



## *Yorke Peninsula Council*

### **NOTICE OF MEETING**

Notice is hereby given that the next ordinary meeting of Council  
will be held on Wednesday 12<sup>th</sup> August 2015,  
in the Council Chambers,  
57 Main Street, Minlaton commencing at 5.30pm

Andrew Cameron  
CHIEF EXECUTIVE OFFICER

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## **A G E N D A**

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|--------|--|
| ITEM 1 | <u>YORKE PENINSULA COUNCIL</u>                               |
| 1.1    | <u>Welcome by Chairperson</u> – meeting declared opened      |
| 1.2    | <u>Opening Prayer</u>  |
| 1.3    | <u>Present</u>   |
| 1.4    | <u>Leave of absence</u><br>Mayor Agnew                       |
| 1.5    | <u>Apologies</u><br>Deputy Mayor Trevor Davey, Cr Adam Meyer |

1.6 Conflict of Interest

**CONFLICT OF INTEREST**

Elected Members are reminded of the requirements for disclosure by Members of direct or indirect pecuniary benefit or detriment and non-pecuniary benefit or detriment in accordance with Section 73 of the Local Government Act in items listed for consideration on the Agenda. Section 74 of the Local Government Act 1999 requires that Elected Members declare any interest and provide full and accurate details of the relevant interest to the Council prior to consideration of that item on the Agenda.

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

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

1.7 Minutes of previous meeting – for confirmation

1.7.1 Council meeting held on Wednesday 8<sup>th</sup> July 2015 at 5.30pm

1.7.2 Confidential Council meeting held on Wednesday 10<sup>th</sup> June 2015 at 6.38pm

1.8 Motions on Notice

1.8.1 Formal Notice to Rescind Motion – Cr Rich

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1.9 Questions on Notice

Nil

1.10 Questions without Notice

1.11 Petitions

Nil

ITEM 2 MAYOR

Nil

ITEM 3 COUNCILLORS' REPORT

Nil

ITEM 4 **INFORMATION AGENDA**

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4.1 Items for exclusion

4.2 Receipt of Information Reports

4.3 Chief Executive Officer

Pages

1. Acting CEO Activities

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2. Action List

9 - 14

3. Correspondence received Public Library Board

15 - 18

4.4	<u>Corporate and Community Services</u>	Pages
1.	Grants Payment Summary 14-15	19 - 21
2.	Tourism Statistics	22 - 27
4.5	<u>Assets and Infrastructure Services</u>	Pages
1.	Construction and Maintenance Works	28 - 30
2.	Notes from Edithburgh Tidal Pool Working Party	31 - 34
4.6	<u>Development Services</u>	Pages
1.	Inspectorial Activity Report	35 - 36
2.	Development Application Decisions	37 - 42
3.	Waste Management System Application Decisions	43 - 46
4.	Management Plan – Dune Rehabilitation	47 - 50
5.	Environmental Health Activity Report	51 - 52
ITEM 5	<u>VISITORS TO THE MEETING</u>	
	Nil	
ITEM 6	<u>DEBATE AGENDA</u>	Page 53
6.1	<u>CHIEF EXECUTIVE OFFICER</u>	Pages
1.	Elected Members Training, Development Policy and Plan	54 - 67
6.2	<u>CORPORATE AND COMMUNITY SERVICES</u>	Pages
1.	Financial Report	68 - 72
2.	YP Community Transport Service Agreement	73 - 90
3.	Sale of Land for Non-Payment of Rates	91 - 93
4.	Captain Harry Butler Statue	94 - 97
5.	Royal Volunteer Coastal Patrol Shed Point Turton	98 - 107
6.	SYP Community Shop	108 - 112
7.	Request for approval of extended trading terms	113 - 118
8.	Merv Hughes Fishing Funding Request	119 - 121
9.	Scenic Tourism Frames	122 - 131
6.3	<u>ASSETS AND INFRASTRUCTURE SERVICES</u>	Pages
1.	Transfer Station Gate Fees	132 - 135
2.	Draft Transport Asset Management Plan	136 - 140
6.4	<u>DEVELOPMENT SERVICES</u>	Pages
1.	Authorisation to Sign LMA	141 - 159
2.	Removal of LMA from CT	160 - 162
3.	Access Advisory Working Party Minutes	163 - 168
4.	Proposed Stansbury Dry Area on NYE	169 - 174
5.	Authorisation of supplementary LMA	175 - 176
6.	Local Nuisance and Litter Control Bill	177 - 179
ITEM 7	<u>GENERAL BUSINESS</u>	
	Council has resolved that an Agenda Item “General Business” be included on the Council Agenda to enable members to raise matters of a minor nature for action by the Administration, or to call for reports.	

ITEM 8	<u>CONFIDENTIAL AGENDA</u>	Pages
	1. Walk the Yorke Bitumen Services Tender 131/2015	181 - 182
ITEM 9	<u>NEXT MEETING</u>	
	Wednesday 9 <sup>th</sup> September 2015	
ITEM 10	<u>CLOSURE</u>	

30<sup>th</sup> July 2015

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

Dear Andrew

### **FORMAL NOTICE TO RESCIND MOTION**

You are advised that at the 12<sup>th</sup> August 2015 meeting, I propose to move that we rescind the following Council resolution 182/2015 (08/07/2015) made by Council at it's July 8<sup>th</sup> 2015 meeting namely:

*That Council:*

- 1. extend its green waste collection to community groups, businesses and not-rateable properties within townships and charge an annual fee of \$52.80 per bin for that service.*
- 2. endorse the need for a Statutory Declaration to be provided as proof of a stolen or damaged bin.*
- 3. waive the fee for replacement putrescible (140 litre red lidded bin) and recyclable (240litre yellow lidded bin) once reported stolen or damaged.*
- 4. endorse all recommendations being incorporated into Policy PO125 Waste and Recycling Policy.*

### **Reasons**

It is my understanding following several discussions over some time, that consideration of this matter was entirely to seek a satisfactory resolution to the ongoing incidence involving the theft of bins in the community, not to include damaged bins and for Council to consider providing an opportunity for stolen bins to be replaced free of charge to ratepayers.

The body of the report that was presented made reference only to stolen bins and I am reliably informed that the inclusion of the words or damaged was a clerical error.

### **MOTION ON NOTICE**

That Council:

1. extend its green waste collection to community groups, businesses and not-rateable properties within townships and charge an annual fee of \$52.80 per bin for that service.
2. endorse the need for a Statutory Declaration to be provided as proof of a stolen bin.
3. waive the fee for replacement putrescible (140 litre red lidded bin) and recyclable (240 litre yellow lidded bin) once reported stolen.
4. endorse all recommendations being incorporated into Policy PO125 Waste and Recycling Policy.

I commend these motions to you and seek Council support to see this clerical error corrected.



**Councillor Innes/Penton Vale Ward**

# INFORMATION

# AGENDA

## **ACTING CHIEF EXECUTIVE OFFICER**

### **IA ITEM 4.3**

#### **1. ACTING CEO ACTIVITIES**

(File Ref: 9.24.1.1)

##### **PURPOSE**

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

##### **RECOMMENDATION**

That the report be received.

##### **LINK TO STRATEGIC PLAN**

Key Theme/s: Corporate Governance and Leadership  
2. Organisational Efficiency and Resource Management  
Strategic Goal/s: 2.2 Efficient, effective and professional organisation

##### **BACKGROUND**

Not applicable

##### **DISCUSSION**

1 <sup>st</sup> July	Meeting with the Minlaton and District Arts Group in relation to use of the Minlaton Town Hall. Special Council Workshop to review the Draft Transport AMP.
3 <sup>rd</sup> July	Maitland Office Accommodation Project Control Group meeting on site.
8 <sup>th</sup> July	Monthly Council meeting.
13 <sup>th</sup> July	First day in the new office complex.
20 <sup>th</sup> July	Ongoing discussions with staff at Rowan Ramsey's Office in relation to Black Spot funding. Meeting with Staff at DPTI in relation to Black Spot funding.
22 <sup>nd</sup> July	Fuel Tender decision review.
23 <sup>rd</sup> July	Meeting with Trevor Naismith and Eric Sommerville Northern and Yorke NRM Board.

##### **COMMUNITY ENGAGEMENT PLAN**

Not applicable

##### **CONSULTATION PROCESS**

Not applicable

**POLICY IMPLICATIONS**

Not applicable

**BUDGET AND RESOURCE IMPLICATIONS**

Not applicable

**RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Not applicable

**ATTACHMENTS**

Not applicable



## **CHIEF EXECUTIVE OFFICER**

### **IA/ITEM 4.3**

#### **2. ACTION LISTING REPORT** (File Ref: 9.24.1.1)

##### **PURPOSE**

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

##### **RECOMMENDATION**

That the report be received.

##### **LINK TO STRATEGIC PLAN**

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

##### **BACKGROUND**

Not applicable

##### **DISCUSSION**

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

##### **COMMUNITY ENGAGEMENT PLAN**

Not applicable

##### **CONSULTATION PROCESS**

Not applicable

##### **POLICY IMPLICATIONS**

Not applicable

##### **BUDGET AND RESOURCE IMPLICATIONS**

Not applicable

##### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

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

##### **ATTACHMENTS**

**Attachment 1:** Action Listing

# COUNCIL MEETING 12<sup>th</sup> August 2015

## Action List

Responsible Officer	Agenda Item Number	Task	Due Date	Status
Director Corporate & Community Services	10 <sup>th</sup> 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 <sup>nd</sup> 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 <sup>th</sup> May 2014				
Director Assets & Infrastructure Services	DA/AIS/R3	Organise to have the following documents signed and sealed for the Walk the Yorke Leisure Trail with the State Government and private landholders	July 2014 – ongoing for duration of project	All Crown Leases executed. Private landowners under consideration and some require further information. Ongoing
13 <sup>th</sup> 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	Still with the Minister's office Waiting for finalisation of negotiations between the Minister and CFS
10 <sup>th</sup> December 2014				
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	Completed

11 <sup>th</sup> February 2015				
Director Corporate and Community Services	DA/CCS/R3	Commence public consultation process to grant a lease over a portion of the road reserve adjacent to the Port Victoria Hotel/Motel	September 2015	Underway out for public consultation until 10/8 then back to September meeting
8 <sup>th</sup> April 2015				
Director Development Services	DA/DS/R2	Prepare a plan to implement the Bush Camping recommendations	October 2015	Commenced
13 <sup>th</sup> May 2015				
Director Development Services	DA/DS/R2	Council agreed to accept care, control and management of Lot 10 Moorowie Terrace Port Moorowie CR5323/554	As soon as Ministerial approval is granted	Underway awaiting response from Minister
CEO	DA/CEO/R2	Organise for the Order Making Policy to undergo public consultation	July 2015	Completed
Director Corporate and Community Services	DA/CCS/R6	Organise for the Community Grants and Progress Association Allocations process to be implemented	August 2015	Completed
Director Corporate and Community Services	DA/CCS/R8	Organise for the Caravan Parks Capital Projects to be implemented and debenture loans to be organised to cover the funds	August 2015	Underway
Director Assets and Infrastructure Services	DA/AIS/R1	Advise the Edithburgh Progress Association that Council have endorsed a Working Party for the Edithburgh Tidal Pool and Organise to convene a meeting to commence the process	May/June 2015	First meeting held 25 June 2015 Completed
10 <sup>th</sup> June 2015				
Director Corporate and Community Services	DA/CCS/R4	Organise to grant a five year lease to the Royal Volunteer Coastal Patrol SA Inc at Point Turton	Associated with Port Victoria CFS issue RVCP likely to be transferred to the Crown	Underway
Director Corporate and Community Services	DA/CCS/R5	Organise to grant a five year lease to the SYP Community Shop for relocation of the Op Shop	September 2015	Underway Going to August Council

Director Corporate and Community Services	DA/CCS/R8	Organise to process the community loan for the Port Vincent Bowling Club	August 2015	Completed
Director Assets and Infrastructure Services	DA/AIS/R3	Organise to work with DPTI to undertake a review of the speed limit buffer zones at Wool Bay	July/August 2015	DPTI Notified Unsure of timeframes for DPTI to undertake assessment and advise back to Council
Director Development Services	DA/DS/R1	Organise for the Mayor and CEO to sign and seal LMA for Foul Bay	November 2015	Underway
8 <sup>th</sup> July 2015				
CEO	DA/CEO/R1	Organise for the Social Media Policy and Terms of Use to be included in the Policy Manual and on the website	July 2015	Completed
A/CEO	DA/CEO/R3	Acting CEO Authorised to contact the YP Community Transport Board to seek consideration of a change to their constitution to allow for appointment of Andrew Cameron to the Board	July 2015	Completed
CEO	DA/CEO/R4	Organise to include the Order Making Policy in the Policy Manual and on the website	July 2015	Completed
CEO	DA/CEO/R5	Nominate Mayor Agnew to be the Chair CLGR	July 2015	Completed
Director Corporate and Community Services	DA/CCS/R1	Organise for the final ABP to be placed on the website	July 2015	Completed
Director Corporate and Community Services	DA/CCS/R2	Finalise the rates, budget and valuations	July 2015	Completed
Director Corporate and Community Services	DA/CCS/R4	Organise for Policy PO018 Hardship and PO147 Complaints to be included in the Policy Manual and on	July 2015	Underway Refer to September Council meeting

		the website		
Director Corporate and Community Services	DA/CCS/R5	Organise for Policy PO122 Loans for Community Groups to be included in the Policy Manual and on the website	July 2015	Completed
Director Corporate and Community Services	DA/CCS/R6	Organise for Policy PO124 Asset Accounting Policy to be included in the Policy Manual and on the website	July 2015	Completed
Director Corporate and Community Services	DA/CCS/R7	Organise for Policy PO142 Budget Reporting and Amendment to be included in the Policy Manual and on the website	July 2015	Completed
Director Corporate and Community Services	DA/CCS/R8	Organise for the Policy PO132 Cemetery Management to undergo public consultation	July 2015	Underway Report back to September Council meeting
Director Corporate and Community Services	DA/CCS/R9	Organise for the Port Victoria Hotel public consultation process to be undertaken for a lease	July 2015	Complete
Director Corporate and Community Services	DA/CCS/R10	Organise the community loan for the Arthurton War Memorial Bowling Club	August 2015	Complete
Director Corporate and Community Services	DA/CCS/R11	Advise Ardrossan Bowling Club that Council has agreed to sponsorship	July 2015	Complete
Director Corporate and Community Services	DA/CCS/R12	Advise the YP Art Exhibition committee of the outcome of their request	July 2015	Complete
Director Assets and Infrastructure Services	DA/AIS/R1	Incorporate adopted changes into PO125 Waste and Recycling Service Policy	August 2015	Commenced
Director Development	DA/DS/R1	Advise Andrew Costello of the outcome of his request in relation to the	July 2015	Completed

Services		commemorative Giraffe Statue		
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## **CHIEF EXECUTIVE OFFICER**

### **IA/ITEM 4.3**

### **3. CORRESPONDENCE RECEIVED FROM THE PUBLIC LIBRARY BOARD**

(File Ref: 9.24.1.1)

#### **PURPOSE**

To thank Council for the participation of staff in the pilot project to implement community led planning for your communities' future library services.

#### **RECOMMENDATION**

That the report be received.

#### **LINK TO STRATEGIC PLAN**

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

#### **BACKGROUND**

Council staff have been involved in a review of public library services and subsequent pilot Library Strategic Planning Project.

#### **DISCUSSION**

Correspondence has been received congratulating staff, particularly Ms Bron Scholes Corporate Services Officer for her leadership with the project and how she handled the pilot project with professionalism and positivity.

As a result of the success of the pilot project and the Strategic Library Planning review and in recognition of our willingness to be involved an additional grant of up to \$15,000 is available to Council to implement some of the initiatives identified through the planning exercise.

This funding would be provided on a matched dollar for dollar basis and it is anticipated that representatives from the Library Board will make a presentation to a forthcoming workshop for Elected Members information.

Ms Scholes has been in contact with the Library Board and has achieved an extension on the time frame for acceptance of the funding offer contingent on the Board being able to make a presentation to Council on the project.

Acceptance of the funding offer will be the subject of a further report to Council following the presentation.

## **COMMUNITY ENGAGEMENT PLAN**

Not applicable

## **CONSULTATION PROCESS**

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

- Chief Executive Officer
- Director Corporate and Community Services

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

- Nil

## **POLICY IMPLICATIONS**

Not applicable

## **BUDGET AND RESOURCE IMPLICATIONS**

If the funding offer was to be accepted by Council then a 2<sup>nd</sup> quarter budget review would be required to identify where the matching funding could be sourced from.

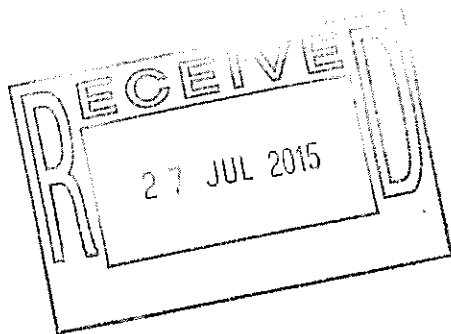
## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Not applicable

## **ATTACHMENTS**

**Attachment 1:** Correspondence Public Library Board





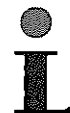
22 July 2015

Mr Andrew Cameron  
Chief Executive Officer  
Yorke Peninsula Council  
PO Box 388  
Minlaton SA 5575

Item Number
5260-2015-3
GDS Number
17.3.3.3
Distribution
Copy to CEO EA ✓



Government  
of South Australia



STATE  
LIBRARY

Public Library  
Services

GPO Box 1971 ADELAIDE  
South Australia 5001  
Telephone (08) 8348 2311  
Facsimile (08) 8223 0964

Dear Mr Cameron

Re: Library Strategic Planning Project

I am writing to you on behalf of the Libraries Board of South Australia to thank you for your council's participation in the pilot project to implement community led planning for your communities' future library services. The Board considers this project to be critical for the continued success of the School Community Library program and the future delivery of library services in small regional communities.

The Board and its project team at Public Library Services appreciate the enthusiasm and commitment displayed by Yorke Peninsula Council to deliver the project and is particularly grateful for the leadership shown by Ms Bron Scholes, Corporate Services Officer. A pilot project by its very nature includes many unknowns and presents unexpected challenges which Bron handled with professionalism and positivity. It would be greatly appreciated if you could pass on our thanks.

The project itself has been highly successful, resulting in a strategic library plan for the Yorke Peninsula Council that is realistic in terms of future resourcing and includes opportunities to stretch and grow to meet changing community expectations. I am very pleased to report that the four Yorke Peninsula Schools participating in the School Community Library program demonstrated through the pilot a strong commitment to partnering with Yorke Peninsula Council to deliver library services into the future. This provides a stable foundation for you to build on your existing library services and realise new opportunities for local collaboration that will benefit the entire community.

In recognition of your willingness to participate in the pilot project, and the significant contribution made by your team, the Libraries Board would like to offer Yorke Peninsula Council an additional grant of up to

Public Library Services -  
State and Local Government working together  
for all South Australians

The State Library of South Australia  
Public Library Services  
ABN 25 610 795 168

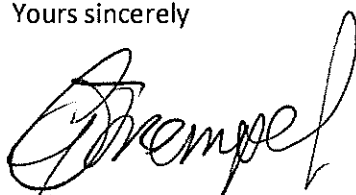
**\$15,000** in the 2015/16 financial year to enable council to implement some of the exciting initiatives identified through your planning exercise.

The additional grant, if accepted, would need to be matched dollar for dollar by council and will be paid in late 2015 as part of the 2015/16 grant process. Council can elect to accept the entire grant or a portion thereof and will need to acquit the expenditure by way of an itemised expenditure report. Your response to this offer is required by **31<sup>st</sup> August 2015**.

If you have any questions regarding the Library Strategic Planning Project or the Board's grant process please contact Ms Joanne Freeman, Manager Strategic Projects and Communication on 8348 2306 or at [joanne.freeman@sa.gov.au](mailto:joanne.freeman@sa.gov.au).

We look forward to continuing to work with the Yorke Peninsula Council and its libraries as you deliver on your plan's objectives.

Yours sincerely



**Geoff Stempel**  
**Associate Director**

## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **IA/ITEM 4.4**

#### **1. COMMUNITY GRANTS PAYMENT SUMMARY 2014/2015**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To keep Elected Members informed of the outcomes of the Community Grants Program.

##### **RECOMMENDATION**

That the Grants Payment Summary for 2014/2015 be received.

##### **LINK TO STRATEGIC PLAN**

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

##### **BACKGROUND**

Council received the Grants Working Party recommendation for 2014/2015 at the September 2014 meeting.

##### **DISCUSSION**

The 2014/2015 Community Grants Program allocated a total of \$144,067 in funding to Community Groups for projects that contribute to improving facilities and services as well as providing benefits to residents.

Southern Yorke Peninsula Landcare Group and Warooka Progress Association have been granted an extension to claim their 2014/2015 community grant amounts of \$797 for the Landcare Group and \$2000 for Warooka Progress, due to their projects being unable to be completed. The grant will be paid in 2015/2016 upon completion of their project.

