2,044

Yorke Peninsula Council

Budgeted Cash Flow Statement 2014/2015 - December Budget Review

Cash Flows from Operating Activities

Receipts

Operating Receipts

\$25,855

\$981

\$26,836

Investment Receipts

\$121

-\$6

\$115

Payments

Operating Payments to Suppliers and Employees

-\$19,898

\$401

-\$19,497

Finance Payments

-\$378

-\$170

-\$548

NET CASH USED PROVIDED BY OPERATING ACTIVITIES

\$5,700

\$1,206

\$6,906

Cash Flows from Investing Activities

Receipts

Amounts Specifically for New or Upgraded Assets

\$1,156

\$88

\$1,244

Sale of Replaced Assets

\$280

\$3

\$283

Repayments of Loans by Community Groups

\$0

\$62

\$62

Payments

Expenditure on Renewal/Replacement of Assets

-\$6,498

-\$280

-\$6,778

Expenditure on New/Upgraded Assets

-\$4,746

-\$38

-\$4,784

Loans to Community Groups

\$0

-\$40

-\$40

NET CASH USED IN INVESTING ACTIVITIES

-\$9,808

-\$205

-\$10,013

Cash Flows from Financing Activities

Receipts

Proceeds from Borrowings

\$6,000

\$0

\$6,000

Payments

Repayment of Borrowings

-\$805

-\$9

-\$814

NET CASH USED IN FINANCING ACTIVITIES

\$5,195

-\$9

\$5,186

NET INCREASE/(DECREASE) IN CASH HELD

\$1,087

\$992

\$2,079

CASH AT BEGINNING OF REPORTING PERIOD

\$2,172

-\$493

\$1,679

CASH AT END OF REPORTING PERIOD

\$3,259

\$499

\$3,758

Yorke Peninsula Council



Budgeted Statement of Changes in Equity 2014/2015 Revised Budget

Accumulated Surplus brought forward

Net Surplus/(Deficit) for Year

Gain on Revaluation of Infrastructure, Property, Plant and Equipment

Transfers between Reserves

Total Equity (revised) at end of 2014/2015 Budget Year

Accumulated Surplus \$'000	Asset Revaluation Reserve \$'000	Other Reserves \$'000	TOTAL EQUITY \$'000
- \$3,388	\$325,107	\$717	\$322,436
- \$2,043			- \$2,043
			\$0
			\$0
- \$5,431	\$325,107	\$717	\$320,393

Yorke Peninsula Council



Budgeted Financial Indicators 2014/2015 - December Budget Review

Operating Surplus/(Deficit) \$'000

-\$3,560

-\$3,330

Operating Surplus Ratio

-18.6%

-17.0%

Net Financial Liabilities \$'000

\$5,734

\$6,233

Net Financial Liabilities Ratio

22.1%

23.5%

Interest Cover Ratio

1.0%

0.9%

Asset Sustainability Ratio

66.0%

71.0%

Asset Consumption Ratio

61.0%

63.0%

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

2. FINANCIAL REPORT 31st JANUARY 2015 (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 31st January 2015.

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 31st January 2015

	2014/15 Actuals	YTD \$'000
Income		-\$23,293
Less Expenses		\$12,800
Operating Deficit before Capital Amounts		-\$10,493
Less Net Outlays on Existing Assets		
Capital Expenditure on renewal and replacement of Existing Assets		\$1,159
Less Depreciation, Amortisation and Impairment		
Less Proceeds on Sale of Assets		-\$154
		\$1,005
Less Net Outlays on New and Upgraded Assets		
Capital Expenditure on New and Upgraded Assets		\$2,055
Less Amounts received specifically for New and Upgraded Assets		-\$383
		\$1,672
NET(LENDING) / BORROWING FOR FINANCIAL YEAR		-\$7,816

2014/15 Full Year Adopted Budget \$'000	2014/15 Full Year Budget Revisions \$'000	2014/15 Full Year Revised Budget \$'000
-\$25,976	-\$514	-\$26,490
\$29,536	\$285	\$29,821
\$3,560	-\$229	\$3,331
\$6,498	\$70	\$6,568
-\$9,153	\$0	-\$9,153
-\$280	-\$3	-\$283
-\$2,935	\$67	-\$2,868
\$4,746	\$249	\$4,995
-\$1,156	-\$88	-\$1,244
\$3,590	\$161	\$3,751
\$4,215	-\$1	\$4,214

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

3. PORT VICTORIA HOTEL - MOTEL

(File Ref:9.24.1.1)

INTRODUCTION

Renovations are to be undertaken at the Port Victoria Hotel - Motel including extensions proposed over a portion of road reserve jutting onto Main Street Port Victoria. A five year lease with three, five year rights of renewal for the occupation of the land is therefore sought which would be subject to the Lessee obtaining appropriate Development Act approval for any structures, fixtures or equipment where relevant.

RECOMMENDATION

That Council give permission to proceed with the public consultation process for the granting of a five year lease with three, five year rights of renewal to Mr Peter J Raison & Mr Kenneth John Davey and Parker Hotels Pty. Ltd over a portion of road reserve adjacent to the Port Victoria Hotel – Motel to accommodate the proposed development of a new hotel decking area hotel.

COMMENT

The proposed lease would be with the Lessees of the Port Victoria Hotel - Motel, Mr Peter J Raison and Mr Kenneth John Davey and the owner of the property, Parker Hotels Pty. Ltd covering approx., 52 square meters comprising Council road reserve verge land. Refer to Attachment 1 Plan.

The intent of the outdoor dining area is to promote the hotel's patrons dining and entertaining experience by exposing the views from the hotel, to the north and west over the Port Victoria jetty and bay area. The renovation also creates an added benefit to the community with potential tourism growth.

The outdoor dining area will be closed off with access only for the exclusive use of hotel patrons. The lease with Council is subject to the requirements of the Office of Liquor and Gambling application and it is proposed that the liquor licensing hours for the deck will be the same as the current hotel trading hours.

The inherent risks associated with the awkward high drop on the northern end of the current western footpath adjacent to the hotel, which is a concern to Council and residents alike, will be addressed when a new footpath for public access is created as part of the development. There will be, at all times, a footpath width of not less than two (2) metres maintained for unobstructed pedestrian use.

The leased area shall at all times be kept clean and free from litter and waste materials and the Lessees shall ensure that no waste material is swept or placed into the water table. The pavement, furniture, fixtures, equipment and the like will be maintained in a safe and operable condition and the Lessee will bear the cost for all pavement repairs and maintenance. All furniture will be removed at close of business each day.

If the development gains approval following consideration of the public consultation feedback, the lessees will be responsible for Public Liability Insurance against all actions, costs, claims, damages, charges and expenses and Council will be indemnified against all actions, costs, claims and demands for injury, loss or damage arising out of any negligent

act or omission of the Lessee in relation to the alteration to the road to accommodate the decking.

An independent valuation was conducted to determine a fair lease rent and the valuation report shows an amount of \$1,300.00 per annum + GST as the market rental value. Rent will be increased by CPI% annually.

Mr Peter J Raison and Mr Kenneth John Davey will be 100% responsible for the cost of the valuation and the preparation of documents by the solicitor, in relation to any lease granted.

The public consultation process includes a Public Consultation notice in the Yorke Peninsula Country Times, notice of the Public Consultation opportunity on Council's website and the notice being posted to surrounding property owners. An information report will also be made available at all Council offices.

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 \$1,300.00 + GST per annum with an annual rent increase equivalent to CPI%.

The solicitor's \$600.00 lease document preparation fee will be the responsibility of Mr Peter J Raison and Mr Kenneth John Davey.

[illegible]

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

4. SECTION 41 COMMITTEE DISSOLUTION – EDITHBURGH MUSEUM

COMMITTEE (File Ref: 9.24.1.1)

INTRODUCTION

To seek endorsement of the dissolution of the Council Section 41 Committee known as the Edithburgh Museum Committee which was established as a Section 199 Committee under the Local Government Act, 1934.

RECOMMENDATION

That the previous Section 199 Committee of Council, now Section 41 Committee of Council, known as the Edithburgh Museum Committee is dissolved as Section 41 Committee of Council.

COMMENT

On Wednesday the 8th of May 2002 the then Director Finance and Corporate Services, met with the LGA Mutual Liability Scheme to discuss the rationalisation of Committees established under Section 41 of the Local Government Act, 1999.

The Director presented a report to Council at its meeting on the 3rd of November 2003 referencing Council's resolve to instigate processes designed to reduce the number of community committees established pursuant to Section 41 of the Local Government Act, 1999 preferring them to be incorporated bodies.

A report was prepared in July 2014 for Council seeking endorsement of the dissolution of the known Section 41 Committees at the time of the Director's 2003 report to Council after it was realised that no formal dissolution of these committees had been endorsed by Council at that time.

The dissolution of committees endorsed by Council in July 2014 included the Brentwood Institute Hall Committee, Curramulka Hall Committee, Point Turton Swimming Centre Committee and the Stansbury Institute Committee.

It has since been highlighted by Council's Records Management team that the Edithburgh Museum was a Committee of Council prior to amalgamation under section 199 of the previous Local Government Act, 1934 and was therefore also captured under section 41 of the Local Government Act, 1999 as it had not been dissolved prior to the operation of that legislation.

Further investigation by the Records Management team show that the Edithburgh Museum Committee commenced operating as an incorporated body from 1st of July 2003 – prior to the 2003 report to Council - and its dissolution should have been formally endorsed by Council at that time.

The Edithburgh Museum Committee has been contacted via email and phone to confirm their understanding of this process. No issues have arisen from the dissolution as the Committee has been operating independently since July 2003.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Section 41, Local Government Act, 1999

Section 199, Local Government Act, 1934 (ceased)

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

All financial and risk management decisions of Section 41 Committees impact directly upon Council.

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

1. AUTHORISATION LAND MANAGEMENT AGREEMENT

(File Ref: 9.24.1.1)

INTRODUCTION

This report is to seek authorisation from Council for the Mayor and Chief Executive Officer to execute a Land Management Agreement relating to development at Allotment 102 Moorara Drive, Port Victoria.

RECOMMENDATION

That Council authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal on the relevant documents relating to the Land Management Agreement over land described as Allotment 101 Deposited Plan 89689 which is comprised in portion of Certificate of Title Volume 6096 Folio 839 in the area named Port Victoria, Hundred of Wauraltee.

COMMENT

Weeks Development Pty Ltd ("the Owners") have requested Council to execute documents to permit a Land Management Agreement (LMA) to be registered on the Title of Allotment 101 Deposited Plan 89689 which is contained in Certificate of Title Volume 6096 Folio 839 in the area named Port Victoria, Hundred of Wauraltee ("the Land"), commonly known as 98 Songvaar Road, Port Victoria.

The LMA is offered as part of development application 544/D025/2008 seeking to construct a temporary cul-de-sac head on land adjoining Lot 102 Moorara Drive, Port Victoria. This land is being developed with a new road that will eventually be connected to and run through the adjoining allotment to provide a link with Songvaar Road.

Until the next stage of the development is undertaken to provide the link to Songvaar Road, it is desirable to provide a temporary cul-de-sac so that Council vehicles (and the general public) may enter and leave the new road (Cardigan Castle Circuit) in a forward motion.

The LMA will be registered on the Title of the Land and will be binding on the current and future owner of the Land. When the next stage is completed the temporary cul-de-sac will no longer be required and the Land Management Agreement will be removed from the Title of the land.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Section 38(1) of the Local Government Act 1999, provides that the Common Seal of a Council must not be affixed to a document except to give effect to a resolution of the Council.

Strategic Plan

Key Theme: Sustainable Communities

2. Progressive & Sustainable Development

Strategic Goal: 2.3 Continue to guide sustainable and integrated land use and development through the Development Plan and assessing and monitoring development applications

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

All costs associated with the registration of the LMA are borne by the Owner.

LAND MANAGEMENT AGREEMENT

Weeks Developments Pty Ltd A.C.N. 008 181 226 **(the Owner)**;

and

The Yorke Peninsula Council **(the Council)**

LAND MANAGEMENT AGREEMENT

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Details

Date

Parties

Name Weeks Developments Pty Ltd (**A.C.N. 008 181 226**)
Short form name **The Owner**
Role Owner
Notice Details 40 Barfield Crescent, Elizabeth West SA 5113

Name **The Yorke Peninsula Council**
Short form name **The Council**
Role Council
Notice Details PO Box 88, Minlaton, SA 5575

BACKGROUND

- A. The Owner is the registered proprietor of the land being Allotment 101 in DP89689, which is comprised in portion of Certificate of Title Volume 6096 Folio 840 (**the Land**).
- B. The Council has granted Development Application numbered 544/D025/08/002 (**the Application**) Development Plan Consent and Land Division Consent under the *Development Act 1993* (**the Act**) to undertake a division of the whole of the land in Certificate of Title Volume 6096 Folio 840 (**the Development Site**).
- C. Stage 1 of the Application provides for the division into 9 Allotments in accordance with the proposed Plan of Division attached to this Deed as Annexure A (**the Proposed Plan of Division**). The division will ultimately create 9 Allotments on the Plan of Division of (**the Development Site**), but will be developed in stages.
- D. A portion of the road which has been constructed will terminate at the boundary between the Development Site and the Land.
- E. This Deed only applies to the Land.
- F. The Council and the Owner wish to ensure that there is sufficient space on the Land to allow vehicles accessing Cardigan Castle Circuit on the Development Site to turn at the point where that road terminates at the Land.
- G. Pursuant to the provisions of section 57(2) of the Act, the Owner has agreed with the Council to enter into this Deed relating to the development and management of the Land subject to the terms and conditions set out below.

Agreed Terms

1. Defined terms & interpretation

1.1 Defined terms

In this Deed unless the context otherwise requires:

Council means The Yorke Peninsula Council with its successors and assigns.

Development has the meaning ascribed to it in the *Development Act 1993*.

Land includes any part or parts of the Land.

Land Management Agreement Plan means the Plan attached to this Deed as Annexure B.

Owner means the owner of the Land. The term 'the Owner' where the Owner is a company includes its successors, assigns and transferees and where the Owner is a person, includes their heirs, executors, administrators and transferees and where the Owners consists of more than one person or company the term includes each and every one or more of such persons or companies jointly and each of them severally and their respective successors, assigns, heirs, executors, administrators and transferees of the companies or persons being registered or entitled to be registered as the proprietor of an estate in fee simple to the Land or to each and every one of all separate allotments into which the Land may be divided after the date of this Deed.

Proposed Plan of Division means the Plan attached to this Deed as Annexure A.

Person shall include a corporate body.

Road means the road on the Development Site that terminates at the boundary between the Development Site and the Land as shown on the diagram attached to this Deed as Annexure B and known as Cardigan Castle Circuit.

1.2 Interpretation

- (a) The parties acknowledge that the matters recited above are true and accurate and agree that they shall form part of the terms of this Deed;
- (b) In the interpretation of this Deed unless the context shall otherwise require or admit;
 - (i) words and phrases used in this Deed which are defined in the *Development Act 1993* or in the Regulations made under the Act shall have the meanings ascribed to them by the Act or the Regulations as the case may be;
 - (ii) reference to a statute shall include all amendments for the time being in force and any other statute enacted in

- substitution therefore and the regulations or by-laws and the expression 'statute', 'Act' and 'Act of Parliament' shall mean any State or Federal statute and the regulations or by-laws for the time being in force there under and any notice demand order direction requirement or obligation issued made given or imposed under or pursuant to any statute regulation or by-law;
- (iii) words importing the singular shall embrace the plural and words importing one gender shall embrace the other genders and vice versa respectively;
 - (iv) any reference to a person shall be deemed to include a corporate body and vice versa;
 - (v) where two or more persons are bound under this Deed to observe or perform any obligation or Deed whether express or implied then they shall be bound jointly and each of them severally; and
 - (vi) anything which the Owner is required to do under this Deed shall be done at the cost of the Owner.
- (c) Clause headings are provided for reference purposes only and shall not be resorted to in the interpretation of this Deed.
 - (d) The requirements of this Deed are at all times to be construed as additional to the requirements of the Act and any other legislation affecting the Land.

2. Owners obligations

- (a) The Owner shall ensure that:
 - (i) the Land marked Temporary Driveway X, as delineated on the Land Management Agreement Plan, is made available and kept available for free and unrestricted access at all times for the users (including Council vehicles and members of the general public) of the Road in order to drive through Cardigan Castle Circuit.
 - (ii) no barriers or fences are erected restricting access from the Road or the Development Site to the area marked Temporary Driveway X on the Land Management Agreement Plan; and
 - (iii) no Development is carried out on the land marked Temporary Driveway X on the Land Management Agreement without the express written waiver of the requirements of this Deed by the Council.

3. Council's obligations

- a) The Council agrees with the Owner not to unreasonably refuse to:
 - (i) approve any matter that is required to be approved under this Deed, and
 - (ii) approve and execute a rescission of this Land Management Agreement upon issue of a Section 51 clearance by the relevant planning authority to enable the Owner to lodge the

rescission in series with the other required documents for the Deposit of a Plan of Division to divide the land as set out in Clause 5 (c) herein.

- b) The Council will treat the area marked Temporary Driveway X in terms of risk in the same manner it deals with its normal risks for Public Roads under its control.

4. Restriction on leasing and other dealings

The Owner shall not grant any lease licence easement or other right of any nature whatsoever which may give any person the right to possession or control of or entry on to the Land which right would enable such person to breach any of the obligations imposed on the Owner by this Deed unless such grant:

- (a) is expressed in writing; and
- (b) contains as an essential term a covenant by the grantee not to do or omit to do) any act matter or thing which would constitute a breach by the Owner of the Owner's obligations under this Deed.

5. Review and rescission

- (a) This Deed may not be varied except by a supplementary agreement signed by the Council and the Owner.
- (b) The Council may waive compliance by the Owner with the whole or any part of the Owner's obligations provided that no such waiver shall be effective unless expressed in writing and signed by the Council.
- (c) The Owner and the Council Agree that the Council shall rescind this Deed and procure the removal of the registration of this Deed in the event that future development of the Land is approved by the Council and that development provides either, suitable space for vehicles using the Road to turn around, or that there is a continuation of the Road on to the Land for use as part of the future development.
- (d) In the event that the Owner and Council agree that the Land is to be divided into two or more allotments by way of an approved land division then the Council shall rescind this Deed and procure the removal of the registration of the Deed over the new allotment/s which is/are created provided no portion of the new allotment/s includes portion of the Temporary Driveway X.

6. Breach

- (a) The Council and any employee or agent of the Council authorised by the Council may at any reasonable time enter the Land for the purpose of:
 - (i) inspecting the Land;
 - (ii) exercising any other powers of the Council under this Deed or pursuant to law.