##### **COMMUNITY ENGAGEMENT PLAN**

Not Applicable

##### **CONSULTATION PROCESS**

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

- Director Corporate and Community Services
- Grants Working Party

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

- Nil

## **POLICY IMPLICATIONS**

PO149 Community Grants Policy

## **BUDGET AND RESOURCE IMPLICATIONS**

The Community Grants total of \$144,067 was provided for in the 2014/2015 Adopted Budget as adopted by Council at its meeting in May 2014. The grant extension amount mentioned above has been accounted for as an accrued expense in the 2015/2016 financials.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Differential

## **ATTACHMENTS**

**Attachment 1:** CGS 2014-15 Applications Summary

#	Organisation	Project Title	\$ Req	\$ Granted	Paid
1	RSL Ardrossan Sub Branch	Toilet Upgrade	\$5,000	\$5,000	\$5,000
2	Ardrossan Tidy Towns Group	Grounds Maintenance Equipment	\$1,388	\$1,388	\$1,388
3	Ardrossan Bowling Club	Improving Outside Bench Seating	\$2,788	\$2,788	\$2,788
4	Ardrossan Progress	Ardrossan Town Hall Drink and Beverage Serving Area	\$5,000	\$5,000	\$5,000
5	James Well and Rogues Point Progress Association	Air-condition Community Centre	\$2,000	\$2,000	\$2,000
6	Ardrossan Community Entertainment Group	Replace hand held radio mikes to comply with legislation	\$2,000	\$2,000	\$2,000
7	Port Victoria Progress	Port Victoria Institute Air-conditioning	\$5,000	\$5,000	\$5,000
8	Port Clinton Progress	Clean & Green Port Clinton	\$4,911	\$4,911	\$4,911
9	Girl Guides SA	Resurfacing of Dining Room Floor	\$4,635	\$0	\$0
10	Tiddy Widdy Beach Progress	Replacing aged weathered screens at Association premises	\$2,695	\$2,695	\$2,695
11	Central Yorke Cougars Netball Club	Court Resurfacing	\$5,000	\$5,000	\$5,000
12	National Trust - Ardrossan Branch	Horse Sculpture	\$2,000	\$2,000	\$2,000
13	Royal Volunteer Coastal Patrol	Vehicle for towing rescue vessel	\$5,000	\$5,000	\$5,000
14	Central Yorke Football Club	Tables and Chairs for new Clubhouse	\$5,000	\$5,000	\$5,000
15	Maitland Apex Club	Apex Playground Improvement	\$5,000	\$5,000	\$4,997
47	Arthurlton Progress Association	Arthurlton War Memorial	\$5,000	\$5,000	\$5,000
16	SA CWA Curramulka Branch	Curramulka Institute Stove	\$2,580	\$2,580	\$2,580
17	Minlaton Skate Park Committee	Minlaton Skate Park Opening	\$2,000	\$0	\$0
18	Minlaton and District Progress Association	Main Street Bin Enclosure	\$5,000	\$0	\$0
19	Harry Butler Statue Committee	Harry Butler Website	\$250	\$250	\$242
20	Minlaton District Business Group	Minlaton Main Street Seating	\$5,000	\$5,000	\$5,000
21	Port Julia Progress	PJPA Information Technology and Communication Priority	\$3,436	\$3,436	\$3,436
22	Port Vincent Volunteer Coastguard	Volunteers Safety Equipment	\$1,600	\$1,600	\$1,600
23	Southern Yorke Peninsula Landcare Group Inc.	Native Plants of Yorke Peninsula book to a USB wristband	\$3,500	\$797	\$0
24	SA CWA Minlaton Branch	Repairs to CWA building - Guttering and Roof	\$5,000	\$5,000	\$5,000
25	Port Vincent Progress	VIO Refurbishment Project	\$5,000	\$5,000	\$5,000
26	Port Vincent Golf Club	Port Vincent Golf Club Solar Project	\$4,000	\$4,000	\$4,000
27	Friends of Wauralte & District Inc	Floor covering for Wauralte Hall kitchen and supper room	\$3,000	\$3,000	\$3,000
28	Southern Yorke Archers	Relocation of Archery Courses and Building Storage shed	\$3,400	\$3,400	\$3,400
29	Minlaton Bowling Club	Blinds - Clubhouse	\$3,000	\$3,000	\$3,000
30	Pine Point Progress Association	Pine Point Hall Solar Voltaic Installation	\$5,000	\$5,000	\$5,000
31	Minlaton Golf Club	External Wall Repaint	\$4,412	\$4,412	\$4,412
32	Corny Point Progress Association	The remarkable Point - Our History - Our Lives - Our Future	\$2,500	\$2,500	\$2,500
33	Edithburgh RSL & Bowling Club	Cooking and Storage Upgrade	\$5,000	\$5,000	\$5,000
34	Edithburgh Tennis Club	Repainting Clubrooms and Toilets	\$1,200	\$1,200	\$1,200
35	Yorke Jnr Surf Club	Berry Bay Surf Jam	\$2,000	\$2,000	\$2,000
36	The Pines Community Association	The Pines Community Playground	\$5,000	\$5,000	\$5,000
37	Point Turton Progress Association	Sound Proofing Community Hall	\$4,970	\$4,970	\$4,970
38	Vintage Veteran & Classic Motorcycle Club	New comforts for old riders	\$5,000	\$5,000	\$5,000
39	Mission to Seafarers - Port Giles	Repair exterior stonework to the Flying Angel Centre Hall	\$4,900	\$4,900	\$4,900
40	Edithburgh Flotilla - SA Sea Rescue Squadron Inc	Training Resources	\$1,698	\$1,698	\$1,698
41	SYP Country Women	New chairs for Warooka Memorial Hall Kitchen	\$1,000	\$1,000	\$1,000
42	Surfing SA	Rip Curl Grom Search	\$1,500	\$0	\$0
43	Stansbury Bowling Club	Installation of water filters to kitchen and bar, and new chairs for clubhouse	\$1,273	\$1,273	\$1,273
44	Southern Yorke Telecentre	Replace public access computers and purchase iPad as teaching aid for new users	\$2,614	\$2,614	\$2,614
45	Edithburgh Progress Association	Historical Port of Edithburgh Sign	\$655	\$655	\$655
46	Warooka Progress Association	Warooka Historic Signage	\$2,000	\$2,000	\$0
			<b>\$159,905</b>	<b>\$144,067</b>	<b>\$141,259.23</b>

Kalkabury Ward  
Gum Flat Ward  
Innes Pentonvale Ward

## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **IA/ITEM 4.4**

#### **2. TOURISM IN SOUTH AUSTRALIA** (File Ref: 9.24.1.1)

##### **PURPOSE**

To keep Elected Members informed of the economic benefit of Tourism to the Yorke Peninsula Region.

##### **RECOMMENDATION**

That the report from the South Australian Tourism Commission Tourism Research Department be received.

##### **LINK TO STRATEGIC PLAN**

Key Theme/s : Sustainable Communities  
3.1 Sustainable Economic Growth  
Strategic Goal/s: 3.2 Increase access to employment opportunities for our communities

##### **BACKGROUND**

Tourism contributes significantly to the economic sustainability of the Yorke Peninsula Council region and it is important that Council remain committed to supporting and developing the industry to maximise our tourism opportunities.

##### **DISCUSSION**

The South Australian Tourism Commission, Tourism Research Branch, report on the direct contribution that tourism makes to the South Australian economy each year. The information for the year ending December 2014 is attached.

It is important to note that the Regional Information attached can have a 15% variance due to the method they use to collate these figures. Yorke Peninsula Tourism have suggested that the figures for Yorke Peninsula may be much higher than indicated on this report.

Review of the attached data indicates that Yorke Peninsula received over one million visitors in 2014, highlighting the importance of tourism to our regional economy.

##### **COMMUNITY ENGAGEMENT PLAN**

Not applicable

##### **CONSULTATION PROCESS**

Not applicable

#### **POLICY IMPLICATIONS**

Not applicable

#### **BUDGET AND RESOURCE IMPLICATIONS**

Not applicable

#### **RISK / LEGAL / LEGISLATIVE IMPLICATIONS**

Should Council not continue to support Tourism throughout the region, the economic viability of the region may be negatively impacted.

#### **ATTACHMENTS**

**Attachment 1** : Tourism in South Australia, year ending December 2014

## Corporate Email Address

<b>RECEIVED</b> 1 / JUL 2015	<b>From:</b> Jo Barrie - Yorke Peninsula Tourism <rmm@yorkepeninsula.com.au>	<b>Item Number</b> 5010-2015-3
	<b>Sent:</b> Thursday, 16 July 2015 4:12 PM	<b>GDS Number</b> 4.66.2.2
	<b>To:</b> Andrew Cameron; 'Peter Harder'	<b>Distribution</b> Copy to CEO EA
<b>Cc:</b> info@coppercoast.sa.gov.au; Corporate Email Address		
<b>Subject:</b> SA Tourism infogram facts and figures		
<b>Attachments:</b> SATC_infogram 2 pager D14.pdf; Visits to SA Regions Dec 14.pdf		

Hi Peter & Andrew,

Please find attached an infogram on the value of tourism to SA; and visitor numbers to regional SA to Dec 2014.

Yorke Peninsula received over 1 million visitors in 2014 ( 436,000 overnight visitors and 614,000 day trip visitors).

Best regards, Jo

**Jo Barrie**

Yorke Peninsula Tourism Manager



**Yorke Peninsula Tourism**

PO Box 417 Kadina SA 5554

Mobile: 0417 838 768

Phone: 08 8821 2663

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# Tourism in South Australia

Year ending December 2014

	\$5.2B	Tourism expenditure
	12k	International seats into Adelaide each week
	373k	International visitors
	76k	Domestic seats into Adelaide each week
	1.9M	Interstate visitors
	3.5M	Intrastate trips
	11.7M	Domestic day trips
	13k	Hotel rooms across 261 properties
	18k	Tourism businesses across the state
	\$160k	in tourism expenditure – 1 directly employed person
	32k	Directly employed, (potential for 40k direct by 2020) 57k employed incl indirect

Sources: International and National Visitor Survey, Dec 2014, Tourism Research Australia, Canberra; State Tourism Satellite Accounts 2013-14, Tourism Research Australia, Canberra; Survey of Tourist Accommodation June 2014, Australian Bureau of Statistics, Canberra; Airline data is based on seasonal schedules and is subject to change without notice.



## Issue 101 June 2015

## AT A GLANCE

Generates \$5.2 billion of expenditure

### Expenditure

In the year ending December 2014, travel and tourism generated \$5.2 billion of expenditure in South Australia. International visitor expenditure accounted for 14% of total expenditure, domestic overnight expenditure was worth 63% of the total, while domestic day trips made up the remaining 23%.

5.8 million visitors and 28.9 million nights

### Visitors and Nights

In the 12 months ended December 2014, South Australia received almost 5.8 million visitors and over 28.9 million visitor nights.

South Australian's travelling in their own state account for around 38% of the nights, visitors from interstate 32% and international visitors 29% of nights.

373,000 international visitors spent around 9.2 million nights

### International Tourism

Latest figures\* for the year to December 2014 show South Australia attracted 373,000 international visitors and 8.6 million international visitor nights.

5.9% of international visitors to Australia spent time in SA, accounting for 3.9% of the total nights spent by international visitors in Australia.

International visitor numbers were down 1.4% and nights were down 17.6% on the year to December 2013.

1.9 million interstate visitors generating 9.3 million nights

UK was the largest source of visitors for SA during 12 months to December 2014 accounting for 16% of our visitors. Germany provided a further 8% and other Europe another 19%, so that Europe in total accounted for 43% of our visitors.

11% of International visitors to SA were from NZ. Visitors from the USA accounted for 9% of SA's overseas visitors and Canada a further 3%.

3.5 million intrastate 'visitors' generating 10.9 million nights

8% of visitors originated from China, making it SA's fourth largest source market. Asia collectively accounted for 31% of international visitors to SA, but 48% of international visitor nights.

### Interstate

Latest figures for the 12 months to December 2014 show that interstate markets generated 1.9 million visitors to SA, up 14% from the previous year, and 9.3 million visitor nights in SA, up 5%. SA's share of interstate visitors was 7.4% and nights was 7.1%.

Victoria and NSW are the State's most important interstate markets, providing 37% and 27% of the State's interstate visitor nights respectively.

Air transport was used by 62% of interstate visitors and private or company vehicle was used by 34% of interstate visitors when travelling to and within South Australia.

### Intrastate

In the 12 months ending December 2014, South Australian's made 3.5 million 'net visits' within their own State, down 2% from the previous year, spending 10.9 million nights in SA, up 3% for the year.

SA's share of national intrastate visitors was 6.2% and nights was 6.1%.

90% of intrastate overnight travellers used a private or company vehicle when travelling intrastate.

### Day Trips

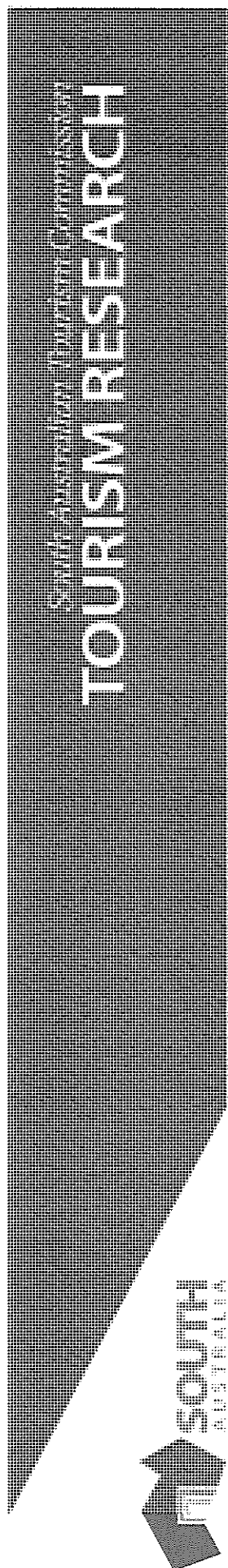
There were 11.7 million domestic day trips in SA in the year to December 2014, mostly taken by South Australian's.

### Visits to Regional SA

Over the last year, there were 3.4 million overnight trips to Regional SA (a region other than Adelaide tourism region). Visitors spent 13.7 million nights in regional SA. The Fleurieu Peninsula was the most visited region, followed by the Flinders Ranges and Outback, Limestone Coast and Yorke Peninsula. In addition, there were another 7.3 million domestic day trips to the regions.

### Sources:

\*International Visitors in Australia – December 2014, Quarterly results of the International Visitor Survey, Tourism Research Australia, Canberra  
Travel by Australians – December 2014 Quarterly results of the National Visitor Survey, Tourism Research Australia, Canberra.



## VISITS TO SOUTH AUSTRALIAN REGIONS

Year Ending December 2014

	Limestone Coast	Murraylands	Flinders Ranges & Outback	Adelaide Hills	Clare Valley	Riverland	Barossa	Adelaide	Flinders Ranges & Outback	Eyre Peninsula	Yorke Peninsula	Kangaroo Island	Regional SA	Total SA
Overnight Visits (000's)														
International	45	6	19	339	13	8	3	9	36	15	5	36	127	373
Total Domestic	429	236	607	2,342	211	324	179	113	477	338	431	80	3,269	5,386
Intrastate	270	193	508	928	135	249	146	69	328	257	401	59	2,577	3,467
Interstate	159	42	99	1,414	76	75	33	44	149	81	30	22	692	1,919
Total Visits	474	242	626	2,681	224	332	182	122	513	353	436	116	3,396	5,759

	Nights (000's)													
International	342	40	110	7,240	58	148	116	108	223	143	15	98	1,294	8,643
Total Domestic	1,305	510	1,697	7,838	613	1,253	558	403	2,405	1,699	1,337	366	12,388	20,227
Intrastate	881	389	1,298	2,563	244	715	323	241	1,458	1,260	1,222	258	8,350	10,913
Interstate	425	121	399	5,275	369	538	236	162	947	439	115	108	4,039	9,313
Total Nights	1,647	550	1,807	15,078	671	1,401	674	511	2,628	1,842	1,352	464	13,682	28,870

	Day Trips (000's)													
Domestic Day Trips	727	581	2,333	4,398	635	251	300	790	609	410	614	30	7,280	11,678

Notes: 1. Components may add to more than the total number of visitors as visitors visit more than one region.

2. Information in this report is sourced from sample surveys, and as with all sample surveys, estimates are subject to sampling variability and caution is required when interpreting these results.

np = not published due to low sample

Sources: *Travel by Australians* – December 2014 Quarterly Results of the National Visitor Survey, Tourism Research Australia, Canberra.

*International Visitors in Australia* – December 2014 Quarterly Results of the International Visitor Survey, Tourism Research Australia, Canberra.

## **DIRECTOR ASSETS & INFRASTRUCTURE SERVICES**

### **IA/ITEM 4.5**

#### **1. CONSTRUCTION AND MAINTENANCE WORKS**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To provide a summary of capital and maintenance works undertaken within Assets and Infrastructure Services throughout the month preceding the August 2015 meeting of Council.

##### **RECOMMENDATION**

That the Report be received.

##### **LINK TO STRATEGIC PLAN**

Key Theme/s: Sustainable Communities

1. Sustainable Infrastructure

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

##### **BACKGROUND**

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

##### **DISCUSSION**

- The following works/upgrades have been undertaken upon Community Waste Management Systems (CWMS) and Water Schemes:

###### CWMS

- New chlorine analyser commissioned – **Port Victoria**
- Pump Station (Jetty) valve chamber and flow meter installed – **Ardrossan**
- WWTP Compound (housekeeping) – **Chinamen Wells**

###### Water Schemes

- Six month service on components – **Desalination Plant**
- Outlet pipework replaced – **Hardwicke Bay**
- Repairs to mains water feed line – **Balgowan**

###### Stormwater Harvesting Scheme

- Upgrade to level controls switchboard – **Minlaton**

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

- The Walk the Yorke Project has reached milestone five (5) status with the major componentry as follows:
  - Major infrastructure installation (markers, bollards, bench seats) = 97% complete

- Trail construction = 97% complete
  - Fencing and style installation = 80% complete
  - Shelters and settings = 95% complete
  - Podium signage = 45% complete
  - Information signage = 30% complete
  - Project management = 80% complete
- Road construction and / or maintenance requirements have been applied to the following roads aligned with the 2015-16 budget allocations:
  - Clinton Road – patchwork
  - Agery Hill Road – fill and patchwork
  - Thomas Road – rework
  - South Coast Road – resheeting commenced
  - Micky Flat Road – patchwork
  - Coringle Road – patchwork
- Patrol Grading is ongoing throughout the district in line with current schedules and techniques.
- Attention to parks, gardens and reserves is ongoing throughout the district within available resources.
- Staff assisted with respective schools throughout the district for National Tree Day. These events have proven fruitful with identified sites, such as reclaimed dump sites, revegetated. The children involved generally get quite a buzz from the interaction with staff. Well done to all involved.
- Approximately 25 Customer Service Requests (CSR's) have been addressed throughout July with activities including:
  - sign replacement and repairs;
  - public building maintenance;
  - footpath maintenance;
  - street tree pruning and street scaping;
  - response to vandalism;
  - sealed and unsealed road maintenance;
  - maintenance to coastal infrastructure; and
  - illegal dumping mop up.
- Traffic Control Devices (white posts) have been replaced on Black Point Road and Point Pearce Road.
- Passive perma-pine fencing has been completed within the RV site at Ardrossan. Additional interpretive signage has also been applied to this area.
- Beach access infrastructure (platforms) has been completed adjacent to The Sands at Marion Bay.
- The Jetpatcher has been concentrating on the southern part of the district.
- Remedial concrete work has been applied to the Pine Point, Port Vincent and Price wharfs.
- Access to the Hardwicke Bay boat launching area has been improved with sections of the ramp jet patched.
- Footpath maintenance has been applied to areas within Ardrossan, Maitland, Port Victoria, Price, Warooka and Yorketown.

## **COMMUNITY ENGAGEMENT PLAN**

Not applicable

## **CONSULTATION PROCESS**

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

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

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

- Nil

## **POLICY IMPLICATIONS**

Not applicable

## **BUDGET AND RESOURCE IMPLICATIONS**

Within capital and operations budgets.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Not applicable

## **ATTACHMENTS**

Not applicable

## **DIRECTOR ASSETS & INFRASTRUCTURE SERVICES**

### **IA/ITEM 4.5**

#### **2. NOTES FROM THE EDITHBURGH TIDAL POOL WORKING PARTY MEETING HELD ON 24<sup>TH</sup> JUNE 2015** (File Ref: 9.24.1.1)

##### **PURPOSE**

To inform Council of the outcomes and actions of the inaugural meeting of the Edithburgh Tidal Pool Working Party held on Wednesday 24<sup>th</sup> of June 2015.

##### **RECOMMENDATION**

That the Report be received.

##### **LINK TO STRATEGIC PLAN**

Key Theme/s: Community Engagement  
1. Vitality and Connection  
Strategic Goal/s: 1.1 Offer a range of accessible community facilities, programs, events and activities

##### **BACKGROUND**

At the May 2015 meeting of Council it was resolved that a Working Party consisting of two Elected Members; Councillors Darren Braund and John Rich, the Director Assets and Infrastructure Services, Operations Manager, Leading Worker South and two representatives of the Edithburgh Progress Association be formed to investigate a long term Strategic Plan for future maintenance and upgrades to the Edithburgh Tidal Pool for future consideration by Council.

##### **DISCUSSION**

The inaugural meeting of the Edithburgh Tidal Pool Working Party was held on Wednesday 24<sup>th</sup> of June 2015.

Present at the meeting where Councillors Darren Braund and John Rich, Mr John Edwards and Mr John Sendy from the Edithburgh Progress Association, the Director Assets and Infrastructure Services, Operations Manager, Leading Worker South and Senior Clerical Officer (note taker).

The actions arising from the meeting were:

1. Senior Clerical Officer to forward a copy of the Final Engineers Condition Report to all members of the Working Party.
2. Director Assets and Infrastructure Services to seek information for industry professionals regarding the quotation / process for seeking costs analysis and staged plan.
3. Mr Edwards to discuss with the Edithburgh Progress Association the option to fund the cost analysis.

The notes from this meeting are attached for your reference (Attachment 1).

The next meeting of the Working Party will be scheduled in due course.

#### **COMMUNITY ENGAGEMENT PLAN**

Representatives of the Edithburgh Progress Association have been included in the Working Party.