- (b) If the Owner is in breach of any provision of this Deed, the Council may, by notice in writing served on the Owner, specify the nature of the breach and require the Owner to remedy the breach within such time as may be nominated by the Council in the notice (being not less than twenty eight (28) days from the date of service of the notice) and if the Owner fails so to remedy the breach, the Council or its servants or agents may carry out the requirements of the notice and in doing so may enter and perform any necessary works upon the Land and recover any costs thereby incurred from the Owner.
- (c) If in a notice referred to in clause 6(b) the Council requires the removal of a building or structure from the Land the Council and its servants or agents are hereby authorised and empowered by the Owner to enter and remove the building or structure from the Land and to dispose of it in any manner determined by the Council provided that if the building or structure shall have any monetary value then the Council shall use its best endeavours to realise that monetary value and shall after the disposal account to the Owner and pay to him the realised value less all expenses incurred.
- (d) The Council may delegate any of its powers under this Deed to any person.

7. Notices

Notice shall for the purposes of this Deed be properly served on the Owner if it is:

- (a) posted to the Owner's last address known to the Council; or
- (b) affixed in a prominent position on the Land.

8. Governing law

- (a) The requirements of this Deed are at all times to be construed as additional to the requirements of the Act and any other legislation affecting the Land.
- (b) This Deed is governed by and is to be construed in accordance with the laws from time to time in force in South Australia and the parties submit to the non-exclusive jurisdiction of the Courts of this State.

9. Entire agreement and variation

- (a) This Deed constitutes the entire agreement between the parties with respect to its subject matter.
- (b) This Deed must not be changed or modified in any way subsequent to its execution except in writing signed by all parties.

10. Registration

Each party shall do an execute all such acts documents and things as shall be necessary to ensure that as soon as is possible after the

execution of this Deed this Deed is registered and a memorial thereof entered on the Certificates of Title for the Land pursuant to the provisions of section 57(5) of the Act in priority to any other registrable interest in the Land save and except for the estate and interest of the Owner therein.

11. Costs

- (a) The Owner Agrees to bear the costs of and incidental to the negotiation and preparation of this Deed and the cost of and incidental to the stamping and registration of this Deed.
- (b) The Owner hereby agrees to indemnify the Council and keep the Council forever indemnified in respect to the whole of its costs and expenses (including without limitation legal costs and expenses) of and incidental to the implementation of this Deed including the enforcement of its terms.

12. General Provisions

- (a) If any provision of this Deed shall be found by a court of competent jurisdiction to be invalid or unenforceable in law then and in such case the parties hereby request and direct such court to sever such provision from this Deed.
- (b) This Deed contains the whole Deed between the parties in respect of the matters referred to herein.

Signing Page

EXECUTED as a land management agreement pursuant to section 57 of the *Development Act 1993*.

.....
Name of person signing document -

.....
Signature of **WITNESS**

.....
Print Full name of Witness (BLOCK LETTERS)

.....
Address of Witness

.....
Business Hours Telephone Number

EXECUTED BY

Weeks Developments Pty Ltd
(A.B.N. 22 008 181 226)

**IN THE PRESENCE OF
ITS DULY AUTHORISED OFFICERS:**

.....
DIRECTOR –

.....
DIRECTOR/SECRETARY –

Signing Page

EXECUTED as a land management agreement pursuant to section 57 of the *Development Act 1993*.

THE COMMON SEAL OF
THE YORKE PENINSULA COUNCIL
WAS HEREUNTO AFFIXED
IN THE PRESENCE OF:-

.....
Signature of Mayor/Chairperson

.....
Name of Mayor/Chairperson (print)

.....
Signature of Chief Executive Officer

.....
Name of Chief Executive Officer (print)

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

2. UPGRADE OF ST VINCENT HIGHWAY INTERSECTIONS (File Ref:9.24.1.1)

INTRODUCTION

To advise Council about comments from the Department of Planning, Transport and Infrastructure (DPTI) in relation to possible intersection upgrades resulting from a proposed land development at Port Vincent and determine whether Council is prepared to enter into a 'Deed of Agreement' in relation to meeting costs associated with such upgrades.

RECOMMENDATION

That Council advise the Department of Planning, Transport and Infrastructure that in response to their correspondence of 21 October 2014 regarding to land division application DA544/D015/14, Council is not prepared to accept any responsibility for the cost of intersection upgrades along the St Vincent Highway and accordingly will not be a party to any 'Deed of Agreement' as proposed.

COMMENT

Council has received a land division application from RJ Germein (Developer Burke Urban) proposing to subdivide land on the western side of the existing township at Port Vincent. The proposal is for 86 residential allotments on land zoned as 'Residential' and abutting the existing established residential zone within Port Vincent.

Protocol for the assessment of a land division includes the referral of applications to prescribed government departments for their comment. This application was referred to several government agencies, one being the Department of Planning, Transport and Infrastructure (DPTI). Comments from DPTI (copy attached) raise concern over the potential impact of increased traffic flow through intersections at St Vincent Highway/Lime Kiln Road and St Vincent Highway/Port Vincent Road.

Comments from DPTI suggest future upgrades should consist of;

- A channelised left turn and right turn for vehicles turning from St Vincent Highway into Lime Kiln Road, and
- A channelised left turn and right turn for vehicles turning from St Vincent Highway into Port Vincent Highway, and
- Realigning the St Vincent Highway/Port Vincent Road intersection to create a staggered T junction.

DPTI have requested a written acknowledgement (in the form of a Deed of Agreement) that costs associated with the recommended upgrades will be borne by Council and/or the Developers.

Council contacted Burke Urban in relation to the proposal and a copy of their response is attached hereto. Essentially the Developer is opposed to contributing anything towards the upgrade of the State Government's infrastructure and as they quite rightly point out in their penultimate paragraph, there is ample legal precedent within South Australia upholding that a planning authority cannot require a developer to contribute to off-site works.

The concerns expressed by DPTI are similar to their comments to Council prior to this land being rezoned in February 2014. At the time, Council (as the developer has pointed out in his correspondence dated 17 December 2014) engaged a traffic consultant (Phil Weaver & Associates) to report on the traffic impact likely to be caused by development upon the land proposed to be rezoned. That report (copy attached) concluded “... *I do not believe that major reconstruction of either intersection would be warranted by the increased traffic flows generated on completion of the subject land division.*” This report considered the impact of the complete area being rezoned with a potential of 740 allotments.

With consideration of the concerns expressed by DPTI and the report prepared by Phil Weaver & Associates, Council proceeded with the proposed rezoning which was endorsed by Parliament and the land is now zoned as Residential within the current Development Plan.

The St Vincent Highway is State Government infrastructure, if in due course the intersections need to be upgraded, the onus should rightly be upon the owner of such infrastructure. If the State Government want the Council to contribute to such works, that should be a decision of the Council of the day. It is considered inappropriate for Council to now enter into any Deed which may commit a Council of the future to an unknown financial liability.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Strategic Plan

Key Theme: Sustainable Communities

3. Our Economy

Strategic Goal: 3.1 Sustainable economic growth

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Signing the Deed as proposed by DPTI will commit a Council in the future to costs associated with upgrading intersections owned by the State Government.

In reply please quote F2014/02010 D9001329
Enquiries to Mr. Matthew Small
Telephone (08) 8343 2825



Government of South Australia

Department of Planning,
Transport and Infrastructure

19 November 2014

The Presiding Member
Development Assessment Commission
GPO Box 1815
ADELAIDE SA 5001

Safety and Service
Division

ABN 41 659 119 911
77 Grenfell Street
Adelaide SA 5000

Telephone: 8343 2222
Facsimile: 8343 2725
GPO Box 1533
Adelaide SA 5001

Dear Sir,

PROPOSED DEVELOPMENT APPLICATION - DIVISION OF LAND
DEVELOPMENT NO. 544/D019/14, PORT VINCENT ROAD, PORT VINCENT

I refer to your EDALA Application (Unique Id 48624 referred on 22 October 2014), concerning the above development application. The Safety and Service Division of the Department of Planning, Transport and Infrastructure (DPTI) offers the following comments:

- This application proposes 86 new residential allotments and forms the initial stages of the overall development, which will incorporate further residential and light industrial components for the subject land.
- DPTI reiterates that Council will need to consider the potential impacts that the overall development of this site will have upon the St Vincent Highway / Lime Kiln Road junction and the St Vincent Highway / Port Vincent Road intersection.

DPTI considers that both connections will require upgrading as a result of future traffic volumes stemming from the overall development. At a minimum, DPTI considers that future upgrades should consist of:

- A channelised left - turn and right - turn lane for vehicles turning from St Vincent Highway into Lime Kiln Road; and
- A channelised left - turn and right - turn lane for vehicles turning from St Vincent Highway into Port Vincent Highway.

Additionally, strong consideration should also be given to realigning the St Vincent Highway / Port Vincent Road intersection to create a staggered T – junction arrangement. Negotiations for any potential land requirements to accommodate these upgrades should be considered at the initial stages of this development.

Whilst DPTI raises no objection in principle to this initial stage of the overall development, DPTI seeks written acknowledgment (in the form of a Deed of Agreement) that costs associated with these recommended upgrades will be borne by Council and/or developers. It is recommended that Council approach DPTI with a view to formulating such an agreement. The first contact for this is Mr Marc Hryciuk, Senior Planning Officer, Land Use Co-ordination Unit, Ph. (08) 8343 2301 or email marc.hryciuk@sa.gov.au. DPTI will not support any further land divisions for this site until agreed treatments for the above arterial road junctions have been ascertained.

Yours sincerely,

MANAGER, TRAFFIC AND ACCESS STANDARDS
for **COMMISSIONER OF HIGHWAYS**

Consultant Traffic Engineers
ABN 57 093 665 080

204 Young Street
Unley SA 5061

P: 08 8271 5999
F: 08 8271 5656
E: mail@philweaver.com.au

File: 036-13

8 August 2013

Mr Tom Hateley
Access Planning (SA) Pty Ltd
200 Kensington Road
MARRYATVILLE SA 5068

Dear Tom,

PROPOSED DEVELOPMENT PLAN REVIEW – PORT VINCENT, FUTURE TOWN GROWTH – REQUEST FOR FURTHER INFORMATION

I refer to our previous discussions with respect to the above matter.