#### **CONSULTATION PROCESS**

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

- Nil

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

- Nil

#### **POLICY IMPLICATIONS**

Not applicable

#### **BUDGET AND RESOURCE IMPLICATIONS**

Not applicable

#### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Not applicable

#### **ATTACHMENTS**

**Attachment 1:** Notes of the Edithburgh Tidal Pool Working Party held on Wednesday 24<sup>th</sup> June 2015





*Agriculturally rich~Naturally beautiful*

## **Notes of the Edithburgh Tidal Pool Working Party**

held on Wednesday 24<sup>th</sup> June 2015,  
in the Council Chambers  
57 Main Street Minlaton commencing at 2.00pm

---

### **WELCOME**

Mr Trevor Graham welcomed everyone and declared the meeting open at 2pm

### **IN ATTENDANCE**

Cr Darren Braund	Innes Pentonvale Ward
Cr John Rich	Innes Pentonvale Ward
John Edwards	Chairperson – Edithburgh Progress Association Inc.
John Sendy	Edithburgh Progress Association Inc.
Trevor Graham	Director Assets and Infrastructure Services
Stephen Goldsworthy	Manager Operations
Stuart Heinrich-Smith	Leading Worker – South
Kylie Gray	Senior Clerical Officer/Edithburgh Progress Association Inc.

### **ELECTION OF A CHAIRPERSON**

Mr Graham welcomes the Working Party to nominate a Chairperson to direct the group in their discussions.

**Mr Sendy nominated**

Cr John Rich as Chairperson

**Cr Braund seconded**

**CARRIED**

**Mr Goldsworthy nominated**

Cr Darren Braund as Deputy Chairperson

**Mr Edwards seconded**

**CARRIED**

### **GENERAL BUSINESS**

Mr Graham outlined the powers of a Working Party and the correct process for providing recommendations for endorsement of Council.

Cr Rich opened discussion on the approach of the Working Party.

Mr Edwards offered his commendations for the start of this Working Party being a great step forward to ensure the future of the Edithburgh Tidal Pool and discussed the timeliness of the action required to ensure the success of the project.

***Action: Kylie to forward copy of the Final Engineers Report to all members of the Working Party.***

The following items were discussed:

- Original structure was built in 1930
- Breakwater as identified in the Engineers Report is of highest priority to slow deterioration of the structure and allow more time for further upgrades
- Engineers Report needs to be revisited to determine priorities in order to plan in stages
- Option to recommend that Council fund the cost analysis which would require a Structural/Maritime Engineer and Council to call for quotes
- Option to approach Edithburgh Progress Association to fund cost analysis from the budget line allocated \$10,000 per year for Tidal Pool Maintenance
- The need to for the Coastal Protection Board to approve the design which is roughly a 1-2month process
- Council is unable to undertake short-term work on the Tidal Pool due to the nature of the work and requirements, such as damage to the old diving board

***Action: Mr Graham to seek information for industry professionals regarding the quotation/process for seeking costs analysis and staged plan***

***Action: Mr Edwards to discuss with Edithburgh Progress the option to fund the cost analysis***

The following funding options to be considered:

- Places for People
- Open Space Funding
- Sport and Recreation Facility Grant

## **NEXT MEETING**

Wednesday 22<sup>nd</sup> July 2015 at 3pm

## **CLOSURE**

The Meeting Closed at 2.37pm

## **DIRECTOR DEVELOPMENT SERVICES**

### **IA/ITEM 4.6**

#### **1. INSPECTORIAL ACTIVITY REPORT**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To inform Council of the activities of the Inspectorial Team.

##### **RECOMMENDATION**

That the report be received.

##### **LINK TO STRATEGIC PLAN**

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

##### **BACKGROUND**

Nil

##### **DISCUSSION**

Council's Officers have dealt with many routine matters during the past month, including illegal campers, abandoned vehicles, wandering and nuisance dogs, noisy dogs and nuisance cats. Four dogs were impounded during the past month, all of which were claimed by their owner.

Two dog owners were given an expiation in relation to complaints received about their dogs attacking another dog. The first was in relation to a dog attack in Ardrossan which resulted in another dog receiving veterinary attention whilst the other incident occurred in Balgowan when a dog which was off leash attacked another dog whilst being walked on leash by its owner.

Routine patrols of boat ramps have been performed to ensure that users are paying to use the facilities. Two users of a launch facility were expiated for failing to purchase a ticket prior to launching.

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

Several lots of rubbish have been dumped in the district; officers are following leads in relation to rubbish at Nalyappa.

##### **COMMUNITY ENGAGEMENT PLAN**

Not applicable

## **CONSULTATION PROCESS**

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

- Inspectorial Staff

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

- Nil

## **POLICY IMPLICATIONS**

Nil

## **BUDGET AND RESOURCE IMPLICATIONS**

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

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Fire and Emergency Services Act 2005

Dog and Cat Management Act 1995

Local Government Act 1999

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

## **ATTACHMENTS**

Nil

## **DIRECTOR DEVELOPMENT SERVICES**

### **IA/ITEM 4.6**

#### **2. DEVELOPMENT APPLICATION DECISIONS**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To inform the Elected Members of Development Application decisions for the period 29 June 2015 to 31 July 2015.

##### **RECOMMENDATION**

That the report be received.

##### **LINK TO STRATEGIC PLAN**

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

##### **BACKGROUND**

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

##### **DISCUSSION**

The following is a list of all Development Applications processed for the period 29 June 2015 to 31 July 2015.

##### Yorke town

544/1232/2014	544/1012/2015	544/1026/2015
544/1040/2015	544/1046/2015	544/1063/2015
544/1067/2015	544/1078/2015	544/1079/2015
544/1100/2015	544/1106/2015	544/1107/2015
544/1108/2015	544/1114/2015	544/1120/2015
544/1122/2015	544/1123/2015	544/1124/2015
544/1130/2015	544/1139/2015	

##### Maitland

544/2288/2014	544/2032/2015	544/2038/2015
544/2040/2015	544/2060/2015	544/2067/2015
544/2069/2015	544/2073/2015	544/2074/2015

544/2086/2015	544/2087/2015	544/2092/2015
544/2098/2015	544/2101/2015	544/2104/2015
544/2108/2015	544/2110/2015	544/2111/2015
544/2114/2015	544/2117/2015	544/2118/2015
544/2119/2015	544/2135/2015	544/2138/2015
<u>Land Division</u>		
544/D004/2015	544/D009/2015	

#### **COMMUNITY ENGAGEMENT PLAN**

Not Applicable

#### **CONSULTATION PROCESS**

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

- Planning & Building Officers

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

- Nil

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET AND RESOURCE IMPLICATIONS**

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

#### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Local Government Act 1999

Development Act 1993

Council's Development Plan

#### **ATTACHMENTS**

**Attachment 1:** Development Application Decisions Register

**LIST OF DEVELOPMENT APPLICATIONS & DECISIONS ISSUED BY THE ASSISTANT BUILDING SURVEYOR UNDER DELEGATION  
FOR THE PERIOD 29 JUNE 2015 – 31 JULY 2015**

**YORKETOWN**

Dev. App. No.	Name & Address	Location	Proposal	Class	Area m <sup>2</sup>	Cost \$	Conditions Planning Building	Assessment / Valuation No	Decision Date	Builder Licence No
544/1232/2014	A Hatswell 8a Buckley Cres FAIRVIEW PARK	(Lot 7) 5 Mariner Court POINT TURTON	New Dwelling	1a	148.73	130,000	Planning 7 Building 8 Private Certifier	425843 5401041500	14 July 2015	Summerplace Homes BLD184209
544/1012/2015	M Sullivan C/- Post Office MARION BAY	(PTS 192) 5 Stenhouse Bay Road MARION BAY	Shop Extension, Deck/Pergola	6a 10a	60 20	13,900	Planning 2 Building 3	117598 5400931990 A0010	23 July 2015	Owner Builder
544/1026/2015	J Southby 59 Mills Street CLARENCE PARK	(Lot 501) 38 Gillerton Terrace EDITHBURGH	Garage	10a	162	30,000	Planning 4 Building 2	408641 5405176963	6 July 2015	Owner Builder
544/1040/2015	K & C Reynolds 142 Haines Road BANKSIA PARK	(Lot 102) 48a Blanch Street EDITHBURGH	Garage & Lean-To	10a 10a	90 15	13,800	Planning 1 Building 2	433078 5405061058	3 July 2015	TBA
544/1046/2015	M & J Aitchison PO Box 259 WAROOKA	(Lot 2) 3 Point Turton Road POINT TURTON	Pergola & Retractable Awnings	10a 10b	24.4 30	40,000	Planning 1 Building 2 Private Certifier	406892 5400782788	30 June 2015	BGK Contech Pty Ltd
544/1063/2015	B & S Wormald 12 Exhibition Drive HEWETT	(Sec 1242) 32 Osprey Drive MARION BAY	New Dwelling	1a	142.89	175,772	Planning 7 Building 1 Private Certifier	120436 5400943051	10 July 2015	Country Living Homes BLD194214
544/1067/2015	S & C Pilkinton 17 Burra Road SADDLEWORTH	(Lot 31) 9 Bayview Crescent CORNYPPOINT	Two Storey Dwelling & Garage	1a 10a	187 54	150,000	Planning 8 Building 4 Private Certifier	106070 5400673469	2 July 2015	Owner Builder GL113595
544/1078/2015	B & PJ Connerton PO Box 268 STANSBURY	(Sec 196) 108 Adelaide Road STANSBURY	Dwelling Addition & Porch	1a 10a	80.8 30	80,000	Planning 4 Building 1 Private Certification	229247 5404805300	23 July 2015	TBA
544/1079/2015	S & B Warmwald 12 Expedition Drive HEWITT	(Sec 1242) 32 Osprey Drive MARION BAY	Freestanding Carport	10a	20.4	1,000	Planning 4 Building 2	120436 5400943051	14 July 2015	Country Living Homes BLD194214
544/1100/2015	Stansbury Progress Association PO Box 13 STANSBURY	Lot 1 Bayview Road STANSBURY	Boat Ramp Repairs	10b	200	90,000	Planning 1 Building 1	209296 5404808068	6 July 2015	Yorke Peninsula Council
544/1106/2015	CL & JM Matthews PO Box 191 MINLATON	(PCE 100-101) 1129 Bluff Beach Rd BLUFF BEACH	Garage	10a	81	10,000	Planning 4 Building 2	317271 5408767101	07 July 2015	Owner Builder
544/1107/2015	Kallin Property Pty PO Box 7 PORT MACQUARIE	(Sec 191) 20 Dunn Point Road CORNYPPOINT	Garage	10a	16.5	5,000	Planning 5 Building 2	107052 5400701482	30 June 2015	Owner Builder

544/1108/2015	G Meyer & M Chesser PO Box 178 NOONAMAH	(Lot 80) 4 Para Crescent POINT TURTON	Balcony	10a	14.35	4,890	Planning 3 Building 2 Private Certifier	103499 5400482620	30 June 2015	J & S Pergola Installations BLD53156
544/1114/2015	D Swinden 91 Fifth Avenue JOSLIN	(Lot 12) 18 Oyster Point Drive STANSBURY	Garage & Carport	10a 10a	70.78 46.68	9,000	Planning 6 Building 2	206888 5404701009	10 July 2015	Owner Builder
544/1120/2015	Warrington & Sons C/- Minlaton Caravan Park 1A Maitland Road MINLATON	(Sec 289) (Site 4) 1a Maitland Road MINLATON	Annexe	1a	24.6	8,000	Planning 2 Building 2	303933 5407841007	3 July 2015	Matthew Lampe BLD262044
544/1122/2015	D & M Kerridge PO Box 45 YORKETOWN	(Lot 18) 49 Moorowie Terrace PORT MOOROWIE	Carport	10a	46.065	3,190	Planning 2 Building 2	226035 5406330740	7 July 2015	Owner Builder
544/1123/2015	Babirra Pty Ltd PO Box 21 STANSBURY	(PCE 92) 4286 St Vincent Highway STANSBURY	Implement Shed	7	302.4	30,720	Planning 2 Building Nil	218867 5406163005	20 July 2015	TBA
544/1124/2015	M Delderfield PO Box 170 WAROOKA	(Lot 3) 3882 South Coast Road WAROOKA	Garage	10a	25.8	6,000	Planning 4 Building 2	107565 5400716254	10 July 2015	Brett Dalton BLD196836
544/1130/2015	B & C Price 1 Mallee Street LEIGH CREEK	(Lot 16) 31 Marine Parade PORT MOOROWIE	Garage	10a	112.5	14,551	Planning 6 Building 3	226787 5406370258	24 July 2015	TBA
544/1139/2015	Peter Peart Super PO Box 217 WAROOKA	(Lot 2) 3 McKenzie Avenue WAROOKA	Demolition of Dwelling & Water Tank Structures	1a 10a		29,720	Planning N/A Building 7	100610 5400275006	23 July 2015	Rapid Demolition BLD177376
<b>TOTAL</b>						<b>\$845,543</b>				

## MAITLAND

Dev. App. No.	Name & Addresses	Location	Proposal	Class	Area m <sup>2</sup>	Cost \$	Conditions Planning Building	Assessment / Valuation No	Decision Date	Builder Licence No
544/2288/2014	KA Dunleavy PO Box 159 WILLUNGA	(Sec 378) 50 James Well Road JAMES WELL	Stage Two: Dwelling	1a	100	150,000	Planning 4 Building 4 Private Certifier	34108 4604916157	30 June 2015	TBA
544/2032/2015	M Crkovnik 13 Gully Drive GULFVIEW HEIGHTS	(Lot 23) 2133 Port Victoria Rd PORT VICTORIA	Pergola	10a	42	3,500	Planning 3 Building 1	30288 4604723478	14 June 2015	Owner Builder
544/2038/2015	GJ & AM Adams RSD 17 MAITLAND	(Sec 167) 1291 Old Boundary Road WEETULTA	Demolish Existing Dwelling: New Dwelling & Verandah	1a 10a	221.1 24.7	300,000	Planning 9 Building 4 Private Certifier	44891 4607186508	07 June 2015	TBA



544/2040/2015	FW Gurr & MW Gurr-Van Dijk PO Box 174 PT NOARLUNGA	(Lot 12) 14 Falie Drive PRICE	Dwelling, Porch & Alfresco	1a 10a	149.91 14.62	180,150	Planning 8 Building Nil	407858 4606407057	07 July 2015	Longridge Group Pty Ltd BLD175837
544/2060/2015	Viterra Operations GPO Box 1169 ADELAIDE	Lot 96 HD Cunningham	Advertising Sign	10b	18	7,500	Planning 3 Building Nil	20867 4604015359	16 July 2015	NA
544/2067/2015	DM & JA Stacey PO Box 177 ARDROSSAN	(Lot 7) 30 John Street ARDROSSAN	Attached Verandah, Garage Extension & Free Standing Verandah	10a	40.8 42 34.08	12,238	Planning 5 Granted 3	3707 4600290206	16 July 2015	TBA
544/2069/2015	RS & BJ Taylor 35 John Street ARDROSSAN	(Lot 2) 54 Bridge Road ARDROSSAN	Garage & Verandah	10a	68.25 60.75	11,000	Planning 9 Building 1 Private Certifier	3624 4600289520	30 July 2015	Owner Builder
544/2073/2015	MA & KL Thomson PO Box 18 ARTHURTON	(Sec 218) 157 Sheoak Hill Rd ARTHURTON	Implement Shed	7	1170	111,000	Planning 4 Building 7	45245 4607216201	16 July 2015	TBA
544/2074/2015	BJ & DG Westbrook PMB 26 KADINA	(Sec 494) 152 Westbrook Rd KAINTON	Machinery Shed	7	1008	90,000	Planning 4 Building 7	403485 4607082901	10 July 2015	TBA
544/2086/2015	J Garbutt & C Nottage 17 Bowman Road ARDROSSAN	(Lot 25) 17 Bowman Road ARDROSSAN	Freestanding Carport	10a	18.43	1,000	Planning 2 Building 2	6221 4600371102	01 July 2015	Owner Builder
544/2087/2015	D & JL Threadgold 83 Mooringe Ave CAMDEN PARK	(Lot 208) 26 Cumberland Road PORT CLINTON	Carport	10a	25	1,200	Planning 5 Building 2	41186 4606285109	07 July 2015	Owner Builder
544/2092/2015	KA Eldredge PO Box 307 CLARE	(Lot 61) 7 Marine Parade PORT VINCENT	Verandah & Deck	10a	28.3 28.3	25,000	Planning 4 Building 2	306407 5408155009	29 June 2015	Owner Builder
544/2098/2015	M & AJ Walker 44 Lorne Avenue MAGILL	(Lot 1) 1/14 Davies Terrace PORT VICTORIA	Short Term Tourist Accommodatio n; Dwelling, Garage UMR & Alfresco	1a 10a	157.13 37.04	200,550	Planning 6 Building 1 Private Certifier	427187 4603151850	14 July 2015	Country Living Homes BLD194214
544/2101/2015	BB Robinson & SA Keating 1 Highview Road ARDROSSAN	(Lot 37) 1 Bullock Street ARDROSSAN	Single Storey Dwelling & Garage UMR	1a 10a	217.63 43.91	213,300	Planning 2 Building 1 Private Certifier	429738 4600338257	14 July 2015	Fairmont Home Group Pty Ltd 188013
544/2104/2015	SD Slack & J Ciccozzi 33 Geddos Court ST AGNES	(Lot 57) 5 Kooringa Street PORT VINCENT	Garage & Verandah	10a	54 7.5	8,790	Planning 6 Building 2	421826 5408340159	14 July 2015	TBA

544/2108/2015	RF & BJ Denby 5 Auger Road LEWISTON	(Lot 77) 4 Hawk Road PORT VINCENT	Dwelling	1a	122.13	108,595	Planning Nil Building 1	417154 5408348281	10 July 2015	Selecta Home & Building Group GL56332
544/2110/2015	BW Tapps 11 Bridge Road ARDROSSAN	(Lot 27) 11 Bridge Road ARDROSSAN	Verandah	10a	37	11,000	Planning 2 Building 2 Private Certifier	2378 4600266011	10 July 2015	TBA
544/2111/2015	PD & MK Justice 12 Olinda Court CRAIGMORE	(Lot 6) 11 Moonta Terrace PORT CLINTON	Garage	10a	118.5	9,900	Planning 7 Building 2	40576 4606241253	28 July 2015	Owner Builder
544/2114/2015	BN Rowntree PO Box 17 ARDROSSAN	(Sec 131E) 583 Kenny Road PETERSVILLE	Grain Shed / Machinery Shed	10a	720	147,000	Planning 4 Building 6	21550 4604067255	27 July 2015	Grant Sheds BLD189717
544/2117/2015	RA Doig 32 Braemar Road TORRENS PARK	(Sec 5) 1090 Hickman Road CURRAMULKA	Hay Shed	7	391.68	50,000	Planning 4 Building Nil	312181 5408505005	07 July 2015	PJ Obst BLD147287
544/2118/2015	CJ & SA Palin PO Box 245 MAITLAND	(Lot 7) 8-14 Ardrossan Road MAITLAND	Garage	10a	108	12,480	Planning 5 Building 2	12757 4602049002	14 July 2015	TBA
544/2119/2015	BW & GJ Highett PO Box 1061 PORT VINCENT	(Sec 449) 11 Kerr Street SHEOAK FLAT	Garage	10a	36	5,780	Planning 5 Building 2	315606 5408664460	15 July 2015	TBA
544/2135/2015	IH McDowell 167 Target Hill Rd SALISBURY HGHT	(Lot 30) 17 Bowsprit Way PORT VICTORIA	Pergola	10a	31.5	7,000	Planning 2 Building 2	415299 4603167553	27 July 2015	B Forrest 265637
544/2138/2015	Aboriginal Lands Trust 65 Parrys Ave POINT PEARCE	Sec 295 – 296 Point Pearce Road POINT PEARCE	Demolition of Dwelling	1a	123.5	3,500	Planning Nil Building 7	24216 4604317058	15 July 2015	TBA
<b>TOTAL</b>						<b>\$1,670,483</b>				

#### LAND DIVISIONS

Dev. App. No.	Name & Address	Location	Proposal	Conditions Planning Building	Assessment / Valuation No	Decision Date
544/D004/2015	Triumph Residential & Commercial Pty C/- Multi Design & Drafting PO Box 662 GAWLER	(Lot 13, 14 & 15) 44, 42 & 40 Seaview Court STANSBURY	Land Division	Planning 1 Land Division 6	428482 5404804788	2 July 2015
544/D009/2015	J Harvey C/- SKS Surveys Pty Ltd PO Box 325 STEPNEY	(Sec 528 & Lot 2) 60, 62 & 64 Minlaton Road YORKETOWN	Land Division	Planning 1 Building 2	200170 5403341523	2 July 2015

## **DIRECTOR DEVELOPMENT SERVICES**

### **IA/ITEM 4.6**

#### **3. WASTEWATER SYSTEM APPLICATION DECISIONS**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To inform the Elected Members of Wastewater Application decisions for the period 29 June 2015 to 31 July 2015.

##### **RECOMMENDATION**

That the report be received.

##### **LINK TO STRATEGIC PLAN**

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

##### **BACKGROUND**

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

##### **DISCUSSION**

The following is a list of all Wastewater System applications processed for the period 29 June 2015 to 31 July 2015.

##### Maitland

050/144/2014	050/028/2015	050/046/2015
050/047/2015	050/048/2015	050/057/2015
050/063/2015	050/064/2015	050/067/2015

##### Yorke town

050/029/2015	050/038/2015	050/056/2015
050/058/2015	050/070/2015	

##### **COMMUNITY ENGAGEMENT PLAN**

Not Applicable

## **CONSULTATION PROCESS**

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

- Environmental Health Officer

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

- Nil

## **POLICY IMPLICATIONS**

Nil

## **BUDGET AND RESOURCE IMPLICATIONS**

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

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Local Government Act 1999

Development Act 1993

Environmental Protection Act 1993

Council's Development Plan

## **ATTACHMENTS**

**Attachment 1:** Wastewater Application Decision Register

**LIST OF WASTE CONTROL APPLICATIONS & DECISIONS ISSUED BY THE ENVIRONMENTAL HEALTH OFFICERS UNDER DELEGATION  
FOR THE PERIOD 29 JUNE 2015 – 31 JULY 2015**

**Maitland**

Septic App. No.	Owner	Location	Proposal	Conditions	Assess. No	Decision Date	Plumber & Licence No
050/144/2014	KA Dunleavy PO Box 159 WILLUNGA	(Sec 378) 50 James Well Road JAMES WELL	Alteration to Existing Septic Tank	11	34108	30 June 2015	TBA
050/028/2015	FW Gurr & MW Gurr-Van Dijk PO Box 174 PORT NOARLUNGA	(Lot 12) 14 Falie Drive PRICE	Aerobic System	11	407858	07 July 2015	Longridge Group
050/046/2015	D & R Gerke 60 Seventh Avenue ST PETERS	(Lot 23) 21 Young Avenue PORT VINCENT	Alteration Septic & Soakage	11	308072	09 July 2015	Gerke Nominees
050/047/2015	M & AJ Walker 44 Lorne Avenue MAGILL	(Lot 1) 1/14 Davies Terrace PORT VICTORIA	Sewer Connection	11	427187	14 July 2015	Country Living Homes
050/048/2015	RF & BJ Denby 5 Aunger Road LEWISTON	(Lot 77) 4 Hawk Road PORT VINCENT	STED Connection	11	417154	10 July 2015	AJ Ryan
050/057/2015	BB Robinson & SA Keating 1 Highview Road ARDROSSAN	(Lot 37) 1 Bullock Street ARDROSSAN	STED Connection	11	429738	14 July 2015	Garrard Plumbing & Civil
050/063/2015	GJ & AM Adams RSD 38 MAITLAND	(Sec 167) 1291 Old Boundary Road MAITLAND	New Septic & Soakage System	11	44891	07 July 2015	Moonta Plumbing & Gas
050/064/2015	Port Victoria Progress Association PO Box 182 PORT VICTORIA	(PTL 1) 1A Kuhn Terrace PORT VICTORIA	CWMS Connection (Dump Point)	11	15388	22 July 2015	TBA
050/067/2015	M & P Goldfinch 3 Modler Road MORPHETT VALE	(Site 24) 1 Park Terrace ARDROSSAN	STED Connection	11	59	20 July 2015	TB Simmons

**Yorketown**

Septic App. No.	Owner	Location	Proposal	Conditions	Assess. No	Decision Date	Plumber & Licence No
050/029/2015	B & S Wormald 12 Exhibition Drive HEWETT	(Sec 1242) 32 Ospray Drive MARION BAY	Septic & Soakage	11	120436	13 July 2015	Country Living Homes

050/038/2015	B & PJ Connerton PO Box 268 STANSBURY	(Sec 196) 108 Adelaide Road STANSBURY	Septic & Soakage	11	209247	23 July 2015	Owner Applicant
050/056/2015	S & C Pilkington 17 Burra Road SADDLEWORTH	(Lot 31) 9 Bayview Road CORNLY POINT	Septic & Soakage	11	106070	2 July 2015	Chris Hart Plumbers
050/058/2015	PH & JA Allford 13 Amethyst Crescent HOPE VALLEY	(Sec 300) 1098 North Coast Road POINT SOUTTAR	Septic & Soakage	11	116350	16 July 2015	Kendale Homes
050/070/2015	A Hatswell 8a Buckley Cres FAIRVIEW PARK	(Lot 7) 5 Mariner Court POINT TURTON	Sewer Connection	11	425843	14 July 2015	Darren White

## **DIRECTOR DEVELOPMENT SERVICES**

### **IA/ITEM 4.6**

#### **4. MANAGEMENT PLAN – DUNE REHABILITATION** (File Ref: 9.24.1.1)

##### **PURPOSE**

To inform Elected Members of action taken regarding disturbance of dunes and native vegetation on Crown land at Wauraltee.

##### **RECOMMENDATION**

That the report be received

##### **LINK TO STRATEGIC PLAN**

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

##### **BACKGROUND**

In August 2014, the owner of Lot 5, Conservation Drive, Hundred of Wauraltee undertook clearance of vegetation on a coastal reserve (Crown Land) located between the coast and his allotment without the approval of Council or the Crown.

Council became aware of the matter after receiving a complaint from the public. An investigation was undertaken by Council Officers and it was apparent that considerable disturbance of the foreshore dune had taken place and native vegetation had been removed. The matter was reported to State Government authorities, including the Department of Environment, Water and Natural Resources, the Coast Protection Board and the Native Vegetation Authority.

State government departments either did not have the resources or authority to undertake enforcement proceedings so Council Officers pursued rehabilitation of the site under the Development Act as the excavation or fill of land, exceeding 9 cubic metres, is 'Development' in a Coastal Zone.

In site discussions with the owners of Lot 5 Conservation Drive, the owners admitted to carrying out the work advising he was removing boxthorns, which he understood that Council would support. The owners were advised that the work undertaken was not on their land but on Crown Land under the Care, Control and Management of Council. They were also informed that the work undertaken constituted 'Development' and heavy penalties could be issued under the Development Act for doing such work without the prior consent of Council.

Council Officers negotiated with the owners to waive any enforcement action provided that the owners prepare a Management Plan for the rehabilitation of the disturbed area and carry out the rehabilitation in accordance with that Plan.

The Management Plan was duly prepared by 'Environments by Design' (a company with significant experience in rehabilitation of dune areas) and work has now commenced on the rehabilitation of the area.

## **DISCUSSION**

Council has now tied the rehabilitation of this area to a legal notice under the Development Act so that enforcement action can still be taken if the owner fails to carry out the work as agreed. If the land is sold, any new owner will be formally notified of the Notice and be liable to complete the work in accordance with the Plan.

## **COMMUNITY ENGAGEMENT PLAN**

Level 1: Providing information to assist understanding of how decisions were made.

## **CONSULTATION PROCESS**

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

- Nil

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

- Department of Environment, Water and Natural Resources
- Native Vegetation Authority
- Coast Protection Board

## **POLICY IMPLICATIONS**

Nil

## **BUDGET AND RESOURCE IMPLICATIONS**

Costs associated with the preparation of the Management Plan are borne by the land owner. There are no immediate or ongoing costs to Council other than the administration issues associated with monitoring and ensuring the work is undertaken in accordance with the Plan.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Development Act, Section 32  
Development Regulations, Reg 84  
Local Government Act, Section 7(e)

The implementation of the Management Plan mitigates the risk of others carrying out similar activities and demonstrates that Council is prepared to take enforcement action for breaches of legislation.

## **ATTACHMENTS**

**Attachment 1:** Photographs –Before & After

**Attachment 2:** Photographs – Commencement of Rehabilitation





Lot 5 Conservation Drive 2009



Lot 5 Conservation Drive 2015



## Commencement of Rehabilitation Work – Wauraltee



Sand drift fencing and seedling planting – July 2015



Rabbit Proof Fencing – July 2015

## **DIRECTOR DEVELOPMENT SERVICES**

### **IA/ITEM 4.6**

#### **5. ENVIRONMENTAL HEALTH ACTIVITY REPORT**

(File Ref: 9.24.1.1)

##### **PURPOSE**

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

##### **RECOMMENDATION**

That the report be received.

##### **LINK TO STRATEGIC PLAN**

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

##### **BACKGROUND**

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

##### **DISCUSSION**

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

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

The EHO conducted a food handling and hygiene presentation to Leisure Options staff and volunteers in the Minlaton Chambers on Thursday 28 May. The information enabled the participants to assess:

- food handling and hygiene during cooking activities
- the suitability of venues where food is prepared and/or served
- the storage of food, including lunches brought to activities by clients.

The EHO was on annual leave throughout June.

It is pleasing to note that Jo Buchanan, from Regional Development Australia Yorke and Mid North (RDAYMN), will be based at the Maitland office fortnightly on a Thursday. The Yorke Peninsula has a significant number of home based businesses including food businesses. Many people embark on a home business as a means to:

- engage their skills
- supplement the family income
- involve them in the community and keep them on the Peninsula.

The EHO inspects premises involved in making food at home and is able to advise on food safety and hygiene, but many individuals embarking on a business enterprise need assistance with insurance, marketing and appropriate courses. Jo Buchanan can supply

advice and hopefully steer people in correct directions. Supporting small home based businesses in this way is a great service; some of those small businesses may grow and employ local people.

#### **COMMUNITY ENGAGEMENT PLAN**

Not applicable

#### **CONSULTATION PROCESS**

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

- Nil

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

- Nil

#### **POLICY IMPLICATIONS**

Not applicable

#### **BUDGET AND RESOURCE IMPLICATIONS**

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

#### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

South Australian Public Health Act 2011.

Food Act 2001

South Australian Public Health (Wastewater) Regulations 2013

On-site Wastewater Systems Code

Safe Drinking Water Act 2011

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

#### **ATTACHMENTS**

**Nil**

# DEBATE

# AGENDA

## **CHIEF EXECUTIVE OFFICER**

### **DA/ITEM 6.1**

#### **1. ELECTED MEMBERS TRAINING AND DEVELOPMENT POLICY**

(File Ref:9.24.1.1)

##### **PURPOSE**

For Council to endorse and adopt the Elected Members Training and Development Policy.

##### **RECOMMENDATION**

That Council endorse and adopt the updated Elected Members Training and Development Policy and draft training plan in accordance with the requirements of Section 80A of Local Government Act.

##### **LINK TO STRATEGIC PLAN**

Key Theme: Corporate Governance and Leadership  
1. Progressive Communities through Strategic Planning  
Strategic Goals: 1.2 Knowledgeable and skilled decision makers

##### **BACKGROUND**

The updated Elected Members Training and Development Policy has been prepared to reflect a recent change in Mandatory Training requirements for Elected Members following a local government election.

##### **DISCUSSION**

Council's Elected Members Training and Development Policy is a statutory policy required to comply with the legislation surrounding equipping Elected Members effectively to undertake their roles and responsibilities.

In support of the policy a draft Elected Members Training Plan has also been developed to identify the essential and desirable training requirements for Elected Members. The current plan reflects training undertaken to date. The plan will be further developed with Elected Members over the course of their term.

Some elements of the Training Plan are mandatory and it is the responsibility of the Chief Executive Officer to ensure that these requirements are met.

The changes/alteration from the existing policy are minimal and predominantly reflect the change in regulations. The formatting however was significant with a tracked changed document being very difficult to decipher, for this reason attachment 2 is the existing policy.

A copy of the original policy is attached and also the updated copy of the policy, it was unable to track the changes on this occasion as the end result was too confusing to understand.

##### **COMMUNITY ENGAGEMENT PLAN**

Not applicable

## **CONSULTATION PROCESS**

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

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

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

- Nil

## **POLICY IMPLICATIONS**

PO135 Elected Members Training and Development Policy  
Mandatory Code of Conduct

## **BUDGET AND RESOURCE IMPLICATIONS**

Not applicable

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Local Government Act 1999

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

## **ATTACHMENTS**

Attachment 1: Updated Elected Members Training and Development Policy & Plan

Attachment 2: Original Elected Members Training and Development Policy



# COUNCIL POLICY

## Elected Members Training and Development Policy

<b>Policy Number:</b>	PO135		
<b>Strategic Plan Objective</b>	Knowledgeable and skilled decision makers		
<b>Policy Owner:</b>	Chief Executive Officer	<b>File Number:</b>	9.63.1
<b>Responsible Officer:</b>	Governance Officer	<b>Minute Reference:</b>	
<b>Date Adopted:</b>		<b>Next Review Date:</b>	August 2019

### 1. POLICY OBJECTIVES

To ensure that Yorke Peninsula Council (Council) Elected Members are offered opportunities to undertake the required training in accordance with the Local Government Association (LGA) Training Standards and any other appropriate training and development activities relevant to their roles and functions.

### 2. SCOPE

This Policy applies to all Elected Members, who each have an obligation to abide by this Policy.

### 3. DEFINITIONS

Key competencies	Key skills and knowledge considered by Council to be essential to the effective functioning of Elected Members
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### 4. POLICY STATEMENT

Council is committed to providing training and development activities for its Elected Members and recognises its responsibility to develop and adopt a policy for this purpose under section 80A of the Local Government Act.

#### 4.1 Training and Development Plan

Following a general election, Council will develop and adopt a Training and Development Plan (Plan attached as Appendix 1) to ensure:

- That training activities are available to all Council Members;
- That mandatory training is undertaken within the first year of election to office, in accordance with the LGA Training Standards as defined in regulation 8AA of the Local Government (General) Regulations 2013;
- That training in Key Competencies is undertaken within the first six months of election to office;
- That training activities contribute to the personal development of the individual and the achievement of the strategic and good governance objectives of Council;
- Participation of Elected Members in the development of a new team following a general election and in the orientation of first time Elected Members.



In order to carry out their roles and responsibilities to the community, Elected Members need specific training and refresher courses about their legislative and governance roles and functions. The modules contained within the [LGA Training Standards](#) (accessed via the LGA website) form the basis of the required training:

**Module 1** - Introduction to Local Government - Role and function of Council Members

**Module 2** - Legal Responsibilities

**Module 3** - Council and committee meetings

**Module 4** - Financial Management and Reporting

Council Members who are new to Council will be required to undertake all four modules. Returning Council Members will undertake modules **2** and **4** as a minimum and further modules as identified through a 'gap analysis' of their skills and training needs.

A range of additional strategies may also be utilised to identify the needs of Council and match these needs against strategic and good governance objectives, including surveys/questionnaires, interviews and workshops.

Other training issues will also emerge that are directly related to specific service areas and other community issues that address environmental, social and economic challenges facing the community.

Elected Members participate in an annual review of the Plan to allow 'gaps' to be identified and incorporated into the Plan.

#### 4.2 Training Delivery

A range of delivery methods will be utilised to support the training needs of Elected Members, including:

- In-house workshops, seminars and briefing sessions conducted by the Council with appropriate staff, trainers and guest speakers;
- Attendance at workshops, seminars and conferences offered by training providers and industry bodies;
- Printed material, including training booklets and discussion papers;
- On-line learning;
- CD Rom/DVD information.

The agreed delivery method will be incorporated into the Plan.

Failure to deliver the mandatory training requirements in the relevant time, amounts to a breach of the Council Members Code of Conduct.

#### 4.3 Budget

An annual budget allocation is provided to support Elected Member training and development activities and adopted each year as part of the budget process.

In years where a general or supplementary election occurs, it is anticipated that a greater budget allocation may be required.

All training undertaken by Elected Members will be recorded in the Elected Members Training Register which supports the Council Allowances and Benefits Register. These registers will be updated as required to reflect attendances.

#### **4.4 Attendance at Training Programs/Seminars/Conferences**

Elected Member training must link to the Plan unless otherwise agreed with Council. The Chief Executive Officer (CEO) is responsible for the Corporate Governance budget, which includes Elected Member training expenses. Approval for attendance at Training and Seminars must be sought from the Chief Executive Officer prior to any bookings being undertaken.

Payments and Reimbursements of expenditure relating to Elected Members training will only be provided where the Elected Member has sought approval from the Chief Executive Officer for attendance.

All interstate travel for Elected Members, must be approved by Council, with the exception of the ALGA National General Assembly in Canberra in June and the LGMA National Congress and Business Expo held in May each year. Traditionally the Mayor attends these two events and other Elected Members are encouraged to attend on a best practice basis.

Where the budget has been expended, the CEO may seek approval for an additional budget allocation from Council.

Information about training and bookings can be made through the CEO, Executive Assistant to the CEO and Mayor or the Governance Officer.

#### **4.5 Evaluation**

Following attendance at training programs/seminars/conferences, Elected Members will submit a brief report to the CEO, outlining the nature of the training undertaken, the benefits gained and any ideas or feedback to enhance the programme/activity.

These reports are to be used as an evaluation tool by the Chief Executive Officer.

#### **4.6 Annual Reporting**

Council's Annual Report must include a statement regarding the operation of this policy, attendances by Members and the expenditure allocated and used for training and development of Elected Members to be sourced from the Elected Members Training Register.

### **5. COMPLAINTS**

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

### **6. REVIEW**

This policy will be reviewed within 12 months of a general election and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

### **7. PUBLIC ACCESS**

A person is entitled to inspect this policy (without charge) at the principal office of the council during ordinary office hours. A person is entitled, on payment of a fee fixed by the Council, to a copy of this policy.

## 9. RELATED COUNCIL POLICIES AND DOCUMENTS

Yorke Peninsula Council Strategic Plan

Yorke Peninsula Council Annual Business Plan and Budget

PO088 Elected Members use of Council Supplied Electronic Equipment

PO089 Elected Members Facilities, Services and Expenses

PO091 Risk Management

PO110 Elected Members Travel Policy

## 10. REFERENCES AND LEGISLATION

Local Government Act 1999

Local Government (General) Regulations 2013

Mandatory Code of Conduct for Elected Members

Independent Commissioner Against Corruption Act 2012

## 11. COUNCIL DELEGATION

<b>Delegate:</b>	Chief Executive Officer
<b>Sub Delegate:</b>	Executive Assistant to CEO and Mayor

## 12. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Elected Members Training Policy	PO135	11/08/2009	08/06/2010
Elected Members Training Policy	PO135	10/04/2013	27/07/2015

In accordance with Section 80A of the Local Government Act 1999 and Section 8AA Local Government (General) Regulations 2013

Council's must have an Elected Members training policy and training provided must comply with the LGA Training Standards as approved by the Minister with the mandatory requirements being undertaken within the first 12 months of office with the responsibility for ensuring compliance being vested with the Chief Executive Officer.

MANDATORY REQUIREMENTS = M KEY COMPETENCY = K	DETAILS	AVAILABLE TO	PROVIDER	COMMENTS
Key competency	Initial Induction Training <b>Day One 2<sup>nd</sup> December 2014</b> <ul style="list-style-type: none"> <li>• Overview of Local Government inc. roles and responsibilities</li> <li>• Governance</li> <li>• Meeting Procedures</li> <li>• Access to information and confidentiality provisions</li> <li>• Committee Structure</li> <li>• Organisational Structure (inc Strategic Overview of Council Services</li> <li>• Update on current legal matters</li> <li>• Site tours – Warooka &amp; Yorketown Offices and Depots</li> </ul>	All Council Members	In house – Executive Services Staff and Directors	

Key competency	<b>Day Two 3<sup>rd</sup> December 2014</b> <ul style="list-style-type: none"> <li>• Planning Framework (Strategic Plan, LTFP &amp; ABP)</li> <li>• Assets and Infrastructure Services overview</li> <li>• Corporate and Community Services overview</li> <li>• Development Services overview</li> <li>• Executive Services overview</li> <li>• Delegations</li> <li>• Review of Council Decisions</li> <li>• Site Tours Minlaton and Maitland Office and Depots</li> </ul>	All Council Members	In house – Executive Services Staff and Directors	
<b>Mandatory Post Election Training presented by Norman Waterhouse Thursday 5<sup>th</sup> February 2015</b>				
Mandatory 1.5 hours	Module 1 – Introduction to Local Government <ul style="list-style-type: none"> <li>• The Australian System of Government</li> <li>• Roles and Functions of Local Government</li> <li>• Elected/Staff Structures</li> <li>• Services Provided by Councils</li> </ul>	All Council Members	Norman Waterhouse	Presented by Trevor O’Gormley
Mandatory 2.0 hours	Module 2 – Legal Responsibilities <ul style="list-style-type: none"> <li>• Role of a Council Member</li> <li>• Delegations</li> <li>• General Duties</li> <li>• Code of Conduct for Elected Members</li> <li>• Conflict of Interest</li> <li>• Register of Interests</li> <li>• Responsibilities concerning the provision of support and resources</li> </ul>	All Council Members	Norman Waterhouse	Presented by Trevor O’Gormley

	<ul style="list-style-type: none"> <li>• Legal Protections for Council Members</li> <li>• External Oversight</li> </ul>			
Mandatory 1.5 hours	Module 3 – Council and Committee Meetings <ul style="list-style-type: none"> <li>• Meeting procedures</li> </ul>	All Council Members	Norman Waterhouse	Presented by Trevor O’Gormley
Mandatory 2.5 hours	Module 4 – Financial Management and Reporting <ul style="list-style-type: none"> <li>• Overview of financial governance responsibilities</li> <li>• Long term financial planning</li> <li>• Long term asset management planning</li> <li>• Audit Committees</li> <li>• Rating</li> <li>• Budgets and Annual Business Plan</li> </ul>	All Council Members	Norman Waterhouse	Presented by JAC Comrie
Key competency	Records Management	All Council Members	Norman Waterhouse	Presented by Trevor O’Gormley and YPC Senior Records Officer – Julie Darling
Key competency	On line training modules	All Council Members	LGA	
	Development Assessment Panel Training	DAP Members	LGA	
	Audit Committee Training	Audit Committee Members	LGA	



# COUNCIL POLICY

## Elected Members Training and Development Policy

<b>Policy Number:</b>	PO135		
<b>Strategic Plan Objective</b>	Key Theme: Corporate Governance and Leadership Objective 1.2 Knowledgeable and skilled decision makers		
<b>Policy Owner:</b>	Chief Executive Officer	<b>File Number:</b>	9.63.1
<b>Responsible Officer:</b>	Governance Officer	<b>Minute Reference:</b>	067/2013(10/04/2013)
<b>Date Adopted:</b>	10 <sup>th</sup> April 2013	<b>Next Review Date:</b>	Within 3 years

### 1. POLICY OBJECTIVES

The objective of this policy is to provide Elected Members with support and assistance to undertake the function and duties associated with their role as an Elected Member and to ensure compliance with Section 80A of the Local Government Act 1999 which states:

- A council must prepare and adopt a training and development policy for its members;
- The policy must be aimed at assisting members in the performance and discharge of their functions and duties;
- A Council may from time to time alter its policy, or substitute a new policy;
- A person is entitled to inspect (without charge) a policy under this section at the principal office of the council during ordinary office hours;
- A person is entitled, on payment of a fee fixed by the Council to a copy of a policy under this section.