I understand that the subject Plan Review relates to proposed rezoning of a parcel of land to the immediate west of the existing Port Vincent Township and will provide an opportunity for medium to larger term development of this area to accommodate anticipated future residential growth in the area.

I previously provided advice in terms of the potential traffic generation associated with development of the subject land to provide a mostly residential development with a light industrial estate. I understand that the time frame of this development will be approximately 20 years.

However, I note that the former DTEI (now DPTI) requested in a letter to Council dated 13th May 2011 that an additional traffic assessment is required in the form of a Traffic Impact Statement. I note in particular that the following was raised, namely: -

"It is also noted that no assessment of the Minlaton Road / St Vincent Highway intersection and Lime Kiln Road / St Vincent Highway junction has been provided. As previously advised, a Traffic Impact Statement (TIS) is required and needs to examine the implications for the arterial roads resulting from additional traffic demand of the potential development associated with the zoning changes under consideration.

While it is appreciated that detailed traffic assessment may not be able to be undertaken, DTEI considers that the TIS must identify potential improvements that may result from rezoning or other significant changes and an assessment of such provided in regards to the implications for the arterial route (e.g. Minlaton Road / St Vincent Highway intersection and Lime Kiln Road / St Vincent Highway Junction). This will allow DTEI to consider the merits of the proposed changes with an appreciation for the implications on State Government infrastructure and services.

Subsequently, a revised TIS reflecting the increased potential traffic generation and containing an assessment of the impacts of the rezoned land will have on the above mentioned junctions before it can support this DPA. This TIS must also identify any upgrades to the arterial road network that will be required as a direct result of the rezoning."

I have previously discussed these requirements with Mr Marc Hryciuk, Department of Planning, Transport and Infrastructure (DPTI). In the course of these discussions, Mr Hryciuk has indicated that DPTI requires an assessment of both the current and forecast traffic operation of the subject intersections, including identification of any potential improvement / changes to the layout / operation of the two intersections and capacity to accommodate the forecast traffic volumes.

Subject Intersections

I have recently undertaken an inspection of the subject location including counts of traffic using the intersection of: -

- Lime Kiln Road / St Vincent Highway, and
- Minlaton Road / St Vincent Highway.

Lime Kiln Road / St Vincent Highway Intersection

Lime Kiln Road forms a T-junction on the eastern side of St Vincent Highway approximately 1.5 kilometres to the west of the Port Vincent township.

From my review on site it was identified that: -

- Lime Kiln Road intersects St Vincent Highway at right angles,
- the width of Lime Kiln Road prior to the intersection is approximately 6.5m wide but flares to provide a width of approximately 35m at the edge of the intersection,
- St Vincent Highway is constructed with a single lane in each direction and is marked with a centre line and edge lines. The width between edge lines was measured at 6.4m,
- there are no auxiliary lanes for traffic turning into or out of St Vincent Highway,
- the road reserve width of the Highway is approximately 60m wide whereas the road reserve width of Lime Kiln Road is approximately 20m wide,
- the speed limit on both roads is 100km/h, and
- sight distance for drivers exiting from Lime Kiln Road exceeds a distance of 300m in both directions along the highway and on this basis would more than meet the Site Intersection Sight Distance (SISD) associated with a design speed of 110km/h with a reaction time of 2.5 seconds.

Minlaton Road / St Vincent Highway

Minlaton Road forms a four way intersection with the St Vincent Highway approximately 2 kilometres to the south of the intersection with Lime Kiln Road with the highway.

From my review on site it was identified that: -

- traffic movements within the intersection are controlled by Give Way signs installed on both legs of Minlaton Road,
- the level of the intersection is approximately 1m above natural ground and the intersection has been designed with a culvert under the eastern leg of Minlaton Road,
- both approaches of Minlaton Road to the highway include a pavement bar treatment between the entry and exit lanes and each approach of Minlaton Road includes two Give Way signs,
- a Give Way ahead sign is located approximately 250m to the east of the intersection within the eastern leg of Minlaton Road,
- there is a slight horizontal curve through the intersection along the alignment of the highway,
- St Vincent Highway is constructed with a single lane in each direction and is marked with central lines and edge lines. The width between edge lines was measured as 6.4m,
- there are no auxiliary lanes provided on either road at the intersection,
- the speed limits on each of the subject roads is 100 km/h,
- SISD from both approaches of Minlaton Road would exceed the requirement for a design speed of 110km/h,
- the road reserve width of the highway and Minlaton Road were measured as approximately 60m and 20m respectively, and
- both approaches of Minlaton Road are flared at the intersection.

Details of traffic volumes recorded in the locality have been obtained from DPTI. From the details provided, it is understood that: -

- there is an Annual Average Daily Traffic (AADT) volume of approximately 900 vpd on the St Vincent Highway to the north of the intersection with Lime Kiln Road,
- there is an AADT volume of approximately 600 vpd on the St Vincent Highway between the intersections of this road with Lime Kiln Road and Minlaton Road, and
- the AADT volume on the highway to the south of the intersection of Minlaton Road is approximately 950 vpd.

Turning counts were undertaken at both intersections during the pm period on Monday 27th May 2013.

Figure 1 identifies the volumes of traffic entering the intersection of Lime Kiln Road and St Vincent Highway, based on these counts.

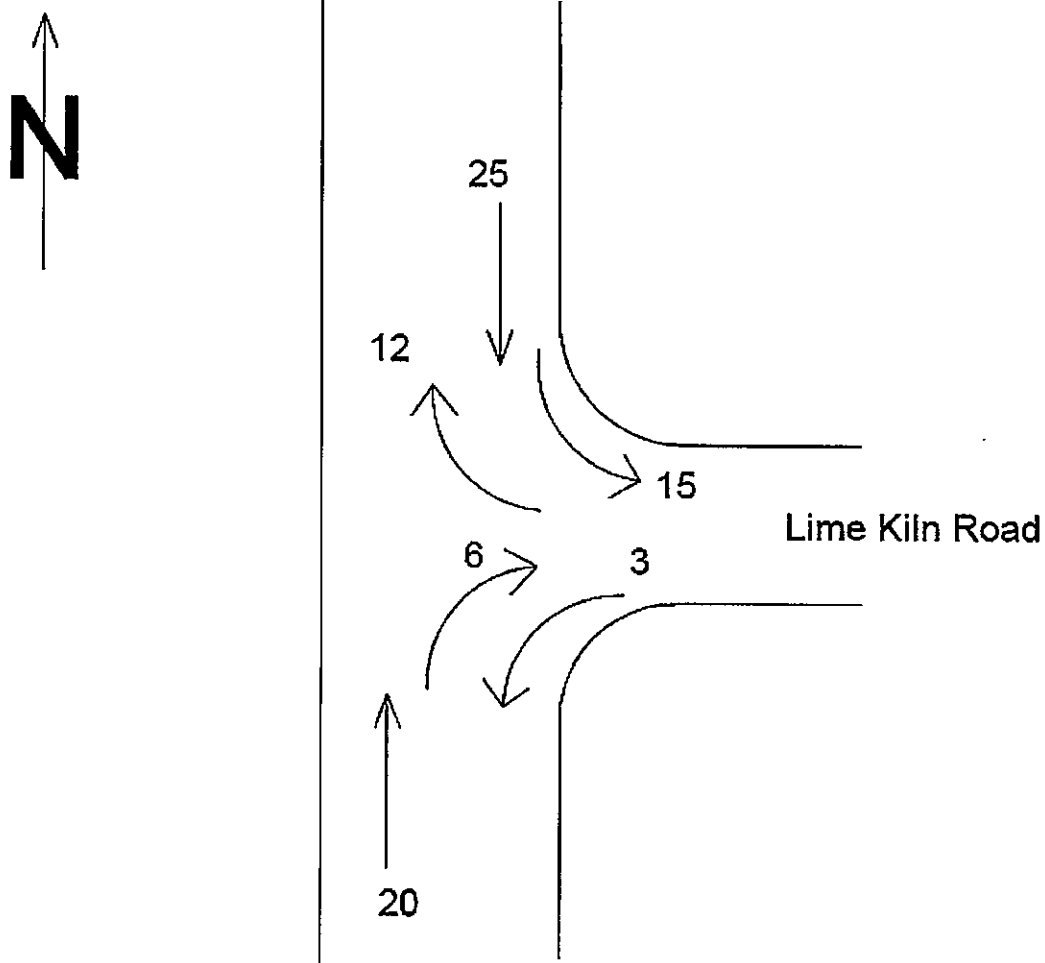


Figure 1 :
Existing PM Peak Hour Traffic Movements
Monday 27th May 2013
St Vincent Highway / Lime Kiln Road, Port Vincent

Figure 2 identifies the volumes of traffic entering the intersection of Minlaton Road with the St Vincent Highway, based on these counts.