### 2. SCOPE

It is acknowledged that Council Members bring a range of knowledge, experience and skills when they are elected, this is enhanced with specific training to assist Elected Members to undertake their roles more effectively. It is essential that Elected Members undertake training relevant to their role.

### 3. DEFINITIONS

Key competencies	Key skills and knowledge considered by Council to be essential to the effective functioning of Elected Members
Core components	Are the foundations of how and why Local Government operates and incorporates key functions and business decision making

### 4. POLICY STATEMENT

The Yorke Peninsula Council is committed to providing training and development activities for its Elected Members and recognises its responsibility to develop and adopt a policy and plan for this purpose under Section 80A of the Local Government Act.

As an organisation Council is committed to support 'life-long' learning.

#### 4.1 Developing a Training and Development Plan

When determining training priorities for Elected Members particular emphasis will be given to the training needs of new Members joining Council following a general or supplementary election.

Following a general or supplementary election and half way through the term of Council all Elected Members will be required to participate in a training needs analysis to allow 'gaps' to be identified and incorporated into the Elected Members Training plan for the term of Council.

The Local Government Association's (LGA) on line Self-Assessment Tool for Council Members will be utilised for the needs analysis.

When selecting training and development opportunities, priority will be given for training and seminars that particularly enhance the required skills of Elected Members, the Council's Committee Structure and those which will provide the greatest outcome for the Council including:

- Role and function of Elected Members
- Role and function of Council Committees
- Relationship between Elected Members, the CEO and staff
- Meeting Procedures
- Conflict of Interest
- Code of Conduct
- Strategic Planning
- Budgets and Financial Sustainability
- Long Term Financial Planning
- Asset Management
- Powers of the Ombudsman
- Community Engagement and Public Participation
- Role of the Local Government Association
- Risk Management
- Legal Issues for Elected Members

In addition to these topics, there may be other specific topics including:

- Coastal protection
- Economic development
- Tourism
- Planning and Development
- Emergency Management

Some of the key competencies identified for Elected Members will be undertaken via in house training and a core component of training will be induction training soon after a general or supplementary election.

Other key competencies considered by Council as essential skills of Elected Members will be scheduled throughout the term of office of the Elected Members.

Elected Members will undertake training to ensure effective functioning as individuals and to support the Council as a decision making body.

Training must link to the Elected Members training plan unless otherwise agreed by Council.



## 4.2 Budget

A budget allocation will be provided to support the training and development activities undertaken by Elected Members and will be included in the Annual Budget and adopted each year as part of the budget process.

In years where a general or supplementary election occurs, it is anticipated that a greater budget allocation may be required to allow for additional training for newly Elected Members.

All training undertaken by Elected Members will be recorded in the Elected Members Training Register which supports the Council Allowances and Benefits Register. These registers will be updated as required to reflect attendances.

## 4.3 Identifying the Range of Training and Development Delivery

Councils will have a range of delivery methods at their disposal to support their identified training needs and must decide which is the most appropriate delivery method for each topic and for the particular Council Member, requiring the training.

Delivery methods include:

- Seminars and informal briefing sessions conducted by Councils
- Attendance at seminars and conferences run by the LGA and other affiliated bodies or private providers enabling Council Members to network with other Members. (Examples are the Residential Training Program for new Elected Members, the seminars provided in conjunction with the general meetings of the LGA and regionally offered programs)
- Specific training due to legislative change
- Training booklets and papers
- LGA information papers
- On line training
- 'In-house' training sessions (for example how to use your I pad or access the LGA/Council website, ICAC or Code of Conduct), delivered by internal staff and/or external providers

## 4.4 Approval for Attendance at Training/Seminars/Conferences

As the Chief Executive Officer is responsible for management of the Corporate Governance budget which includes Elected Members Training, approval for attendance at Training and Seminars must be sought from the Chief Executive Officer prior to any bookings being undertaken. Information about training and bookings can be made through the Executive Assistant to the CEO and Mayor or the Governance Officer.

Priority will be given to Training and Seminars that will provide the most beneficial outcome for the Council.

Payments and Reimbursements of expenditure relating to Elected Members training will only be provided for training and seminars where the Elected Member has sought approval from the Chief Executive Officer for attendance.

All interstate travel for Elected Members, must be approved by Council, with the exception of the ALGA National General Assembly in Canberra in June and the LGMA National Congress and Business Expo held in May each year. These two high level conferences are considered to be best practice in Local Government.

Traditionally the Mayor attends these two events and other Elected Members are encouraged to attend. Should the Council CEO receive additional requests from Elected Members that place the training budget under pressure then this will be referred to Council for consideration.

#### **4.5 Annual Reporting**

Council's Annual Report must include a statement regarding the operation of this policy, attendances by Members and the expenditure allocated and used for training and development of Elected Members to be sourced from the Elected Members Training Register.

### **5. TRAINING AND DEVELOPMENT PLAN**

Following Elected Members participation in a training needs analysis, key essential competencies will be identified and support provided to enable individual Elected Members to undertake training and development that will enhance their skills and support them in their role as Elected Members.

Opportunities for training and development are regularly received from the LGA and other training providers, specific training that is identified as having a direct benefit to Elected Members will be sent to Elected Members via email seeking an indication of interest from Members to attend.

Where there are other statutory requirements for Elected Members to undertake training (eg Audit Committee Members), this will be organised as soon as practicable following appointment.

### **6. FEEDBACK AND REDEFINING NEEDS AND DELIVERY**

In ensuring that Council maximises the return from investment in their training and development, it is important that feedback is provided on courses/seminars attended. By providing feedback, Council's can identify those methods of training that will provide the most beneficial outcome to Council and the individuals involved.

Elected Members, will be required to submit a brief report to the Chief Executive Officer, outlining the nature of the training undertaken, the benefits gained and any ideas or feedback to enhance the program/activity. These reports will be used as an evaluation tool by the Chief Executive Officer.

### **7. COMPLAINTS**

Any complaints relating to this policy are to be directed to the Chief Executive Officer for attention.

### **8. REVIEW**

This policy will be reviewed within 3 years of being adopted and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

### **9. RELATED COUNCIL POLICIES AND DOCUMENTS**

Strategic Management Plan  
Annual Business Plan and Budget  
PO088 Policy Guiding Elected Members use of Council Supplies  
PO089 Provision of Services and Facilities to Elected Members  
PO091 Risk Management

PO110 Elected Members Travel Policy  
PO123 Code of Conduct for Elected Members

## 10. REFERENCES AND LEGISLATION

Local Government Act 1999  
OHS&W Act

## 11. COUNCIL DELEGATION

<b>Delegate:</b>	Chief Executive Officer
<b>Sub Delegate:</b>	Executive Assistant to CEO and Mayor

## 12. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Elected Members Training Policy	PO 135	11/08/2009	08/06/2010

## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **DA/ITEM 6.2**

#### **1. FINANCIAL REPORT JULY 31 2015**

(File Ref: 9.24.1.1)

##### **PURPOSE**

For Council to receive the financial report and review of capital projects dated July 31, 2015

##### **RECOMMENDATION**

That Council receive the financial reports as at July 31, 2015.

##### **LINK TO STRATEGIC PLAN**

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

##### **BACKGROUND**

Finance staff have undertaken to present a Financial Report and a Capital Projects Report for Projects over \$50,000 to Council encompassing results to the end of each calendar month preceding each scheduled Council meeting.

##### **DISCUSSION**

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

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

##### **COMMUNITY ENGAGEMENT PLAN**

Not Applicable

##### **CONSULTATION PROCESS**

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

- Manager Financial Services

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

- Nil

## **POLICY IMPLICATIONS**

PO 142 Budget Reporting and Amendment Policy

## **BUDGET AND RESOURCE IMPLICATIONS**

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

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Local Government Act 1999

Local Government (Financial Management) Regulations 2011

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

## **ATTACHMENTS**

**Attachment 1:** Uniform Presentation of Finances 31/07/15

**Attachment 2:** Capital Projects Report for Council 31/07/15 (Projects over \$50,000)

## Yorke Peninsula Council

### Budgeted Uniform Presentation of Finances as at 31st July 2015

	2015/16 Actuals	YTD \$'000
Income		-\$20,312
Less Expenses		\$1,842
<b>Operating Deficit before Capital Amounts</b>		<b>-\$18,470</b>
<b>Less Net Outlays on Existing Assets</b>		
Capital Expenditure on renewal and replacement of Existing Assets		\$67
Less Depreciation, Amortisation and Impairment		
Less Proceeds on Sale of Assets		-\$18
		<b>\$49</b>
<b>Less Net Outlays on New and Upgraded Assets</b>		
Capital Expenditure on New and Upgraded Assets		\$72
Less Amounts received specifically for New and Upgraded Assets		\$0
		<b>\$72</b>
<b>NET(LENDING) / BORROWING FOR FINANCIAL YEAR</b>		<b>-\$18,349</b>

2015/16 Full Year Adopted Budget \$'000	2015/16 Full Year Budget Revisions \$'000	2015/16 Full Year Revised Budget \$'000
-\$26,690	\$0	-\$26,690
\$29,450	\$0	\$29,450
<b>\$2,760</b>	<b>\$0</b>	<b>\$2,760</b>
\$7,707	\$0	\$7,707
-\$8,700	\$0	-\$8,700
-\$377	\$0	-\$377
<b>-\$1,370</b>	<b>\$0</b>	<b>-\$1,370</b>
\$3,475	\$0	\$3,475
-\$2,315	\$0	-\$2,315
<b>\$1,160</b>	<b>\$0</b>	<b>\$1,160</b>
<b>\$2,550</b>	<b>\$0</b>	<b>\$2,550</b>



## Yorke Peninsula Council

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

		Adopted Budget		Scheduled Start		Scheduled Finish		Spent To Date		% Physically Complete	Reviewed
		New	Renewal					New	Renewal		Y/N
<b>Buildings</b>	<b>TOTAL BUILDINGS BUDGET</b>	<b>\$100,000</b>	<b>\$356,000</b>					<b>\$0</b>	<b>\$0</b>		
	Maitland Hall - Concrete Cancer		\$270,000	Nov-15	Jun-15			\$0		0.00%	N
<b>CWMS</b>	<b>TOTAL CWMS BUDGET</b>	<b>\$117,000</b>	<b>\$153,000</b>					<b>\$860</b>	<b>\$1,030</b>		
<b>Water</b>	<b>TOTAL WATER BUDGET</b>	<b>\$27,000</b>	<b>\$0</b>					<b>\$0</b>	<b>\$0</b>		
<b>Transportation</b>	<b>TOTAL TRANSPORTATION BUDGET</b>	<b>\$1,571,072</b>	<b>\$5,335,542</b>					<b>\$0</b>	<b>\$24,342</b>		
	S2 Rubble Raising	\$200,000		Aug-15	Jun-16			\$0		0.00%	N
	S3 Reseals		\$130,000	Aug-15	Jun-16			\$0		0.00%	N
	S6 McCauley Road		\$116,752	Dec-15	Feb-16			\$0		0.00%	N
	S8 Nalyappa Road		\$123,880	Aug-15	Oct-15			\$0		0.00%	N
	S9 North South Road		\$111,398	Apr-16	Jun-16			\$0		0.00%	N
	S11 Saint Road		\$101,002	Sep-15	Oct-15			\$0		0.00%	N
	S14 McFarlane Road		\$76,800	Aug-15	Sep-15			\$0		0.00%	N
	S16 Brutus Road		\$184,430	Sep-15	Oct-15			\$0		0.00%	N
	S18 Daly Head Road		\$219,206	Oct-15	Dec-15			\$0		0.00%	N
	S19 Dump Road		\$137,017	Apr-16	May-16			\$0		0.00%	N
	S20 Old Coast Road		\$156,316	May-16	Jun-16			\$0		0.00%	N
	S21 Old Port Vincent Road		\$175,749	May-16	Jun-16			\$0		0.00%	N
	S22 Recluse Road		\$95,375	Mar-16	Apr-16			\$0		0.00%	N
	S23 South Coast Road		\$189,949	Jul-15	Sep-15			\$24,342		12.00%	N
	S24 Waterloo Bay Road		\$50,129	Jan-16	Feb-16			\$0		0.00%	N
	S25 Wattle Point Road		\$84,564	Mar-16	Apr-16			\$0		0.00%	N
	S27 Clinton Road (subject to funding approval)	\$1,124,000		Oct-15	Apr-16			\$0		0.00%	N
	S30 Transport acceleration		\$3,000,000	TBA				\$0		0.00%	N
	E1 Harmer Road		\$88,996	Apr-16	Jun-16			\$0		0.00%	N
	E3 Weavers Road North		\$111,660	Feb-16	Apr-16			\$0		0.00%	N
	E5 Fourth Street, Artherton	\$80,003		Oct-15	Dec-15			\$0		0.00%	N
	E8 Bramley Road, Edithburgh	\$79,069		Oct-15	Dec-15			\$0		0.00%	N
	E10 Cutline Road		\$67,322	Jun-16	Jun-16			\$0		0.00%	N



## Yorke Peninsula Council

### 2015/2016 Capital Budget

#### Projects Over \$50,000

E13 Footpath - Elizabeth Street, Maitland

E18 Polkinghorne Road

Adopted Budget	
New	Renewal

Scheduled Start	Scheduled Finish
-----------------	------------------

Spent To Date	
New	Renewal

% Physically Complete
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Reviewed
Y/N

#### Plant TOTAL PLANT BUDGET

\$175,000	\$1,484,000
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\$0	\$24,788
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Construction Grader

Front End Loader - Northern Construction

Front End Loader - Southern Construction

Works Vehicles

Admin Vehicles

12 Tonne Vibrating Roller

	\$385,000
	\$298,000
	\$247,000
	\$128,000
	\$396,000
\$175,000	

Aug-15	Oct-15
Aug-15	Oct-15
Aug-15	Oct-15
Aug-15	Jun-16
Jul-15	Jun-16
Aug-15	Oct-15

	\$0
	\$0
	\$0
	\$0
	\$24,788
\$0	

0.00%
0.00%
0.00%
0.00%
6.00%
0.00%

N
N
N
N
N
N

Trade Ins

\$377,000

#### Stormwater TOTAL STORMWATER BUDGET

\$67,500	\$0
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\$3,060	\$0
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#### Other Assets TOTAL OTHER ASSETS BUDGET

\$1,421,000	\$377,500
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\$68,206	\$16,748
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Walk the Yorke - as per Funding Agreement (400k Grant Funding)

Point Turton CP Cabin Furnishings Rejuvenation (10 Cabins) - High

Marion Bay CP Fire Hose Reel System - High

EDRMS System Installation

Council Phone System

32 Replacement Computers (Renewal Programme)

Marion Bay Boat Ramp Feasibility Study (50% SABFAC - \$50k)

Formby Bay Action Group - Remedial Work (\$92k less Grants etc of \$62k)

\$800,000	
	\$65,000
\$60,000	
\$175,000	
\$27,000	\$50,000
	\$64,000
\$100,000	
\$80,000	

Jul-15	Dec-15
Aug-15	Oct-15
Apr-16	Jun-16
Aug-15	Feb-16
Aug-15	Sep-15
Jan-16	Apr-16
Sep-15	Jun-16
TBA	

\$66,836	
	\$0
\$0	
\$0	
\$0	\$0
	\$0
\$0	
\$0	

5.00%
0.00%
0.00%
0.00%
0.00%
0.00%
0.00%
0.00%

N
N
N
N
N
N
N
N



## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **DA/ITEM 6.2**

#### **2. YORKE PENINSULA COMMUNITY TRANSPORT SERVICE AGREEMENT**

(File Ref: 9.24.1.1)

##### **PURPOSE**

For Council to endorse the draft Service Agreement for funding of Yorke Peninsula Community Transport Inc. in 2015/2016 by Yorke Peninsula Council in conjunction with the District Council of Copper Coast, and the District Council of Barunga West which will allow presentation of this Service Agreement to Yorke Peninsula Community Transport Inc. board of management before the meeting scheduled with them on 18 August 2015.

##### **RECOMMENDATION**

That Council endorse the Yorke Peninsula Council proposed draft Service Agreement for funding of Yorke Peninsula Community Transport Inc. for the period 1 July 2015 to 30 June 2016 as attached.

##### **LINK TO STRATEGIC PLAN**

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

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

##### **BACKGROUND**

The current service agreement between District Council of Barunga West (DCBW), District Council of the Copper Coast (DCCC), Yorke Peninsula Council (YPC) and Yorke Peninsula Community Transport Inc. is overdue for renewal for the period of 1 July 2015 to 30 June 2016.

As Yorke Peninsula Community Transport Inc. has recently met statutory provisions deeming it a Prescribed Association and, in light of the board of management's decision to break auspice service ties with Yorke Peninsula Council, a complete review of the Service Agreement which operated up until 30 June 2015 is required.

Suggested drafts presented to Yorke Peninsula Council (YPC) to date by Yorke Peninsula Community Transport Inc. have not been acceptable to YPC in regard to risk exposure and representation of Councils to the board of management.

A meeting with the Yorke Peninsula Community Transport Inc. Board is scheduled for 10am on 18 August 2015 at which staff wish to formalise YPC's endorsed version of this Service Agreement.

## DISCUSSION

Advice received from YPC's auditors confirms that risk exposure to YPC is a very real issue under the proposals put forward by Yorke Peninsula Community Transport Inc. following their decision to no longer be associated with YPC under an auspice arrangement.

To ensure the best protection for YPC in that regard YPC's auditors have confirmed advice that YPC should transfer title of the 5 vehicles currently provided to Yorke Peninsula Community Transport Inc. and for YPC to continue to make annual contributions towards vehicle changeover costs and running costs.

This advice is based on the fact that volunteer drivers of vehicles used by Yorke Peninsula Community Transport Inc. are engaged directly by, and are now under the control of, Yorke Peninsula Community Transport Inc. and YPC will have no way going forward to ensure these volunteers are correctly inducted and managed on a day to day basis.

Similar advice has been received from YPC's insurer, Local Government Association Mutual Liability Scheme, with concerns that volunteers, not under the guidance and control of YPC, but driving vehicles owned and insured by YPC, will not be fully covered for all essential insurance.

YPC staff are also concerned regarding the possible impact on YPC's long term risk profile should these vehicles continue to be owned and insured by YPC. In all other areas Yorke Peninsula Community Transport Inc. has now been set up as independent of the contributing Councils and the expectation that the Councils will continue to accept all risk in regard to vehicles is not viable in the opinion of Council staff and fraught with risk issues on the advice of both YPC's auditors and insurers.

As YPC makes a substantial investment of up to \$85,000 p.a. in this critical community service and the service is now operating for the first time without auspice services from YPC, it is also considered of paramount importance that ratepayer's funds are correctly managed and that sound governance is assured. To this end it is proposed that the Chief Executive Officer (CEO) of each Council is the preferred representative of Councils to the Yorke Peninsula Community Transport Inc. board of management.

Major changes to the draft Service Agreement suggested by Yorke Peninsula Community Transport Inc.:

<b>Yorke Peninsula Council Draft</b>	<b>Yorke Peninsula Community Transport Draft</b>	<b>Why?</b>
YPC vehicles (5) to be transferred to Yorke Peninsula Community Transport Inc. free of charge.	YPC vehicles (5) to remain under ownership of YPC with all risk to YPC.	Risk to Council without care and control of volunteers not considered viable or manageable.

		Advice insurance will not be adequate.
Contributions to be made annually by YPC towards replacement of vehicles (\$40,000 p.a.) and running costs of vehicles (\$2,400 per vehicle p.a.).	All ownership costs to be borne by YPC including replacement, registration, insurance, tyres, services and repairs – uncapped.	Finite contribution defined. "Extra" funding at discretion of Councils.  Facilitates full independence of Yorke Peninsula Community Transport Inc.
All insurance and related risk to be managed by Yorke Peninsula Community Transport.	All insurance and related risk to be managed by YPC.	Risk to Council without care and control of volunteers not viable or manageable.
Review meetings in February to consider "extra" funding required AND consider refunds to Councils if excess funds accumulated.	Review meetings in February to consider "extra" funding required if any.	Full, transparent accountability in relation to Community funds.
CEO (or proxy who must be an Elected Member of relevant Council) to be Council representative to Board	Elected Member to be Council representative on Board (or another Council Rep)*  * Note: Clashes with Constitution which requires Council representative be "an Elected Member at all times."	Essential governance and facilitation of smooth transition to fully independent status.  Risk management.
Administration contribution (YPC - \$12,680 p.a.) to be made if funds at bank fall below \$100,000.	Administration contribution (YPC - \$12,680 p.a.) to be made if funds at bank fall below \$50,000.	Full accountability in relation to Community funds. Liquidity of Yorke Peninsula Community Transport.
All Operating Costs responsibility of YP Community Transport.	Yorke Peninsula Community Transport responsible for "selected" operating costs only.	Finite contribution defined. "Extra" funding at discretion of Councils.  Facilitates full independence of Yorke Peninsula Community Transport Inc.

Please note that the draft agreement still requires input from District Council of the Copper Coast (DCCC) and the District Council of Barunga West (DCBW) in relation to fleet vehicle provision by them and corresponding figures within Schedule 1. Both DCCC and DCBW CEO's have been made aware of and agree with all changes made to the agreement but are still to decide on a method of making vehicles available to Yorke Peninsula Community Transport Inc. in their council areas. The most likely methods to be adopted include novated leasing or direct title transfer as recommended for YPC.

As all risk considerations currently exist in the absence of an established Service Agreement between Councils and Yorke Peninsula Community Transport Inc. it is recommended the draft Service Agreement be presented to the Yorke Peninsula Community Transport Inc. board of management as soon as possible and as YPC's only offer in regard to what is a substantial funding commitment for the 2015/2016 financial year.

## **COMMUNITY ENGAGEMENT PLAN**

Not Applicable

## **CONSULTATION PROCESS**

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

- Chief Executive Officer
- Elected Members of YPC

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

- YPC Auditors
- Local Government Association Mutual Liability Scheme

## **POLICY IMPLICATIONS**

Not applicable

## **BUDGET AND RESOURCE IMPLICATIONS**

Council has in the past made a financial contribution to operations of YPCTS, providing both \$40,000 for replacement vehicle costs and a financial contribution of \$10,000 annually for running costs of those vehicles (\$2,000 per vehicle p.a.) together with a negotiated contribution towards administration costs of approximately \$13,000 per annum.

Prior to the board of management's decision to become fully independent, free of charge auspice services were provided by YPC in the areas of governance, financial management, human resource management, payroll, volunteer management, records, information technology, risk administration and general administration together with office space, most recently at the Minlaton Town Hall. These services were provided by YPC for a period approaching 15 years at an estimated annual cost to council of between \$90,000 and \$150,000 per annum.

Significant contributions are also made annually by both the District Council of Copper Coast (3 vehicles) and the District Council of Barunga West (1 vehicle) via the funding of vehicles. The remainder of funding for the service comes in the form of HACC's grants and fees collected from clients utilising the service.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Given the critical nature of the community service provided by YPCTS and the large funding contribution made by Council to YPCTS, it is important that the Council's involved and Yorke Peninsula Community Transport Inc. have a Service Agreement in place.

## **ATTACHMENTS**

**Attachment 1:** Yorke Peninsula Council proposed draft Service Agreement

**Attachment 2:** Yorke Peninsula Community Transport proposed draft Service Agreement with areas subject to changes highlighted in yellow.

# SERVICE AGREEMENT

Yorke Peninsula Community Transport Inc

and

District Council of Barunga West

District Council of the Copper Coast &

Yorke Peninsula Council

For the period of: 1 July 2015 to 30 June 2016

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## 1. INTRODUCTION

This Service Agreement has been developed to reflect the commitment between, and the responsibilities of, the Councils (District Council of Barunga West, District Council of the Copper Coast and Yorke Peninsula Council) to the provision of this critical community service within the three Council areas.

- 1.1. The Service Agreement shall operate for a one (1) year period beginning 1<sup>st</sup> July 2015.

## 2. INTERPRETATION

- 2.1. The name of the Association is "Yorke Peninsula Community Transport Inc" herein after called "the Association". The Association will operate as a fully incorporated "Not For Profit" entity under the terms and conditions of its Constitution.
- 2.2. "The Board" means the Board of Management of the Association as provided within the Constitution of the Association.
- 2.3. The "Councils" means the participating funding Constituent Councils that form the capture area for the target group of the Association and incorporates the District Council of Barunga West, District Council of the Copper Coast and Yorke Peninsula Council.
- 2.4. The "fleet vehicles" incorporates the vehicles used by the Association to provide the Service to the residents of the capture area whether "owned" or "used" by the Association under the terms set out in SECTION 6 of this Service Agreement.
- 2.5. The "capture area" incorporates the Council boundaries of the funding Councils unless agreed otherwise between the Board and the Councils.
- 2.6. The "Target Group" incorporates the residents within the Council boundaries of the funding Councils unless agreed otherwise between the Board and the Councils.

## 3. THE BOARD

- 3.1. It is important to the Board to have representation from each Council region to build collaboration across the regions and to support future development of the service as well as ensure adequate governance is exercised over the operations of the Association and the use of ratepayers funds contributed to the Association by funding Councils.
- 3.2. Each Council is required under the Constitution of the Association to appoint a representative to sit on the Board during the existence of this Service Agreement. It is recommended that each Council nominate its Chief Executive Officer (CEO) as that representative. At the discretion of each Council the CEO may nominate a



proxy to sit in his/her place on the Board. Should a proxy be nominated then this proxy must at all times be an Elected Member of the nominating Council and be formally nominated by the Council in a scheduled Council meeting.

- 3.2.1. All representatives so appointed will be bound by the Association's constitution in regard to all matters the Service.
- 3.2.2. The term of office is for one (1) year, at which time the member may seek Council's reappointment to the position.
- 3.2.3. Should the position of representative for any Council become vacant for any reason, that Council must nominate a replacement representative in accordance with the conditions of 3.2 above.

#### 4. MARKETING AND ADMINISTRATION SUPPORT

- 4.1. To broaden consumer contact, information flow, raise awareness to increase client and volunteer participation Councils undertake to provide Marketing support by:
  - 4.1.1. Developing and maintaining links from Councils web sites to the Association's web site.
  - 4.1.2. Displaying brochures within Councils offices and making these brochures available to the community.
- 4.2. Councils agree to advocate on behalf of and in conjunction with the Association should services be threatened in the future.
- 4.3. Councils will collaborate with the Associations staff as reasonably required to provide consultation and information beneficial to the Association.

#### 5. COUNCIL ANNUAL CONTRIBUTIONS

- 5.1. The Councils financial contributions to the Association will be defined within the attached Annual Payment Schedule (Schedule 1).
- 5.2. The Association will meet with the Councils in February of each year in which a Service Agreement exists to review the Association's financial position and financial requirements and:
  - 5.2.1. Review whether "extra" funding from Councils is required;
  - 5.2.2. Review whether excess funds have accumulated and a refund to Councils can be undertaken.
- 5.3. The annual contribution labelled as "Administration Contribution" in Schedule 1 will be determined for the next financial year by the percentage of "active" clients within each Council region as held in the Association's data base or electronic system at the time of each review or upon an agreed division of the total allocation by the Councils at that review.

- 5.4. In any event, the annual contribution labelled “Administration Contribution” will not be paid by Councils unless the balance of total funds held by the Association at any time of the year falls below \$100,000 and the Association can demonstrate that these contributions are required to ensure solvency of the Association.
- 5.5. The Association shall forward a compliant invoice to the individual Councils for any contribution defined by this Service Agreement or otherwise determined by the Councils prior to receiving payment.

## 6. FLEET VEHICLES

- 6.1. District Council of Barunga West – 1 vehicle to be provided as per asset replacement schedule.
- 6.2. District Council of the Copper Coast – 3 vehicles to be provided as .....
- 6.3. Yorke Peninsula Council – 5 vehicles to be provided from 1 July 2015 with the title of these vehicles to be vested in the Association via transfer of ownership from Yorke Peninsula Council at no cost.
- 6.4. Any changes to vehicle numbers will be the subject of a separate agreement between the Association and the Councils during the year and will be incorporated in any extension of the Service Agreement at financial year end.
- 6.5. All costs for vehicle changeovers and all running costs will be the responsibility of the Association with Council contributions in this regard specified in the attached Annual Payment Schedule (Schedule 1).
- 6.6. Any changes to the types of vehicle provided by Councils will be subject to agreement between Councils and the Board to ensure client access and comfort levels are maintained at least at current levels.
- 6.7. The Association will assume all responsibilities for volunteers, such as volunteer drivers, as ‘workers’ under the Work Health and Safety Act 2012.

## 7. OPERATING COSTS

- 7.1. All operating costs of the Association will be the responsibility of the Association with Councils liability limited to the contribution amounts specified in the attached Annual Payment Schedule (Schedule 1).
- 7.2. Councils do not accept liability for any costs incurred by the Association at any time for any reason unless approved by the Chief Executive Officer of each Council in writing.

## 8. DISPUTE RESOLUTION

8.1. Should any dispute arise between Councils and the Association in connection with the affairs of Association the following dispute resolution process shall apply:

8.1.1. The Chair of the Board shall call a meeting of the Board and invite, from each Council, the Mayor, the CEO and Council representatives (if other than the CEO). These parties will attempt to resolve the dispute through good faith negotiation.

8.1.2. Failing resolution of the dispute via the process in 8.1.1 above the Chair of the Board shall appoint a suitably qualified person to investigate, reconvene the meeting, report to the meeting and conciliate the dispute.

8.1.3. Any Council may initiate this dispute resolution process by resolution of the Council and subsequent written notification to the Board.

## SCHEDULE 1 – ANNUAL PAYMENT SCHEDULE 2015/2016

All amounts included are GST Exclusive

Item	Total Cost	BW	CC	YP
<b>Administration Contribution (refer 5.3 &amp; 5.4 above)</b>	100% \$28,180	5% \$1,410	50% \$14,090	45% \$12,680
<b>Vehicle Replacement Contribution</b>	\$XXX	\$X	\$XX	\$40,000
<b>Vehicle Running Costs Contribution (\$2,400 per Vehicle)</b>	\$21,600	\$2,400	\$7,200	\$12,000

# **SERVICE AGREEMENT**

**Yorke Peninsula Community Transport Inc**

**and**

**District Council of Barunga West  
District Council of the Copper Coast  
& Yorke Peninsula Council**

**For the period of: 1<sup>st</sup> July 2015 to 30<sup>th</sup> June 2016**

## INTRODUCTION

The Board of Management for Yorke Peninsula Community Transport Inc has developed a service agreement to reflect the commitment between the Council/s and Yorke Peninsula Community Transport Inc.

- 1.1. The Service Agreement shall operate for a one (1) year period, beginning 1<sup>st</sup> July 2015, ending 30<sup>th</sup> June 2016.

## 2. INTERPRETATION

- 2.1. The name of the Association is "Yorke Peninsula Community Transport Inc" herein after called "the Association".
- 2.2. "The Board" means the Board of Management of the Association.
- 2.3. The "Council/s" means the participating Constituent Councils that form the capture area for the target group of the Association: the District Council of Barunga West, the District Council of the Copper Coast and Yorke Peninsula Council
- 2.4. The 'fleet vehicles' are vehicles that are supplied by each Council for the Association's use to provide transport and fulfil service requirements.

## 3. THE BOARD:

- 3.1. It is important to The Board to have representation from each Council region to build collaboration across the regions and to support future development of the service.
- 3.2. Each Council will be strongly encouraged to appoint an Elected Member, or in the absence of an Elected Member, a Council representative to the Board
  - 3.2.1. The term of office is for one (1) year, at which the member may seek Council's reappointment to the position. The member is bound by the Association's constitution.
  - 3.2.2. Should this position become vacant the Council will be strongly encouraged to appoint another Elected Member / Council representative to this vacancy

## 3.3. MARKETING SUPPORT:

- 3.3.1. To broaden consumer contact, information flow, raise awareness to increase client and volunteer participation. The Board is seeking to work with Council/s to improve services across the regions by:
  - 3.3.1.1. Developing and maintaining links from Council/s web sites to the Association's website.

- 3.3.1.2. Displaying brochures within each Council office/s to improve information flow into the community.
- 3.3.1.3. Improve collaboration by the Regional Coordinator assisting with consultation and information as required.
- 3.3.1.4. Council/s agreeing to advocate on behalf of the Association should services be threatened in the future.

#### 4. COUNCIL ANNUAL CONTRIBUTION:

- 4.1. The Council/s financial contribution for the Association will be defined within the attached payment schedule and will occur when the unallocated cash funds of the Association are below \$50,000
- 4.2. The Association will meet with the Council/s to review its financial position in February of each year of the agreement.
- 4.3. The division of the Council/s annual contribution will be determined by the percentage of the 'active' clients within each Council region as held on the Associations database or electronic system at the time of review or upon an agreed division of the total allocation by the Council/s
- 4.4. The Association will forward an invoice to the Council/s

#### 5. FLEET VEHICLES

- 5.1. As at the 30<sup>th</sup> June 2015 the Councils provide the following fleet vehicles to the Association: Barunga West - 1, Copper Coast - 3 and Yorke Peninsula - 5
- 5.2. To ensure service levels continue current vehicle numbers should remain as a minimum.

#### THE COUNCIL/S WILL:

- 5.3. Provide fleet vehicles for the Associations' full use whilst being recognised and managed as part of Councils' asset management system.
- 5.4. Purchase or leasing of fleet vehicles and vehicles changeover costs will occur according to Council/s vehicle management policies with all costs including registration and full comprehensive insurance being covered by Council/s.
  - 5.4.1. Client access and comfort is of high importance to the Association therefore changes from existing fleet vehicles to other models or

vehicle types must be negotiated with the Board to ensure client comfort and access to vehicles at all times.

- 5.5. To ensure vehicles are not withheld from service, all vehicles must be maintained with servicing, maintenance and repairs, to ensure road worthiness at cost to Council/s.

#### THE ASSOCIATION WILL:

- 5.6. Assist by rotating vehicles within Council regions to evenly distribute vehicle usage where possible.
- 5.7. Support the servicing of fleet vehicles by allocating volunteer drivers to deliver vehicles to servicing or repair appointments.
- 5.8. Provide regular fleet vehicle inspections and notify council/s of any servicing or maintenance concerns.
- 5.9. In conjunction with funding bodies determine the client group and guidelines to access the fleet vehicles.
- 5.10. Cover the Council/s insurance excess to a maximum of \$500 per claim, should damage be sustained to any of the fleet vehicles whilst being used for Association purposes.
- 5.11. Seek written or electronic approval from the Council to make any additions or modifications to fleet vehicles, except for the installation of mobile phones, GPS units or other electronic devices that do not require any physical changes to the vehicle.
- 5.12. Provide all:
- 5.12.1. Replacement, updating and running costs of Mobile Phones, GPS units and any other items required within each vehicle.
  - 5.12.2. Fuel costs
  - 5.12.3. Volunteer costs related to support and service provision.
  - 5.12.4. RAA cover for fleet vehicles.
  - 5.12.5. Other sundries such as: first aid kits, wheelchairs and other items deemed necessary for client / volunteer support.

#### 6. DISPUTE RESOLUTION

- 6.1. Should any dispute arise between Council/s and the Association in connection with the affairs of the YP Community Transport Inc, the following dispute resolution process shall apply:



- 6.1.1. The Chair of the Board shall call a meeting of the Board and invite the Mayor, Chief Executive Officer and Council representatives of the Board from each of the Council/s. The parties at this meeting will attempt to resolve the dispute through good faith negotiation.
- 6.1.2. Failing resolution of the dispute, the Chair of the Board shall appoint a suitably qualified person to investigate, reconvene the meeting, report to the meeting and conciliate the dispute.
- 6.1.3. Any Council may initiate this dispute resolution process by resolution of the Council and written notification to the Board.

## **PAYMENT SCHEDULE**

ALL FIGURES INCLUDED ARE GST EXCLUSIVE

<b>Item</b>	<b>Total Cost</b>	<b>BW</b>	<b>CC</b>	<b>YP</b>
<b>Allocation of Cost %</b>		<b>5%</b>	<b>50%</b>	<b>45%</b>
Administration	<b>28,180</b>	1,410	14,090	12,680

DISTRICT COUNCIL OF BARUNGA WEST

Print Name: \_\_\_\_\_  
Chief Executive Officer

Signature: \_\_\_\_\_  
Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Print Name: \_\_\_\_\_  
Witness

Signature: \_\_\_\_\_  
Date \_\_\_\_/\_\_\_\_/\_\_\_\_

DISTRICT COUNCIL OF THE COPPER COAST

Print Name: \_\_\_\_\_  
Chief Executive Officer

Signature: \_\_\_\_\_  
Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Print Name: \_\_\_\_\_  
Witness

Signature: \_\_\_\_\_  
Date \_\_\_\_/\_\_\_\_/\_\_\_\_

YORKE PENINSULA COUNCIL

Print Name: \_\_\_\_\_  
Chief Executive Officer

Signature: \_\_\_\_\_  
Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Print Name: \_\_\_\_\_  
Witness

Signature: \_\_\_\_\_  
Date \_\_\_\_/\_\_\_\_/\_\_\_\_

YP COMMUNITY TRANSPORT INC

Print Name: \_\_\_\_\_  
Chair

Signature: \_\_\_\_\_  
Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Print Name: \_\_\_\_\_  
Witness

Signature: \_\_\_\_\_  
Date \_\_\_\_/\_\_\_\_/\_\_\_\_

## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **DA/ITEM 6.2**

### **3. SALE OF LAND FOR NON-PAYMENT OF RATES**

(File Ref: 7.69.6.1)

#### **PURPOSE**

To detail the outcome of the public auction held on 22<sup>nd</sup> May 2015 for the previously reported sale of land due to non-payment of rates and to seek resolution to write off the remaining outstanding rates on these properties, totalling \$46,128.48, following settlement of the properties.

#### **RECOMMENDATION**

That, pursuant to Section 143 of the Local Government Act 1999, following the sale of each property due to non-payment of rates, Council writes off the remaining outstanding rates on the following Assessments as there is no reasonable prospect of recovering the debts:

1) Assessment Number 305862 - 38 South Terrace, Curramulka SA 5580

**\$4,879.76**

2) Assessment Number 223636 – Lot 3 Gumbowie Road, Coobowie (Hd Melville) SA 5583

**\$8,355.72**

3) Assessment Number 223362 – Lot 536 (PLN 195958) Port Giles Road, Coobowie (Hd Melville) SA 5583

**\$13,048.70**

4) Assessment Number 324210 – Lot 777 (PLN 196199) Hd Ramsay SA 5582

**\$9,857.19**

5) Assessment Number 221283 – Lot 13 Troubridge Hill Road, Honiton (Hd Melville) SA 5576

**\$9,987.11**

#### **LINK TO STRATEGIC PLAN**

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

#### **BACKGROUND**

At its meeting on 9<sup>th</sup> April 2014, Council considered a confidential report endorsing the commencement of proceedings for the sale of a number of parcels of land due to the non-payment of rates.

Council administration staff have finalised the sale process and this report details the outcomes of the sale and the need to write off some of the outstanding rates which were not recouped from sale proceedings.

## DISCUSSION

At the Council meeting of 9 April 2014, Council considered a confidential report in relation to eleven rates assessments which had rates outstanding for three years or more.

At that meeting Council resolved to commence proceedings to recover overdue rates applicable to these rates assessments in accordance with Section 184 of the Local Government Act, 1999, and began the process of sale of the properties due to non-payment of Rates.

After the commencement of this process, four of the eleven rates assessments were brought up to date and no longer have rates arrears, however the following seven assessments remained outstanding. No contact or payments were received in relation to these. Having determined that all seven were vacant land where the property owners were deceased (with the beneficiaries not taking over the interest in the land), or were unknown or unable to be located, Council proceeded with the sale process:

1. Assessment Number 305862 – 38 South Terrace Curramulka
2. Assessment Number 223636 – Lot 3 Gumbowie Road Coobowie
3. Assessment Number 223362 – Lot 536 Port Giles Road Coobowie
4. Assessment Number 324210 – Lot 777 Hd Ramsay
5. Assessment Number 221283 – Lot 13 Troubridge Hill Road Honiton
6. Assessment Number 227595 – 84 Moorowie Terrace Port Moorowie
7. Assessment Number 305474 – 18 Third Street Curramulka

The process culminated in a public auction being held on Friday 22 May 2015 at the Minlaton Town Hall.

There was an expectation that Council may achieve non-sale on four of the seven assessments, however a full clearance of all properties was realised with the following sale prices:

Address	Rates Outstanding	Sale Price	Costs of Sale
84 Moorowie Terrace, Port Moorowie	\$21,222.08	\$28,000.00	\$5900.88
18 Third Street, Curramulka	\$13,572.80	\$18,000.00	\$4427.20
38 South Terrace, Curramulka	\$14,134.25	\$12,000.00	\$2745.51
Lot 3 Gumbowie Road, Coobowie	\$12,302.85	\$6,000.00	\$2052.87
Lot 536 Port Giles Road, Coobowie	\$13,048.70	\$1,800.00	\$1,800.00
Lot 777 Hd Ramsay	\$9,857.19	\$2,000.00	\$2,000.00
Lot 13 Troubridge Hill, Road Honiton	\$10,233.34	\$2,300.00	\$2,053.77
	<b>\$94,371.21</b>	<b>\$70,100.00</b>	<b>\$20,980.23</b>

The sale prices of the properties located at 84 Moorowie Terrace, Port Moorowie, and 18 Third Street, Curramulka, were sufficient to clear the outstanding rates. Funds above and beyond the recovery of outstanding rates and the costs associated for sale of these properties have been forwarded to the State Government Department of Treasury and Finance in accordance with the Unclaimed Monies Act 1891.

However, marketability and saleability of the remaining five parcels was minimal due to their nature, with four being small parcels zoned primary production in rural locations, and the remaining property at 38 South Terrace, Curramulka, being a corner allotment without services on the outer edge of the town. These five parcels, as detailed in the recommendation, had outstanding rates higher than their sales prices, and with no reasonable prospect of recovering any further payment against the debt, there is now a need to write off the remaining rates debt on these five assessments.

## **COMMUNITY ENGAGEMENT PLAN**

Decisions made in relation to the sale of properties are made for legislative and financial reasons, and there is no opportunity for the public to influence the decision as they ensure compliance with legislation.

Public notices advertising the public auction of the properties were displayed in the two weeks preceding the auction, and the properties were actively marketed by the real estate company in the months leading up to the auction.

## **CONSULTATION PROCESS**

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

- Corporate Management Team
- Manager Financial Services

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

- Community via public notices in the Country Times and The Advertiser

## **POLICY IMPLICATIONS**

PO048 – Management & Recovery of Outstanding Debts

PO008 – Bad Debts – Delegation of Authority Policy

## **BUDGET AND RESOURCE IMPLICATIONS**

Following settlement from the sale of properties, and allocating legal and other costs for the sale process (legal charges, sales commission etc.) there is a requirement to remit rates and charges to the amount of \$46,128.48.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

The recommendations in this report ensure the process undertaken comply with Section 184 (the sale of land due to non-payment of rates and the distribution of funds from the sales) and Section 143 (writing off bad debts) of the Local Government Act 1999.