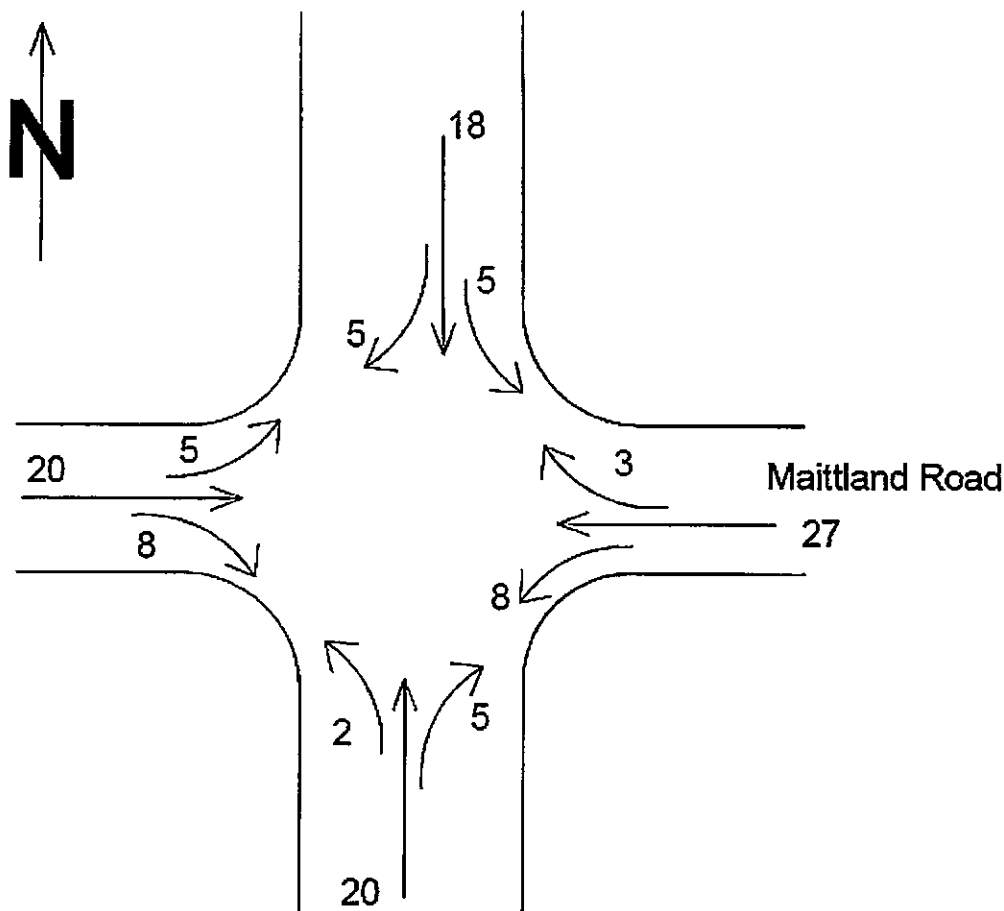


Figure 2 :
Existing PM Peak Hour Traffic Movements
Monday 27th May 2013
St Vincent Highway / Maitland Road, Port Vincent

The above traffic counts identify only very low levels of traffic using these intersections during the above period.

While it is acknowledged that there might be higher volumes of traffic using the intersection during the summer months, it is apparent that there is a significant level of unused capacity at both locations.

Concept Land Division

The concept land division is identified on the **Concept Plan Map YoP / 6 Port Vincent Residential Version E** dated 13th August 2012.

I understand that the subject division would potentially result in: -

- a total of 740 residential allotments, and
- a light industrial estate with a total of 15 to 20 allotments. Each allotment would be of the order of 2,500m²,

I note that the previously proposed retirement village of approximately 4 hectares in area is no longer included and this area will be developed as residential allotments.

The above concept plan indicates that the land division would result in a reserve between the northern and southern areas with no direct vehicular access between the areas.

The northern parcel of land (the northern area) would provide for: -

- 285 residential allotments.

The southern parcel of land (the southern area) would provide: -

- 455 residential allotments, and
- the light industrial area with a maximum of 20 allotments.

The concept layout indicates road connections from both areas including links to both the existing road network and also for future connection to the land to the west.

The northern area would include two links to Lime Kiln Road and two future road links to the west. The plan indicates that the southern area would provide: -

- a future road link to the west,
- a direct road link to Port Vincent Highway on the western boundary of the land, and
- two road links via the existing road network to the east, including a primary link via Ventnor Street.

I understand that the residential land division will be developed in a total of 5 stages over a period of approximately 20 years. On this basis there would be a potential development of approximately 25 to 30 allotments per year. It would appear that the Light Industry Zone will be developed concurrently with the Stage 1 residential development, but presumably would be developed over a longer period.

For the purpose of the following traffic impact assessment, I have assumed a steady rate of uptake of development within this area over a 20 year period.

Traffic Generation

The “**Guide to Traffic Generating Developments**” produced by the Roads and Traffic Authority of NSW provides weekday and peak hour traffic generation rates for various forms of developments including residential dwellings, retirement villages and industrial developments, namely: -

- an average weekday traffic generation of 9 trips / day for a dwelling house, albeit this is typically associated with outer metropolitan areas with relatively low access to public transport,
- rates of between 1 and 2 trips / unit on a weekday, associated with independent living within a retirement village, and
- weekday traffic generations for warehouse, road transport terminals and factory uses, namely: -

- 5 daily trips / 100m² gross floor area (gfa) associated with factories and road transport terminals, and
- 4 daily trips / 100m² gfa associated with warehouses.

On the above basis, I consider that the future development of the northern area should generate the equivalent of approximately 2,500 vpd on a weekday associated with the 285 residential allotments.

In respect to the southern area, I consider that the development of up to 455 residential allotments would generate the equivalent of approximately 4,100 vpd on a weekday.

Traffic generation associated with the industrial / warehouse development will be subject to the specific nature of the development and the floor areas provided on each site. However, for the purpose of this assessment I have assumed that: -

- future development within the proposed land division would comprise a variety of commercial land uses, potentially including light industrial and warehousing developments, and
- the allotments would be developed to provide a building equivalent to 40% of the total site area.

On this basis, it is estimated that the proposed industry component of the subject land division would provide a total of approximately 20,000m² of building area.

Assuming an approximately equal mix of warehouse and industrial / road transport uses, I therefore consider that the future development of warehouse / general industry within the subdivision could generate approximately 900 trips on a weekday.

In summary, I consider that the future development of the subject land should generate weekday traffic as summarised in Table 1 (below).

Table 1: Summary of forecast weekday traffic movements

Land Use Component	Estimated weekday traffic volumes (vpd)		
	Northern Area	Southern Area	Total
Residential	2,500 vpd	4,100 vpd	6,600 vpd
Industrial Estate	-	900 vpd	900 vpd
Total	2,500 vpd	5,000 vpd	7,500 vpd

The "Guide to Traffic Generating Developments" suggests a rate of 25% for internal trips. However, this would be more applicable for developments with schools, local shopping areas and local social areas. On the assumption that these facilities will not be provided within the subject land division, it is unlikely that there would be more than 10% of the total trips made internally within the subject land division.

It is therefore estimated that: -

- there should be a maximum of 2,250 vpd generated into and out of the northern area on a weekday, and
- there should be approximately 4,500 vpd generated to and from the southern area on a weekday.

In relation to traffic accessing the intersection of St Vincent Highway with Lime Kiln Road and Minlaton Road, I estimate that approximately 10% of the total weekday traffic volumes would travel through these intersections. On this basis, I forecast that there would be an increase in the volume of traffic using the intersections of the St Vincent Highway with Lime Kiln Road and the intersections of the highway with Minlaton Road equivalent to approximately 750 vpd.

Table 2 below summarises the forecast cumulative increases in traffic using each intersection for each year over the approximately 20 year period of development. This Table takes into account the likely distribution of traffic through using each intersection based upon the staging of development identified in **Concept Plan Map YoP/6**. For example, it is considered that development within Stage 1 will result in a greater increase in traffic using the intersection of Minlaton Road with the St Vincent Highway than the intersection of Lime Kiln Road with the highway.

Table 2: Forecast increases in traffic entering/exiting St Vincent's Highway at the intersections with Lime Kiln Road and Maitland Road (cumulative increases in weekday traffic volumes)

Year	Stage	Forecast Increase in weekday traffic volumes (vpd)		
		Forecast Increase in weekday traffic (vpd)	Forecast Increase in weekday traffic (vpd)	Forecast Increase in weekday traffic (vpd)
1	Stage 1	8	30	38
2		20	55	75
3		28	85	113
4		38	112	150
5	Stage 2	66	122	188
6		94	131	225
7		122	141	263
8		150	150	300
9	Stage 3	169	169	338
10		187	188	375
11		207	208	413
12		225	225	450
13	Stage 4	238	250	488
14		250	275	525
15		263	300	563
16		275	325	600
17	Stage 5	305	333	638
18		335	340	675
19		365	348	713
20		395	355	750

Based on approximately 10% of the above volumes accessing the two intersections in any one hour period, I therefore forecast that on completion of the sub-division:-

- there would be an increase of approximately 40 vph using the intersection of Lime Kiln Road and St Vincent Highway, and
- there would be an increase of approximately 35 vph using the intersection of Maitland Road and St Vincent Highway.

Figure 3 summarises the forecast pm peak hour traffic volumes using the intersection of Lime Kiln Road and St Vincent Highway based on the fully developed land division.