This report finalises the process and is considered necessary to reduce Council's outstanding rate liability as the amounts outstanding from these assessments represented almost 25% of the total rates in arrears at the time of settlement.

## **ATTACHMENTS**

Nil

## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **DA/ITEM 6.2**

#### **4. CAPTAIN HARRY BUTLER STATUE COMMITTEE – RESPONSIBILITY**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To establish if Council is willing to be responsible for the safety, maintenance and insurance of the Harry Butler Statue in Minlaton.

##### **RECOMMENDATION A**

That Council:

1. take full ownership of the statue and be responsible for its ongoing safety, maintenance and insurance;

or

##### **RECOMMENDATION B**

That Council:

1. take ownership of the statue and have responsibility for insurance of the statue, with the ongoing safety and maintenance remaining the responsibility of the people of Minlaton.

##### **LINK TO STRATEGIC PLAN**

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

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

##### **BACKGROUND**

The Captain Harry Butler Statue will be officially unveiled on 4 October 2015.

##### **DISCUSSION**

The Captain Harry Butler Statue Committee has successfully raised funds over a number of years to establish a permanent memorial to Captain Harry Butler.

The Committee has formally written to Council asking that Council take responsibility for the ongoing maintenance, safety and insurance of the statue, or if not, then will Council take responsibility for insurance of the statue with its maintenance and safety then vested in the Minlaton people.

## **COMMUNITY ENGAGEMENT PLAN**

A Level 4 'Collaborate' method has been undertaken in order to develop the recommendations presented in this report.

To advise the community of Council's endorsed recommendation a Level 1 – Inform process will be completed as shown in Attachment 2.

## **CONSULTATION PROCESS**

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

- Director Corporate and Community Services

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

- Captain Harry Butler Statue Committee

## **POLICY IMPLICATIONS**

Nil

## **BUDGET AND RESOURCE IMPLICATIONS**

Financial impact from an upkeep perspective is seen to be minimal in the short to medium term. Replacement of the asset in the future will be a decision for the incumbent Council at that time – not expected to be within the next 10 years.

Insurance costs are expected to be marginal at approximately \$180 p.a.

The statue would constitute an asset given to Council free of charge (value approx. \$100,000) and will need to be incorporated in Council's asset register should Council agree to take ownership as requested. Depreciation charges re expected to be approximately \$5,000 p.a.

No allowance has been included in the 2015/2016 Adopted Budget.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

The Captain Harry Butler Statue is located on Council land. Council will accept all risk in relation to the statue if it accepts ownership.

## **ATTACHMENTS**

**Attachment 1:** Letter from Harry Butler Statue Committee

**Attachment 2:** Community Engagement Plan



*Capt Harry Butler*

*Statue Committee*

Item Number
5060-2015-3
GDS Number
17.14.3.47
Distribution
8 Jun 2015

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Chair:

Joe Butler

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25 Fourth St.

Minlaton

88532373

Ms Kylie Gray

Senior Clerical Officer

Minlaton Branch Office

Yorke Peninsula Council

Re: insurance of Captain Harry Butler Statue.

Dear Kylie,

Firstly I do hope that I have your new title correct. I write on behalf of the above committee.

As you are aware, the life size bronze statue of Minlaton's own Captain Harry Butler AFC is now finished and will be brought to Minlaton on about 2<sup>nd</sup> October ready for the official unveiling on 4<sup>th</sup> October 2015.

I have a memory of asking about who will be responsible for the safety and maintenance of the statue from that date, and that of course includes its ongoing insurance. Alas I cannot find written confirmation of this perception.

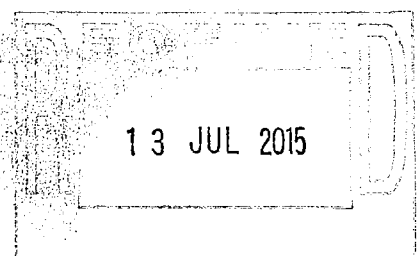
I now write to ask for written confirmation that the statue will in fact become (a) the property of the Yorke Peninsula Council, and held in trust for the people of Minlaton (b) That Council will be responsible for its ongoing maintenance and insurance.

Would kindly pass this on to the appropriate official, and of course if there are any queries do not hesitate to contact me.

With Regards,

*Marg W*

Margaret Woods (hon secretary)







Next Review Date: June 2019
-----------------------------

**PROJECT NAME:** Captain Harry Butler Statue Committee - Responsibility

Yorke Peninsula Council  
Council Agenda  
Wednesday 12th August 2015

## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **DA/ITEM 6.2**

#### **5. ROYAL VOLUNTEER COASTAL PATROL SA INC PUBLIC CONSULTATION - POINT TURTON** (File Ref: 9.24.1.1)

##### **PURPOSE**

To consider submissions received in relation to the public consultation process for a proposed lease to the Royal Volunteer Coastal Patrol (RVCP) for a portion of land at Point Turton for the purpose of building a storage shed (refer Attachments 1 – 2)

##### **RECOMMENDATION A**

That Council

1. Receive and consider the written submissions in response to the Public Consultation on the proposed lease for the Royal Volunteer Coastal Patrol SA Inc.
2. Grant a five year lease with one five year right of renewal to the Royal Volunteer Coastal Patrol SA Inc. over a portion of land being of Allotment 91, 68 Esplanade Point Turton, Plan 10747 Certificate of Title Volume: 5553 Folio: 363, for the purpose of building a storage shed.
3. Allow for a 100% rebate on Council rates in accordance with the Local Government Act 1999 Section 161 with the Royal Volunteer Coastal Patrol SA Inc. being responsible for the Waste & Recycling Service charges if required.

OR

##### **RECOMMENDATION B**

1. Receive and consider the written submissions in response to the Public Consultation on the proposed lease for the Royal Volunteer Coastal Patrol SA Inc.
2. That Council does not grant a five year lease with one five year right of renewal to the Royal Volunteer Coastal Patrol SA Inc. over a portion of land being of Allotment 91, 68 The Esplanade Point Turton, Plan 10747 Certificate of Title Volume: 5553 Folio: 363 for the purpose of building a storage shed.

##### **LINK TO STRATEGIC PLAN**

Strategic Plan

Key Theme: Community Engagement  
1. Vitality and Connection

Strategic Goal: 1.2 Offer a range of accessible community facilities, programs, event and activities

##### **BACKGROUND**

The Commander for the Royal Volunteer Coastal Patrol SA Inc. (RVCP) requested Council to consider providing a portion of Allotment 91, 68 Esplanade Point Turton to lease for the purpose of building a shed to house a rescue boat, tow vehicle, radio van and various rescue equipment. The property is listed as Category 3 Public and Community on Council's Community Register.

The proposal has been out to public consultation for twenty one days and five submissions have been received for Council to consider. Refer Attachments 3 – 7.

## **DISCUSSION**

The proposed leased land would house a 18m x 7m x 3.6m colour bond shed which will be used only for storage as the group will conduct meetings and training at the Point Turton Progress Association Community Hall located at Allotment 47, 62 Esplanade Point Turton.

The following is a brief outline of comments made in the submissions received.

### **Proposed position of shed -**

Irresponsible, inconsiderate and inappropriate.

Suggests placing shed near or adjacent to the Point Turton Progress storage shed or soon to be erected Sailing Club shed. Alternatively one shed for both RVCP and Sailing Club or at the rear of the boat trailer parking area.

Consider north of the existing Progress sheds on Allotment 47.

Closer to the boat launching area between 136 (Allotment 8) & 138 (Allotment 7) Bayview Road Point Turton, nearer the jetty or in the boat trailer parking area.

### **Proposed Access -**

Possibly use the existing driveways for the Progress Hall as existing lawn and children's playground area is frequented by local and visiting families.

Will cause the loss of a considerable area of the only grassed sporting ground in Point Turton. Also utilises the area near the playground and vehicle activity does not 'gel' with children's play activities.

Access will reduce the playground area and cause extra traffic to a much used area creating an unsafe situation in the parklands.

The degradation of parklands within the township, loss of playing space and concerns of traffic within the parklands.

There is also concern of the shed remaining in the reserve if the lease is not renewed in five or ten years' time.

## **COMMUNITY ENGAGEMENT PLAN**

A level 2 – Consult process has been completed.

The public consultation process entailed advertising a notice in the Yorke Peninsula Country Times and on Council's website with an information report made available at Council offices and on Council's website. The public notice was also posted to neighbouring properties and Point Turton Progress.

Five submissions were received during the consultation period. Attachments 3 – 7

## **CONSULTATION PROCESS**

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

- Senior Development Officer

The following external parties have been consulted:

- Point Turton Progress Association Inc.

- Point Turton residents

## **POLICY IMPLICATIONS**

PO057 Community Engagement

## **BUDGET AND RESOURCE IMPLICATIONS**

The lease fee for the proposed lease is \$50 + GST per annum.

The solicitor's \$630.00 lease document preparation fee will be shared equally between the Royal Volunteer Coastal Patrol SA Inc. and Council

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Section 201 (2) Local Government Act 1999

Section 161 - Rebate of Rates – Community Services

## **ATTACHMENTS**

**Attachment 1 and 2: Plans of proposed area for RVCP shed**

**Attachment 3: Correspondence received from Jim & Carol Mullins**

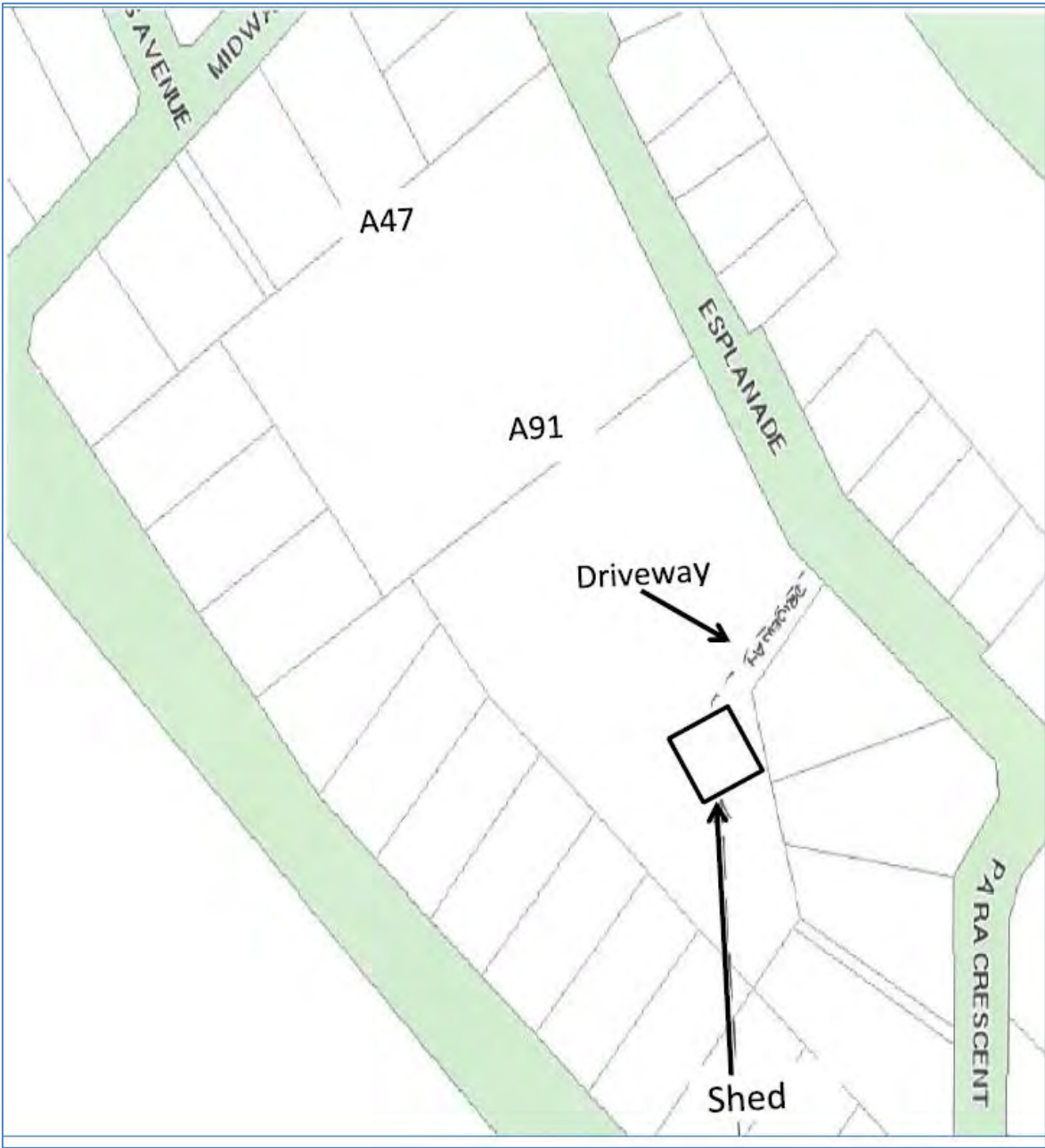
**Attachment 4: Correspondence received from Point Turton Progress**

**Attachment 5: Correspondence received from John Roesler**

**Attachment 6: Correspondence received from Keith Murdock**

**Attachment 7: Correspondence received from Dave & Cherie Cmrlec**

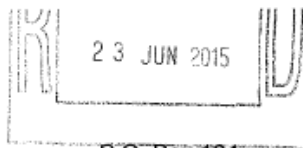
Attachment 1



Attachment 2



### Attachment 3



P.O. Box 104  
Point Turton  
SA 5575

22 June 2015

RVCP Point Turton Inc  
Yorke Peninsula Council  
PO Box 88  
Minlaton  
SA 5575

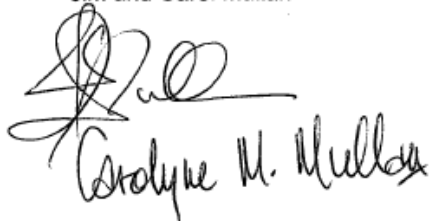
Item Number
4322-2015-3
GDS Number
16-20-2-1
Distribution

Dear Sir/Madam,

In regards to the proposed storage shed for the RVCP Point Turton Inc, we have no objections to the shed site, however, we believe the access road should be planned to exit via one of the existing driveways for the Progress Hall, as the existing lawn and childrens' playground area is frequently used by local and visiting families.

Regards

Jim and Carol Mullan



Carolyn M. Mullan

## Attachment 4


<b>Corporate Email Address</b>		<b>Item Number</b> <b>4377-2015-3</b>
<b>From:</b>	Neale Forbes <neale@forbeswp.com.au>	<b>GDS Number</b>
<b>Sent:</b>	24 JUN 2015 Wednesday, 24 June 2015 1:56 PM	<b>16.20.2.1</b>
<b>To:</b>	Corporate Email Address	<b>Distribution</b>
<b>Cc:</b>	Jim Mullan; Peter Smith	
<b>Subject:</b>	RVCP Shed - Point Turton	
<b>Attachments:</b>	Coastal Patrol Shed Access Map.pdf; YPC Coastal Patrol Shed.pdf	

Hello,

Please find attached the Point Turton Progress Associations response to the public consultation process for the RVCP shed.

Kind regards,

Neale Forbes  
Secretary

	<b>Point Turton Progress Association Inc.</b> ABN: 89 185 802750 PO Box 56 POINT TURTON SA 5575 Ph: 8854 5013
<p>Wednesday, June 24, 2015</p> <p>Yorke Peninsula Council PO Box 88 Minlaton SA 5575</p> <p>Dear Sir,</p> <p><b>Public Consultation – RVCP Storage Shed</b></p> <p>On behalf of PTPA Committee we wish to confirm that we have no major concerns with the shed site however we believe the access road should be planned to exit via one of the existing driveways for the Progress Hall. The existing grassed area and playground is frequently used by local and visiting families.</p> <p>Sincerely</p> <p style="text-align: center;">  </p> <p>Neale Forbes Secretary</p>	



## Attachment 5

Corporate Email Address		Disc# Number 4420-2015-3
<b>From:</b>	John & Del <roesler1@internode.on.net>	Disc# Number 16-20-2-1
<b>Sent:</b>	Friday, 26 June 2015 11:03 AM	Disc# Number
<b>To:</b>	Corporate Email Address	Disc# Number
<b>Subject:</b>	Public Consultation: Proposed CP SA Inc. at Pt Turton	Disc# Number

Attention: Marilyn Mensforth, Property Tenure Officer.

I am presently absent from Pt Turton and will be so until early September.

The placement of the shed on the proposed allotment would be quite irresponsible, inconsiderate, and inappropriate.

The driveway (is this also the egress?) as proposed would cause the loss of a considerable area of the only grassed sporting ground in Pt Turton. This is unacceptable as is the utilisation of any area near the playgrounds. Vehicle activity, though not considerable, does not "gel" with childrens' play activities

Why not place the proposed shed near to the existing Progress Association store shed or the soon to be erected Sailing Club shed? Better still, why not one large shed to house both these Organisations? Surely it is desirable for sheds to be placed in one area and not spread about the Community Park.

The RVCP shed needs to be in a position where it provides speedy to the the boat ramp. Why not place at the rear of the boat trailer parking area? The ideal spot, and it would be a "hidden" shed as well. Yes, it would reduce the boat trailer parking area, which, I admit, is already under pressure, but the correct placement of the RVCP shed is vital.

Council's in depth consideration of my comments and of other submissions will be most appreciated and appropriate.

Let us move forward in the best interests of all parties.

John Roesler

60 Bayview Road, Pt Turton 5575

Attachment 6

<div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>  - 2 JUL 2015  DEAR <del>SIR</del> / MADAM </div>	Item Number	
	4628-2015-3	
	GDS Number	
	16-20-2.1	1/7/15
Distribution		

THE R.V.C.P. REQUIRE EMERGENCY

1. ALL WEATHER ROAD ACCESS 24/7.  
I AM PERSONLY AGAINST REDUCTION TO THE  
PLAYGROUND AREA, OR EXTRA TRAFFIC  
TO THE MUCH USED PLAYGROUND BARBECUE  
REST SHELTER AREA & TOILETS.  
THIS AREA IS USED BY LOCAL AND VISITING  
ADULTS CHILDREN ANIMALS ETC.
2. THE MORE SUITABLE SITE TO BE PLACED  
NTH OF EXISTING SHEDS REGARDLESS OF.  
PAST PROTESTS
3. OTHER AVAILABLE LAND CLOSER TO LAUNCH  
AREA. BETWEEN 136 / 138 BAYVIEW RD.
4. RESERVE NEARER THE JETTY. OR IF  
FEASIBLE IN BOAT TRAILER PARKING AREA

YOURS FAITHFULLY

*Lith E. Munday*

## Attachment 7

RVCP Point Turton  
Yorke Peninsula Council  
PO Box 88  
Minlaton SA 5575

- 3 JUL 2015

Item Number

4682- 2015- 3

GDS Number

16.20.2.1

Distribution

DJ & C Cmrlec  
64 Bayview Rd  
Point Turton SA 5575

ph. 88 621028  
mob. 0429 969295 (Cherie)  
0427001424 (Dave)  
email cmrlec@bigpond.com

Re. Proposed Lease RVCP, Allotment 91 Point Turton

To whom it may concern

I wrote to you last year regarding the granting of parklands use to the Point Turton Sailing Club for the erection of a storage shed, describing this as "the thin edge of the wedge". This now appears to be the case with already another application before the council.

As before, my concerns are based on:

- The degradation of parklands within the township  
I believe councils are required to preserve a certain amount of land for parklands/recreation. It appears the portion of land allocated in the initial planning of the township is being slowly eroded away. This size shed will have a significant impact on this area.
- Loss of playing space  
The strip of lawn (diligently maintained by volunteers) where the driveway is proposed is the only such area in the town. Its position alongside the playground/bar-b-q area means it does get used, particularly during holiday periods.
- Traffic in the parklands  
I don't think a driveway (and subsequent parking and turning areas) adjacent to a playground / family picnic area is a very safe situation.
- Term of the lease  
What will happen in 5 (or 10) years time if the lease is not renewed? Will the shed be removed and the parklands restored? No – when this shed is erected, it will be there forever!

When this proposal does go ahead, I think the following points should also be investigated.

- Could the shed be positioned adjacent to the new sailing club shed? This area will already have a driveway, would be away from the playground/picnic area and would keep all the sheds to one area of the parklands rather than being spread out.
- The trees/shrubs on the eastern side of the allotment and proposed driveway have already been cut down (forward planning?). The stumps should be removed and the driveway be made alongside the existing fence thus preserving the lawned area.
- There is a walkway/easement (?) leading from Para Crescent to allotment 91. Is this wide enough to have as a driveway to the proposed shed?

While I agree that the RVCP are in need of such a facility, is the proposed area of parklands the best location for it? Surely there are other pieces of land available where such a shed would be less intrusive.

Yours faithfully



Dave & Cherie Cmrlec

## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **DA/ITEM 6.2**

#### **6. SYP COMMUNITY SHOP INC PUBLIC CONSULTATION**

(File Ref: 9.24.1.1)

#### **PURPOSE**

To consider the submission received in relation to the public consultation process for a proposed lease to the SYP Community Shop Inc. over the Masonic Hall property at Yorketown for the purpose of relocating the Community Op Shop.

#### **RECOMMENDATION A**

That Council:

1. receive and consider the written submissions in response to the Public Consultation on the proposed lease for the SYP Community Shop Inc.
2. grant a five year lease with one five year right of renewal to the SYP Community Shop Inc. over the Masonic Hall property being Allotment 92, 21 Edithburgh Road Yorketown Certificate of Title: Volume 5315 Folio 803, for the purpose of relocating the Community Op Shop and Allotment 91, 21 Edithburgh Road Yorketown Certificate of Title: Volume 5315 Folio 804 for the purpose of providing car parking for the shop's customers.
3. allow for a 100% rebate on Council rates over the leased properties in accordance with the Local Government Act 1999 Section 161, with the SYP Community Shop Inc. being responsible for the Yorketown Wastewater Management and the Waste & Recycling Service charges over the 21 Edithburgh Road Yorketown properties.