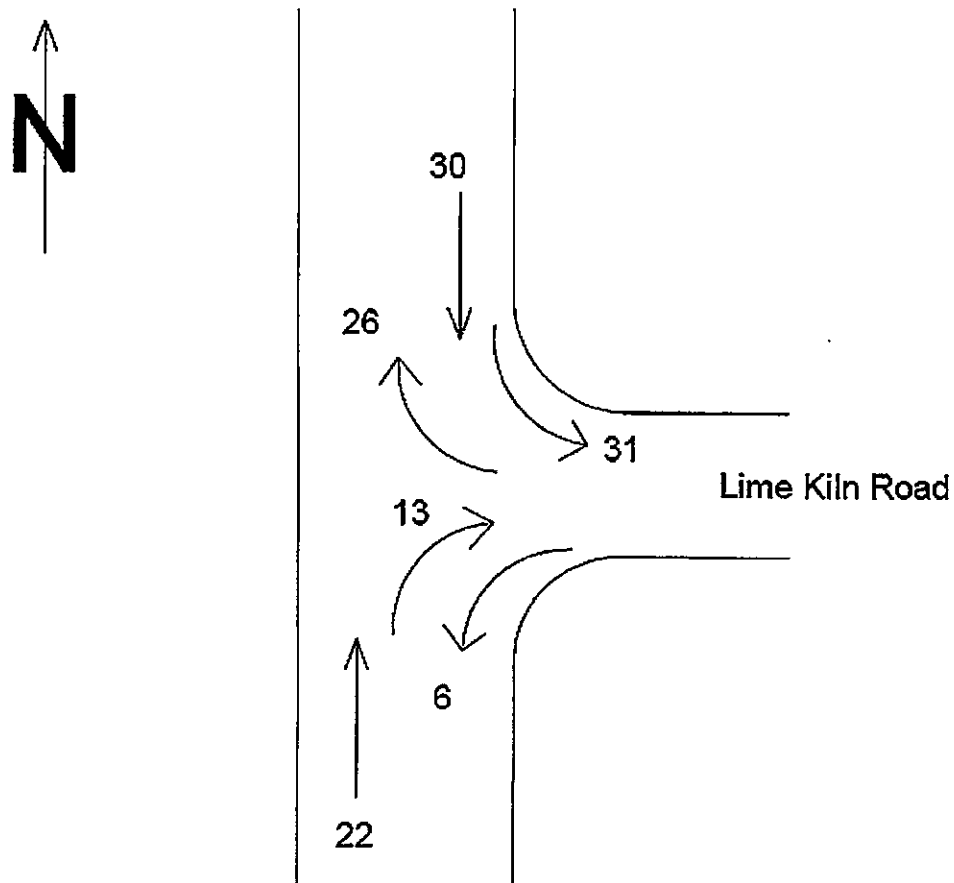


Figure 3 :
Forecast PM Peak Hour Traffic Movements
on completion of development
St Vincent Highway / Lime Kiln Road, Port Vincent

Figure 4 summarises the forecast pm peak hour traffic volumes using the intersection of Maitland Road and the St Vincent Highway based upon the fully developed land division.

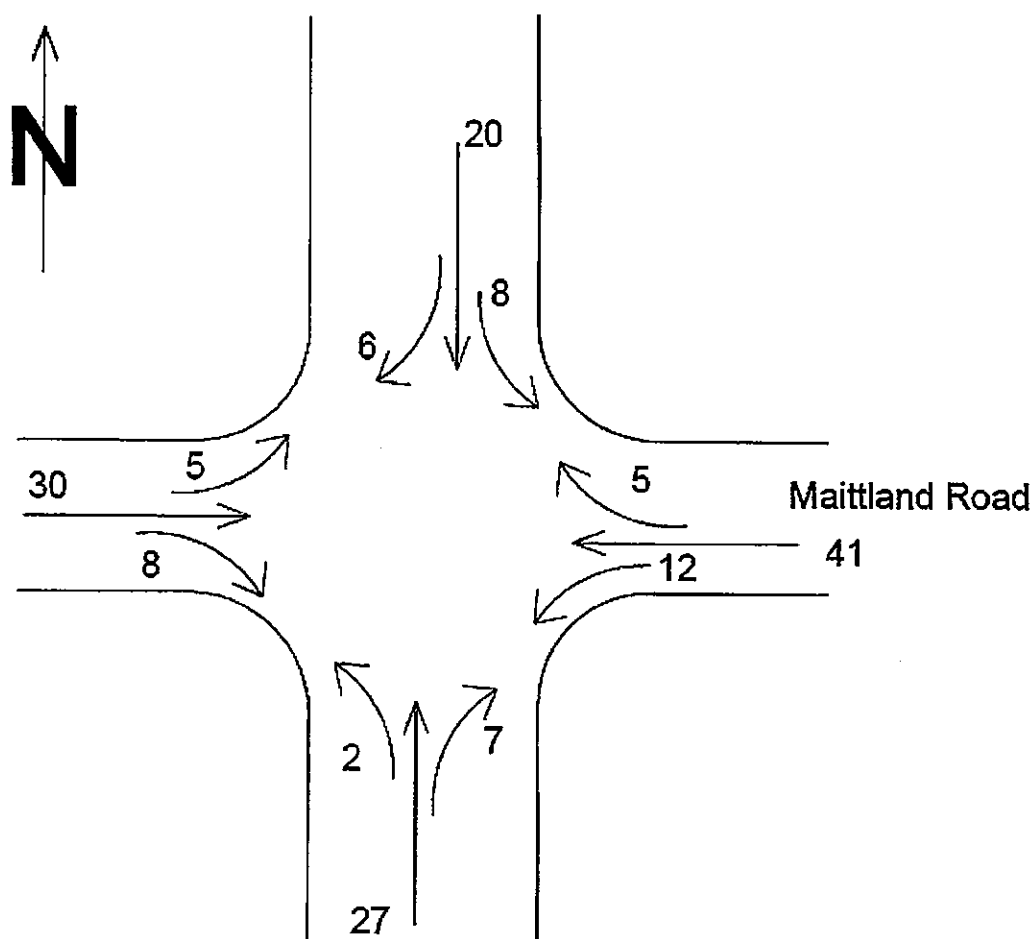


Figure 4 :
Forecast PM Peak Hour Traffic Movements
on completion of development
St Vincent Highway / Maitland Road, Port Vincent

An analysis of the performance of both intersections using SIDRA intersection software has identified that at neither location would there be a capacity issue. In particular, I note that:-

- the levels of service for each movement at each intersection would remain at Los A, and
- there would be minimal queuing at each intersection. In particular, the queue of right turn movements from the southern approach of the St Vincent Highway into Lime Kiln Road and into the eastern leg of Maitland Road would be equivalent to 0.1 vehicles at both locations.

On the basis of this analysis I consider that there would be minimal impact on the capacity of either intersection.

A review of the "Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections" would indicate that, at most, there would be minimal requirement to upgrade the intersection of Lime Kiln Road and the St Vincent Highway as a direct result of the subject land division.

A review of Figure 4.9 (a) Warrants for turn movements on the major road at unsignalised intersections would suggest that the provision of a BAR and BAL treatment, i.e. minor widening of the southbound lane of the highway on the approach to Lime Kiln Road and the northbound through traffic lane within the junction is currently warranted. However, the small forecast increase in overall traffic using this intersection as a result of full development within the subject land division would not significantly impact on the operation of this intersection and would not require design improvements to the current layout of the intersection.

Similarly, based on the above assessment it is considered that the increased volumes of traffic associated with full development within the subject land will not have an adverse impact on the capacity of the intersection of the St Vincent Highway and Maitland Road and therefore should not necessitate changes to this intersection.

A review of the crash history at the intersection of Maitland Road with the St Vincent Highway and that of the intersection of Lime Kiln Road with the St Vincent Highway has identified that in the five year period from 2008 to 2012 (inclusive):-

- a total of four crashes were recorded at the intersection of Maitland Road with the St Vincent Highway in this period. Two of these crashes involved Property Damage Only (PDO) and two resulted in injuries. All of these crashes occurred in 2008 and 2009 and there have apparently been no reported crashes since 2009, and
- a total of two crashes were recorded at the intersection of Lime Kiln Road with the St Vincent Highway in the same time period. One of these crashes involved Property Damage Only (PDO) and the other resulted in injuries.

Each of the above crashes involved right angle crashes.

It is understood that none of the above crashes resulted in fatalities.

Significantly it does appear from my discussions with staff of DPTI that the absence of recorded crashes at the intersection of Maitland Road with the St Vincent Highway since 2009 has coincided with the installation of additional signage on the approaches of Maitland Road to this intersection although the exact date of when this signage was installed was not available from relevant staff of DPTI.

On this basis, I do not believe that major reconstruction of either intersection would be warranted by the increased traffic flows generated on completion of the subject land division.

Yours sincerely



Phil Weaver
Phil Weaver and Associates Pty Ltd

17 December 2014

District Council of Yorke Peninsula
PO Box 88
Minlaton SA 5575
Attention Mr Allan Cotton

Phone 08 8212 0003
Fax 08 8212 0007

Faraway House
21 Franklin Street
Adelaide SA 5000

info@burkeurban.com.au
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Dear Sir,

Re: Land Division 544/D0's 15 & 19/20 14, Port Vincent Road, Port Vincent

I write in response to your recent letter concerning the consultation advice of DPTI Traffic and Access Standards, to two land division applications, one to create by re-arrangement, a title for the future growth land, and the other for a first stage land division over 5 subsequent development sub-stages for 86 residential lots on appropriately designated Residential Zone land at Port Vincent.

The DPTI Advice

The advice is essentially that;

1. Council is asked to consider the potential impacts that the overall development of this site will have upon the St Vincent Highway / Lime Kiln Road junction and the St Vincent Highway / Port Vincent Road (Minlaton Road) intersection.

DPTI considers that both connections will require upgrading as a result of future traffic volumes stemming from the overall development. At a minimum, DPTI considers that future upgrades should consist of:

- A channelised left - turn and right - turn lane for vehicles turning from St Vincent Highway into Lime Kiln Road; and
 - A channelised left - turn and right - turn lane for vehicles turning from St Vincent Highway into Port Vincent Highway.
2. Consideration should also be given to realigning the St Vincent Highway / Port Vincent Road intersection to create a staggered T – junction arrangement. Negotiations for any potential land requirements to accommodate these upgrades should be considered at the initial stages of this development.
 3. DPTI seeks written acknowledgment (in the form of a Deed of Agreement) that costs associated with these recommended upgrades will be borne by Council and/or developers.
 4. It is recommended that Council approach DPTI with a view to formulating such

an agreement.

5. DPTI will not support any further land divisions for this site until agreed treatments for the above arterial road junctions have been ascertained.

The Port Vincent DPA- Traffic Assessment

We understand that these matters were comprehensively dealt with in the investigations undertaken for the Council DPA by expert traffic consultant Mr Phil Weaver and Associates through David Hutchison of Access Planning early this year.

We have been provided a copy of this work and we attach a copy for your consideration because it addresses the DPTI issues.

DPTI Points 1 & 2

Mr Weaver considers that there would be minimal requirement to upgrade the intersection of Lime Kiln Road and the St Vincent Highway as a direct result of the subject land division. He finds that;

- *Warrants for turn movements on the major road at unsignalised intersections would suggest that the provision of a BAR and BAL treatment, i.e. minor widening of the southbound lane of the highway on the approach to Lime Kiln Road and the northbound through traffic lane within the junction is currently warranted. However, the small forecast increase in overall traffic using this intersection as a result of full development within the subject land division would not significantly impact on the operation of this intersection and would not require design improvements to the current layout of the intersection.*

Mr Weaver considers that there would be minimal requirement to upgrade the intersection of Port Vincent Road (Maitland Road) and the St Vincent Highway as a direct result of the subject land division. He finds that;

- *the increased volumes of traffic associated with full development within the subject land will not have an adverse impact on the capacity of the intersection of the St Vincent Highway and Maitland Road and therefore should not necessitate changes to this intersection.*

Furthermore Mr Weaver does not believe that major reconstruction of either intersection would be warranted by the increased traffic flows generated on completion of the subject land division. His review of crash history at these intersections he finds as follows;

A review of the crash history at the intersection of Maitland Road with the St Vincent Highway and that of the intersection of Lime Kiln Road with the St Vincent Highway has identified that in the five year period from 2008 to 2012 (inclusive):-

- *a total of four crashes were recorded at the intersection of Maitland Road with the St Vincent Highway in this period. Two of these crashes involved Property Damage Only (PDO) and two resulted in injuries. All of these crashes occurred in 2008 and 2009 and there have apparently been no reported crashes since 2009, and*
- *a total of two crashes were recorded at the intersection of Lime Kiln Road with the St Vincent Highway in the same time period. One of these crashes involved Property Damage Only (PDO) and the other resulted in injuries.*
- *Each of the above crashes involved right angle crashes.*
- *It is understood that none of the above crashes resulted in fatalities.*

In particular he notes;

Significantly it does appear from my discussions with staff of DPTI that the absence of recorded crashes at the intersection of Maitland Road with the St Vincent Highway since 2009 has coincided with the installation of additional signage on the approaches of Maitland Road to this intersection...

There is then no need or warrant for the road works proposed by DPTI.

DPTI Point 3 - Deed of Agreement

The investigations of Mr Weaver reveal that given the small forecast increase in overall traffic using this intersection as a result of full development within the subject land the land division does not warrant the upgrades suggested, and consequently there are no costs that are to be borne by either the Council or the developer.

Council need have no concern for liability of any future costs.

DPTI Point 4 – Discussion of Deed of Agreement

DPTI have asked that Council approach DPTI with a view to formulating such an agreement. We believe that Council should advise DPTI that it considers an agreement is unwarranted and advise DPTI of its own investigations undertaken by Mr Weaver.

DPTI Point 5 – Future Development

DPTI cannot sustain their advice that they will not support any further land divisions for

this site until their issues with the arterial road junctions have been ascertained, having regard to the Council findings (as undertaken by Mr Weaver) of a traffic assessment of the full development in the growth area of Port Vincent.

Off Site Road Works

I also refer you to the Supreme Court decision in the matter of District Council of Lower Eyre Peninsula v Allen [2007] SASC 333 (21 September 2007). It has subsequently been referred to in a number of ERDC decisions.

This decision confirms that the Council and indeed DPTI have no power to levy a development proposal for off-site works, in this case an intersection 2 kilometres to the south west and one 3.65kms to the north west from the subject land division, and for works that it has been demonstrated are not justified.

Infrastructure Generally

The Port Vincent future growth area is identified to enable short term proposals to occur in accordance with market demand, according to requirements for orderly planning, co-ordinated urban design and staged allocation of land use. This Residential Zone will accommodate future development in carefully planned but modest stages over a long term. The proposed land division development does not warrant and cannot sustain ambit claims by service authorities for contributions to works that are the primary responsibility of those authorities. The Council will not achieve desired growth of its district.

Yours sincerely,



K A Burke

Director

Cc: Robert Germein

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

3. EXPERT PANEL ON PLANNING REFORMS (File Ref:9.24.1.1)

INTRODUCTION

To inform Elected Members of the final report from the Expert Panel on Planning Reform.

RECOMMENDATION

That Elected Members endorse the comments contained within this report and a submission be made to the Minister for Planning, Mr John Rau and the Local Government Association expressing Councils comments regarding the proposed planning reforms.

COMMENT

The Expert Panel was appointed in February 2014 to provide recommendations for a new planning system to Government and Parliament. The Panel has delivered a final report to the Minister in December 2014.

The report contains 22 recommended planning reforms for the Government to consider in due course.

Council have been provided the opportunity to make further comment on the proposed planning reforms by 13 February, 2015.

Council staff have reviewed the reform proposals and provide the following comments and recommendations to form a submission.

Reform Proposals

- Establish a State Planning Commission

This reform is seen as a positive step in removing current bottlenecks in achieving planning reform. Council has experienced considerable delays in gaining approval for Development Plan Amendments and it is hoped that this reform will help streamline the amendment process.

- Create a network of Regional Planning Boards across the state

This reform clearly has the potential to undermine the role of Council. There is a potential benefit that Regional Planning Boards could reduce the policy 'bottleneck' experienced with the current system. That said, Council should not support reforms which reduces their ability to manage development within the Council area. There has been little evidence provided which indicates the need for such a radical change, especially for regional South Australia. The composition of Regional Planning Boards and corresponding Regional Development Assessment Panels, especially outside the metropolitan area, will be a logistical nightmare. Little indication has been given as to the geographical size of the regions or how the regions will be determined.

These are key considerations in how this type of reform will be implemented and of benefit to regional South Australia. Council members play an important role in the planning system by contributing local knowledge and representing community

expectations and therefore must be maintained in the makeup of any future Regional Development Assessment Panel. It is recommended that Council does not support this reform.

It is also recommended that Council encourage the LGA to seek an amendment to this provision. Given the scope of the reforms proposed it is recommended that Regional Planning Boards to co-exist with local Council Development Assessment Panels. By doing this Council will maintain some control at a local level and state government will still provide an overarching control of the planning system via the Regional Boards.

- Legislate to create a charter of citizen participation

This reform does not have a major impact on Council. The reform will require Council to implement consultation processes in a manner similar to that used by staff at the moment. Of note in this reform, developers will be required to place notices on land subject to development during the consultation process.

- Engage parliament in the development and planning policies

This reform has merit as it will enable developers to know the likely success of a proposed change in zoning very early in the process.

- Create in legislation a new framework for state directions

If this reform is implemented correctly it should reduce a number of duplicated processes currently undertaken to achieve planning outcomes.

- Reshape planning documents on a regional basis

The prospect of regional planning schemes has merit if implemented correctly. Without further details it is difficult to understand how this reform will be implemented and there is a chance that regional South Australia could be left behind while metro Adelaide planning documents are formulated.

- Establish a single state-wide menu of planning rules

The prospect of state-wide menu for planning rules has merit if implemented correctly. This reform appears to be the current planning policy library by another name. Without further details it is difficult to understand how this reform will be improve the current system.

- Place heritage on renewed foundations

This reform does not have a major impact on Council. Currently several government agencies and several different pieces of legislation cover heritage issues, so creating one agency and one legislation is considered appropriate.

- Make changing plans easy, quick and transparent

Anything that reduces the current bottleneck with Development Plan amendments should be welcomed. Careful consideration must be given to the criteria implemented for changes by members of the community. The reform package requires Council to maintain the change process within its area of responsibility and Council could be

inundated with requests for changes to zoning without the resources to comply with their obligations for public consultation, reports and assessments.

- Adopt clear, simple development pathways

This reform does not have a major impact on Council.

- Take the next steps towards independent professional assessment

This reform is of major concern, Regional Development Assessment Panels are not justified and will have a significant impact on Councils ability to control planning within its community. The current Development Assessment Panels will be replaced by a Regional Panel made up of accredited members. The introduction of an Assessment Coordinator and Assessment Managers from each Council may add to the cost associated with contestable planning assessments. The reform also calls for the Regional Development Board to provide Council delegations further eroding Councils control. This could have an impact on Councils current salary structure and EB agreements if staff receive higher delegations from the Commission than their current salary range enables.

Expanding the role of Private Certifiers is not supported as this will impact directly on Councils ability to offset cost associated with planning assessments. Under the proposal Private certifiers will assess and approve planning applications but Council will be required to conduct onsite inspections and compliance and administration of the application.

If further private certification is introduced the private certifier must be responsible for the entire planning process including follow-up inspections and compliance. It is recommended that Council does not support this reform and that staff liaise with the LGA regarding a considered Local Government response.

- Clarify the approval pathways for projects of state significance

This reform does not have a major impact on Council. All development applications are aligned to a development pathway such as complying development, merit development or non-complying development and this reform seeks to clarify and assign new pathways in line with other planning reforms.

- Streamline the assessment of essential infrastructure

This reform does not have a major impact on Council. Under the proposal essential infrastructure projects will take an independent assessment pathway based on category determined by regulation.

- Make the appeals process more accessible and accountable

Without further details it is difficult to understand how this reform will be implemented and how the reform will improve the current delays in the appeal process. It is suggested that some appeals could be diverted to the proposed Regional Assessment Panels for review. This could create a further level of scrutiny but could also add a further delay to the planning outcome.

- Provide new and effective enforcement options

This reform suggests implementing sanctions, compliance orders, compensation/offset orders and civil compensation. All of these compliance matters will be subject to appeal and could increase the cost to Council in order to defend an appeal. Council has not taken a strict enforcement approach in development to date preferring to liaise with developers, if guidelines are introduced this may be out of Council's control.

- Reinforce and expand precinct planning

This reform does not have a major impact on Council. This is something that will impact more within the metropolitan area.

- Settle and deliver an infrastructure funding framework

This reform is still under investigation. As this reform relates to infrastructure, staff are looking into the implications via Rick Gayler, Project Manager, LGA, CWMS.

- Integrate open space and the public realm in the planning system

This reform should not be supported as it will change the way Council distributes private open space contributions. Currently private open space contributions are placed in a fund and spent as and when Council chooses based on the community needs for private open space. Under this reform the Planning Commission will determine the levy paid and how private open space contributions will be spent.

- Aim for seamless legislative interfaces

This reform does not have a major impact on Council.

- Establish an online planning system

This reform has merit but much more information is required regarding costs and responsibility.

- Adopt a rigorous performance monitoring approach

There are several issues to consider with this reform. The Planning Commission will have the ability to intervene if an agency or Council is under performing. Questions such as what standards will be set, what are the financial implications of an intervention and what appeal rights will be set up for the agency to defend any such action have not been addressed. It is recommended that Council does not support this reform.

- Pursue cultural change and improved practice

This reform does not have a major impact on Council.

In summary there isn't any indication at this point if the government intends to implement some or all of the proposed reforms. Until Council receives notification from the government it is business as usual. Staff will continue to monitor the situation and report to Council accordingly. If Elected Members would like to read the planning reform report in full, the report is available at www.thinkdesingdeliver.sa.gov.au

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Development Act 1993

Development Regulations 2008

Yorke Peninsula Development Plan, consolidated 6 February 2014

Strategic Plan

Key Theme: Sustainable Communities
2. Progressive & Sustainable Development

Strategic Goal: 2.2 Streamlined Development Assessment Process

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The financial implications of the proposed planning reforms are unknown at this stage due to a lack of detailed information from the government.

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

4. ACCESS ADVISORY COMMITTEE MEETING MINUTES

(File Ref:9.24.1.1)

INTRODUCTION

The purpose of the report is to receive the Minutes of Council's Access Advisory Committee held 23 January, 2015.

RECOMMENDATION

That Council:

1. receive the Minutes of the Access Advisory Committee held on 23 January, 2015.
2. endorse the recommendations by the Access Advisory Committee.

COMMENT

Attached are the Minutes of the Access Advisory Committee meeting held on 23 January, 2015.

Item 1.7.3 of the Minutes recommends the following motion be adopted:-

Vic Brown moved Keryn Dawes Seconded

That the Access Advisory Committee allocates \$3,500 to assist with the construction of the Yorketown Library ramp.

CARRIED

Item 2.1 of the Minutes recommends the following motion be adopted:-

John Sedy moved Keryn Dawes seconded

That \$350 be granted to the Port Clinton Progress Association to cover the financial difference between the standard picnic table to the wheelchair friendly table.

CARRIED

Councils 2014/15 budget allocated \$20,000 to further implement the Disability Action Plan estimate of \$14,140 (excluding the above recommendation) this financial year, leaving a retainer of \$5,860.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Strategic Plan

Key Theme: Corporate Governance and Leadership
2. Organisational Efficiency and Resource Management

Strategic Goal: Continue to implement Council's Disability Action Plan

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Consistent with the 2014/2015 budget allocation.



Yorke Peninsula Council

Minutes of the Meeting of the Access Advisory Committee

held on Friday 23 January 2015,
in the Council Chambers
57 Main Street Minlaton commencing at 1.30pm
(Subject to confirmation)

ITEM 1

1.1 APPOINTMENT OF CHAIRPERSON

Mayor Ray Agnew welcomed everyone to the meeting and declared the meeting open at 1.30pm.

Mayor Agnew called for nominations for a Chairperson. Mr John Sendy and Cr Allan Headon were nominated. There was some discussion as to whether the Chairperson should be a current Councillor as they need to be able to liaise directly with Council in regard to recommendations made by the Committee.

Mr Vic Brown moved Mr D'Arcy Button seconded

That the Chairperson should be an elected member.

CARRIED

As a result of the motion Cr Alan Headon was appointed as Chairperson. Cr Headon took the chair and continued with the Agenda.

1.2 WELCOME BY CHAIRPERSON

Cr Alan Headon thanked everyone for attending.

1.3 PRESENT

John Sendy (Edithburgh Progress Assoc), Cr Alan Headon (Port Clinton Progress Assoc), D'Arcy Button (Minlaton Progress Assoc), Jane Lavery (Warooka Progress Assoc), Keryn Dawes (Edithburgh Progress Assoc), Philomena Anderson (Port Rickaby Progress Assoc), John Edwards (Edithburgh Progress Assoc), Ann Brown (Stansbury Progress Assoc), Vic Brown (Ardrossan Progress Assoc & Peter Smith (Point Turton Progress Assoc).

IN ATTENDANCE

Roger Brooks	Director Development Services
Nick Hoskin	Operations Coordinator
Shona Emery	Minute Secretary

1.4 LEAVE OF ABSENCE

NIL

1.5 APOLOGIES

Nil

1.6 MINUTES OF THE PREVIOUS MEETING

Alan Headon moved D'Arcy Button seconded

That the minutes of the Access Advisory Committee meeting held on Friday 24 October 2014, as circulated, be confirmed as a true record.

CARRIED

1.7 MATTERS ARISING FROM MINUTES

1. Porter Building Ramps - Minlaton

Nick Hoskin reported that after Council staff drew up plans it became clear that any ramps along the footpath would not comply with the Australian Building Standards and therefore an alternative solution is required. Nick spoke to the owner and explained this and suggested he may have to do some alterations to the entrance inside of his shop. Further assistance by the Access Advisory Council is limited.

2. Individual Updates on projects allocated funding

2.1 Two footpath access ramps on Charles Street, Yorketown

Nick Hoskin explained that a ramp on the west side of Charles Street could be constructed however due to the slope and narrow width of the footpath on the east side a ramp cannot easily be installed. Further investigation is needed to seek out further options.

2.2 Access ramps on Fourth & Fifth Street, Ardrossan

Nick Hoskin informed the Committee that this job will be completed in the near future.

2.3 Disabled Parking & Ramp Access at Point Turton Hall

Nick Hoskin reported that this project is ongoing and has commenced. He has met with Peter Smith from the Point Turton Progress Association to discuss progress. Questions were raised about the funding allocation which needs to be clarified and reported back to next meeting.

2.4 Yorketown Access & Egress Ramps at Yorketown Hospital

Nick Hoskin reported that work will commence in the near future.

2.5 Disabled Car Parking at Minlaton Town Hall

Discussion was held about access & egress into the Minlaton Town Hall. Roger Brooks suggested that an access ramp be installed on the footpath on the southern side of the hall and appropriately line mark the area. \$600 has been allocated to this project.

3. Yorketown Library Access Ramp

Friends of Yorketown Library have offered to contribute \$1,000 and are seeking a further \$3,500 from the Access Advisory Committee to construct an access ramp at the Yorketown Library.

Vic Brown moved Keryn Dawes Seconded

That the Access Advisory Committee allocates \$3,500 to assist with the construction of the Yorketown Library ramp.

CARRIED

4. Wauraltee Hall Footpath

Friends of Wauraltee hall have requested that this project be completed before Easter as they have a large function booked at the Hall. Nick Hoskin has advised that the work has not yet commenced but will be before the Easter weekend.

5. Public Toilet Access – Weaners Reserve

The possibility of this project has been investigated however a lot of expensive renovation work would be required and consequently is impractical at this stage.

1.8 PRESIDING MEMBER'S REPORT

Nil

ITEM 2 REPORTS

2.1 Wheelchair Friendly table at Port Clinton

Port Clinton Progress Association has requested that the Access Advisory Committee grant \$350 to cover the financial difference between the purchase of a standard picnic table and the wheelchair friendly table.

After some discussion the following motion was tabled

John Sendy moved Keryn Dawes seconded

That \$350 be granted to the Port Clinton Progress Association to cover the financial difference between the standard picnic table to the wheelchair friendly table.

CARRIED

ITEM 3 GENERAL BUSINESS

Roger Brooks read out a letter he had received from Ken Osterstock from Stansbury Progress Association who is resigning from the Committee. Ann Brown will be replacing Ken as the Stansbury representative. Roger Brooks will respond in writing thanking Ken for his contributions over the years.

Mayor Agnew wanted to commend the work of Council Staff who carried out some work on the southern side of the Stansbury Institute. He has had some positive feedback from residents and it has improved the safety of the footpath. Nick Hoskin acknowledged that he also received a letter from the Stansbury Institute Committee thanking staff for their efforts.

ITEM 4 NEXT MEETING

Friday 24th April 2015 commencing at 1.30pm.

ITEM 10 CLOSURE

The Meeting closed at 2.34pm.