OR

#### **RECOMMENDATION B**

That Council:

1. receive and consider the written submissions in response to the Public Consultation on the proposed lease for the SYP Community Shop Inc.
2. does not grant a five year lease with one five year right of renewal to the SYP Community Shop Inc. over a portion of land Allotment 92, 21 Edithburgh Road Yorketown Certificate of Title: Volume 5315 Folio 803, for the purpose of relocating the Community Op Shop and Allotment 91, 21 Edithburgh Road Yorketown Certificate of Title: Volume 5315 Folio 804 for the purpose of providing car parking for the shop's customers.

#### **LINK TO STRATEGIC PLAN**

Strategic Plan

Key Theme:

Community Engagement

1. Vitality and Connection

Strategic Goal:

1.2 Offer a range of accessible community facilities, programs, event and activities

## **BACKGROUND**

Currently the SYP Community Shop ('the Shop') is located at Part Section 744, 35 Stansbury Road Yorketown. A request was received from the Shop committee to relocate the Shop to the Masonic Hall at Allotment 92, 21 Edithburgh Road Yorketown which will provide the space needed to accommodate the large amount of stock held for sale.

## **DISCUSSION**

The Shop asks for Council's permission to relinquish the current lease over the Stansbury Road Yorketown property and that a new lease is granted over the Masonic Hall property on Edithburgh Road Yorketown.

One submission was received during the consultation period from Jane Butler who resides at the SA Housing Trust units at 16 Edithburgh Road Yorketown, which is adjacent to the Masonic Hall. Ms Butler states that car parks for unit residents are required to be allocated adjacent to the units due to inadequate parking spaces on the grounds of 16 Edithburgh Road.

There is a concern that when the Shop is opened on Wednesdays, Thursdays and Fridays, residents of 16 Edithburgh Road will need to park further down the street.

Jane envisaged that the Masonic Hall would become an arts precinct in the long term.

To alleviate customer parking on Edithburgh Road adjacent to the Masonic Hall Property, it is suggested that the adjoining property on the eastern side of the Masonic Hall, Allotment 91 (as shown in Attachment 1), be included in the lease area.

## **COMMUNITY ENGAGEMENT PLAN**

A level 2 – Consult process has been completed.

The public consultation process for granting the proposed lease entailed advertising a Public Consultation notice in the Yorke Peninsula Country Times and on Council's website with an information report made available at Council offices and on Council's website. The public notice was also posted to neighbouring properties.

The proposal for the lease has been out to public consultation for twenty one days and one submission has been received for Council to consider as provided in Attachment 2

## **CONSULTATION PROCESS**

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

- Director Development Services

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

- Yorketown residents

## **POLICY IMPLICATIONS**

PO057 Community Engagement

### **BUDGET AND RESOURCE IMPLICATIONS**

The lease fee for the proposed lease is \$50 + GST per annum.

The solicitor's \$630.00 lease document preparation fee will be shared equally between the SYP Community Shop Inc. and Council

### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

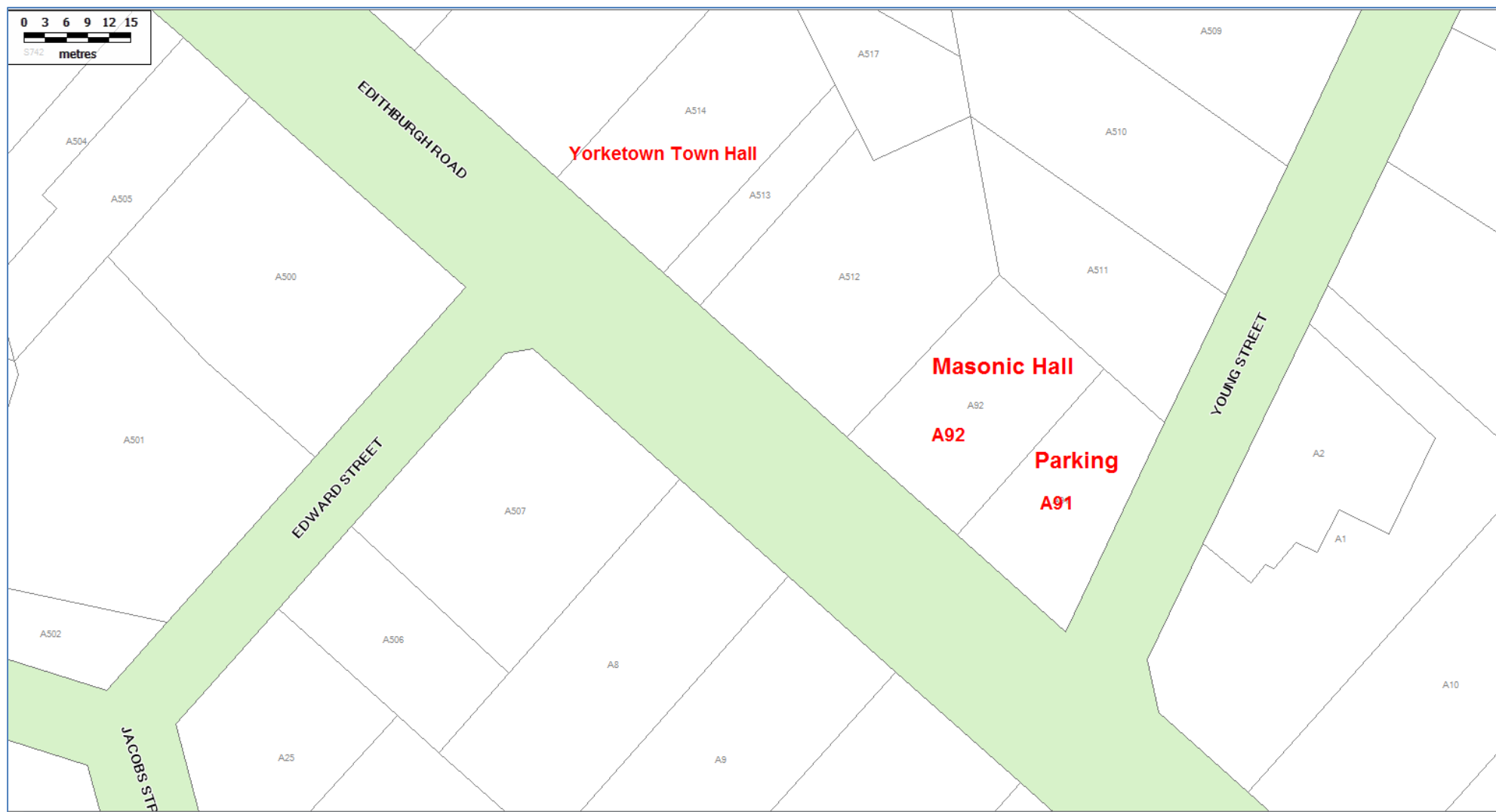
Section 201 (2) Local Government Act 1999

Section 161 - Rebate of Rates – Community Services

### **ATTACHMENTS**

**Attachment 1:** Map of Allotment 91

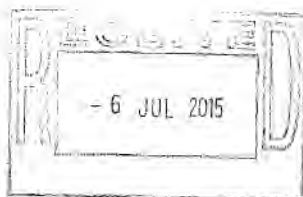
**Attachment 2:** Submission from Jane Butler



Jane Butler  
Unit 1/ 16 Edithburgh Road  
Yorke town 5576

Mon 6 July 2015

Re: SYP Community Shop Inc.  
Yorke Peninsula Council  
PO Box 88  
Minlaton 5575



Item Number
4801.2015.3
GIS Number
16.20.2.1
Distribution
copy to CEO

Dear Andrew,

Parking

I understand that the proposal is for the SYP Community Shop Inc to be at the Masonic Hall property in Yorke town and open on Wed., Thurs, and Fri from 9am to 4pm.

An allocation for one residential park is required adjacent the Hall for access to the Erichsen Estate. The estate was built with inadequate parking spaces on the housing trust grounds.

When the shop is open it will require visitors to the units to park further down the street.

Having lived adjacent the Hall for the past year, I had envisaged the Masonic Hall becoming an arts precinct in the long term, with a natural flow of pedestrian traffic from the 'Society', Bakery and Anglican Op Shop.

All the best with your plans for the Masonic Hall.

Yours faithfully,

  
Jane Butler



## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **DA/ITEM 6.2**

#### **7. REQUEST FOR APPROVAL TO EXTEND TRADING TERMS DETAILED UNDER COUNCIL POLICY PO048**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To seek Council's recommendation regarding a request for approval to extend trading terms detailed under Council Policy PO048 Management and Recovery of Outstanding Debts Policy.

##### **RECOMMENDATION A**

1. That Council approve the request to extend trading terms detailed under PO048 Management and Recovery of Outstanding Debts for McQueen Funeral Services.

OR

##### **RECOMMENDATION A**

1. That Council do not approve the request to extend trading terms detailed under PO048 Management and Recovery of Outstanding Debts for McQueen Funeral Services.

##### **LINK TO STRATEGIC PLAN**

Key Theme: Corporate Governance and Leadership  
2. Organisational Efficiency and Resource Management  
Strategic Goal: 2.1 Financially Sustainable Organisation

##### **BACKGROUND**

Council staff have received a request from Mr Iain McQueen as proprietor of McQueen Funeral Services Pty Ltd, seeking formal approval of an extension of trading terms detailed under PO048 Management and Recovery of Outstanding Debt in relation to this business only. Mr McQueen's request is based on his belief there had been a long standing informal arrangement between his company and Council whereby payments were deferred until client payment had been received.

##### **DISCUSSION**

Mr McQueen is asking for the ability to make payment on Council invoices after payment has been received by his company on the accounts in question. He states that this informal agreement has been in place since the 1960's. A search of Council records cannot establish any confirmation of this agreement.

Council Policy PO048 requires payment within 30 days. At 60 days a Reminder Notice is issued, and at 90 days a Final Notice is issued, allowing 7 days to make payment before proceeding to Debt Collection.

Operating under the premise of the informal agreement, the debtor account in question has been in excess of 90 days 16 times in the last 23 months, proceeding to the maximum allowable before debt collection proceedings should be instituted (97 days or over) 12 times during the same period. Currently, an unpaid funeral account has resulted in a Council invoice 156 days in arrears of the 30 day period at July 31, 2015.

Mr McQueen is seeking formal council approval to extend normal trading terms to accommodate delayed payments of funeral accounts.

#### **COMMUNITY ENGAGEMENT PLAN**

Not applicable

#### **CONSULTATION PROCESS**

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

- Manager Financial Services
- Financial Accountant

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

- Nil

#### **POLICY IMPLICATIONS**

PO048 Management and Recovery of Outstanding Debts

#### **BUDGET AND RESOURCE IMPLICATIONS**

Exemption from the conditions of PO048 will have cash flow implications, although these may be minor. PO048 does not contain a provision for exemption from, or extension of, the terms of trading.

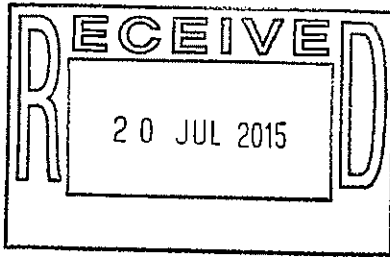
#### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Local Government Act 1999

#### **ATTACHMENTS**

**Attachment 1:** Letter from Iain McQueen requesting exemption from conditions of Council Policy PO048

**Attachment 2:** Council Policy PO048 Management and Recovery of Outstanding Debts



Item Number
5110-2015-3
GDS Number
7.67.2.2
Distribution

13th July 2015

Mrs Karen Schulz  
Manager of Financial Services  
Yorke Peninsula District Council  
Main Street  
Minlaton SA 5575

Dear Mrs Schulz

Recently we met to discuss our trading terms with you.

This relates to cemetery leases that we organise of behalf of families that we are serving.

There has been a long standing informal arrangement. That the account for a cemetery lease is paid, once we have received payment for the funeral account. This arrangement has been in place since the mid 1960's. We have found that this arrangement works well. We would like to continue with these current arrangements.

Periodically we experience a delay in receiving payment of a funeral account. This in turn can lead to a delay to you for the payment of the cemetery lease.

I am asking that the District Council be accommodating and extend your normal account trading terms when these situations arise.

It is always our intent to pay for all the Cemetery leases that we arrange with the council.

I ask that you look favourably on our above request.

Yours sincerely

*I. McQueen*

Iain McQueen

**McQueen Funeral Services Pty. Ltd.**  
52 Main Street, Minlaton  
PO Box 60, Minlaton SA 5575  
Phone (08) 8853 2236 Fax (08) 8852 4051  
Email: admin@mcqueen.net.au





# COUNCIL POLICY

## Management & Recovery of Outstanding Debts Policy

<b>Policy Number:</b>	PO048		
<b>Strategic Plan Objective</b>	Financially Sustainable Organisation		
<b>Policy Owner:</b>	Director Corporate & Community Services	<b>File Number:</b>	9.63.1
<b>Responsible Officer:</b>	Manager Financial Services	<b>Minute Reference:</b>	092/2013 (08/05/2013)
<b>Date Adopted:</b>	08/05/2013	<b>Next Review Date:</b>	April 2018

### 1. POLICY OBJECTIVES

To assist in the process of management and recovery of outstanding debts to Council.

The Policy addresses both rates and general debts, and is designed to provide a consistent approach to debt management and recovery. The policy allows for “natural justice” for the person owing the debt, in that there are adequate steps in both processes for persons to approach Council and arrange for time payment plans and/or make payment prior to appropriate legal proceedings to recover overdue debts being taken.

### 2. POLICY STATEMENT

Outstanding debts owing to the Council shall be managed and recovered as follows:-

#### **General Debts (excluding Expiation Fees)**

- 1) All debtors are to be issued an invoice detailing the service or charge levied by the Council as soon as practical after the debt has been incurred.
- 2) All debtors are to be issued monthly Statements itemising each and every invoice owed and outstanding by that debtor, together with the length of time each debt has been outstanding.
- 3) All debtors with invoices sixty (60) days (2 months) in arrears and exceeding an amount of twenty dollars (\$20) will be forwarded a letter under Council letterhead advising that those invoices are outstanding, and will be referred to Council's debt collection agency if payment is not received prior to the last day of the third month outstanding, or suitable arrangements for periodical payments of the debt is not agreed by Council.
- 4) Upon the expiration of the time detailed in 3. above, those debts of fifty dollars (\$50) or greater remaining outstanding shall be forwarded to Council's debt collection agency, where a letter under the letterhead of the collection agency shall be forwarded, advising that unless full payment is received within seven (7) days of the date of the letter, Council may proceed to instigate legal action to recover the debt.
- 5) Upon expiration of the prescribed time detailed in 4 above Council's Debt Collection Agency shall be authorised to proceed to recover those debts by the issuing of the

required claims and, if required, to recover those debts by the issuing of the required claims and, if required, to recover the debt in the appropriate Court.

- 6) All costs associated with the collection process shall be borne by the debtor concerned, who shall be advised of this fact prior to the debt being forwarded to the Collection Agency.

#### **Rates (less than three years)**

Council shall take a fair and reasonable approach in collecting outstanding rates. Rate debtors shall be encouraged to make prompt payments of outstanding rates, but in cases where considered to be fair and reasonable, arrangements (preferably in writing) to effect payment of the rate debt will be pursued.

Collection procedures shall be as follows:

- 1) Rate debtors with an outstanding rate debt of twenty dollars (\$20) or greater shall be issued with a Notice of Overdue Rates as soon as practicable following the raising of fines and/or interest in accordance with Section 181(8) of the Local Government Act, 1999, as amended.
- 2) Rate debtors with rates in arrears of twenty dollars (\$20) or greater for ninety (90) days (3 months), or greater, will be forwarded a letter, under Council letterhead, advising that rates are outstanding and may be referred to Council's debt collection agency if payment of the total overdue amount is not received prior to the last day of the fourth month outstanding, or suitable arrangements for periodical payment of the debt is not agreed by Council within that timeframe.
- 3) Upon the expiration of the time detailed in 2. above, those debts of eighty dollars (\$80) or greater remaining outstanding shall be forwarded to Council's debt collection agency, where a letter under the letterhead of the collection agency shall be forwarded advising, that unless payment in full is received within seven (7) days of the date of the letter, Council may proceed to instigate legal action to recover the debt.
- 4) Upon the expiration of the prescribed time detailed in 3. above, Council's debt collection agency shall be authorised to proceed to recover those debts by the issuing of the required claims and, if required, to recover the debt in the appropriate Court.
- 5) All costs associated with the collection process shall be borne by the debtor concerned, who shall be advised of this fact prior to the debt being forwarded to the Collection Agency.

#### **Rates Outstanding – three (3) years or greater**

Where rates are outstanding for a period of three (3) years or greater the following process of debt recovery shall apply:

- 1) All such debts outstanding shall be notified to Council advising that the debt collection process in this policy is recommended to be implemented.
- 2) Upon direction of Council as referred to in 1. above, written notice under the Council's letterhead shall be forwarded to each debtor advising Council's ability to recover rates via sale of land (no threat to proceed) and requesting their co-operation by making full payment of the debt within one (1) month of the date of the letter.
- 3) Any proposal by the debtor (in writing) to make periodical payments of the outstanding amount shall be considered by Council on its merits.

- 4) If payment is not received in full upon the expiration of the time detailed above, the required information shall be forwarded to Council's legal advisers for processing pursuant to Section 184 of the Local Government Act 1999, as amended.
- 5) Where arrangements for periodic payments, refer 2. above, is allowed by Council, and the rate debtor does not make any payments as agreed, the Debt Collection Policy outlined above for debts outstanding for three (3) year or greater, shall be implemented.
- 6) Where arrangements for periodic payments, refer 2. above, is allowed by Council and the rate debtor makes some payments but does not pay the account in full in the time agreed, the Debt Collection Policy outlined above for debts outstanding for less than three (3) years shall be implemented.

### **3. COMPLAINTS**

Refer to PO147 Complaints

### **4. REVIEW**

Every 5 years

### **5. TRAINING**

As required

### **6. RELATED COUNCIL POLICIES AND DOCUMENTS**

Delegations Register

### **7. REFERENCES AND LEGISLATION**

Local Government Act 1999

### **8. COUNCIL DELEGATION**

<b>Delegate:</b>	Chief Executive Officer
<b>Sub Delegate:</b>	Director Corporate & Community Services

### **9. VERSION HISTORY**

<b>Archived Policy Name</b>	<b>Policy Number</b>	<b>Date Adopted</b>	<b>Last Reviewed</b>

## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **DA/ITEM 6.2**

#### **8. MERV HUGHES FISHING FUNDING REQUEST**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To seek support from Council to participate in the filming of the Merv Hughes Fishing Series.

##### **RECOMMENDATION**

That Council authorises the expenditure of \$5,000 within the Adopted Budget to enable Council to host the filming of the Merv Hughes Fishing Series at Marion Bay.

##### **LINK TO STRATEGIC PLAN**

Key Theme/s:	Sustainable Communities Our Economy
Strategic Goal/s:	3.1 Sustainable Economic Growth 3.2 Increase access to employment opportunities for our communities

##### **BACKGROUND**

Corporate and Community Services have been approached to support the filming of an episode of the 'Merv Hughes Fishing' television program at a cost of \$5,000 + GST.

##### **DISCUSSION**

Nationally recognised cricket and media identity Merv Hughes has secured a 10 episode fishing series with the 10 Network to be televised in 2016.

The Associate Producer of the series has offered Council the opportunity to host the filming of one of the 10 episodes at Marion Bay. The Executive Producer has advised that they are considering a choice of two locations, with Marion Bay being the preferred option over Rottnest Island.

This opportunity will provide Council with significant tourism exposure with the program having an estimated viewing audience of over 250,000 each episode. Additionally, Council involvement and support will be further promoted via the Merv Hughes Fishing Website, Social Media Channels and all future re-runs of the program.

The regular tourist operator package being offered to local councils start at \$5,000 to be involved in the production of the program, however, negotiations are currently being held to determine if additional support may be considered in the way of hosting the cast and crew at the Marion Bay Caravan Park.

In return for financial support Council will be promoted throughout the airing of the Marion Bay episode, as well as the Council logo featuring in the credits of all 10 episodes, website links and exposure to a range of local Marion Bay tourism product. Council officers will also discuss the possibility that the show could advertise the Walk the Yorke trail during the show.

## **COMMUNITY ENGAGEMENT PLAN**

This project does not require Community Engagement; however Council's involvement will be promoted via print and social media.

## **CONSULTATION PROCESS**

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

- Corporate Services Officer, Yorke Peninsula Council

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

- Jo Barrie – Yorke Peninsula Tourism
- Jason Kennedy – Executive Producer, Merv Hughes Fishing

## **POLICY IMPLICATIONS**

Not applicable

## **BUDGET AND RESOURCE IMPLICATIONS**

There has been no specific budget identified for this project as the opportunity has only just come to light, however, funding if the involvement is approved will be from within the existing Corporate and Community Services Budget utilising budgeted advertising and promotion costs within the general tourism, caravan parks and the Visitor Information Centre areas.

## **RISK / LEGAL / LEGISLATIVE IMPLICATIONS**

All risks and insurances would be covered by Channel 10

## **ATTACHMENTS**

**Attachment 1** : Email correspondence requesting involvement



**Corporate Email Address****From:****Sent:****To:****Subject:****Attachments:**

29 JUL 2015

Michael Hoogzard &lt;media-hype@live.com.au&gt;

Wednesday, 29 July 2015 11:29 AM

Corporate Email Address

Attention of Bronwyn Scholes Merv Hughes Fishing

Merv Hughes Fishing.pdf

Item Number

5346-2015-3

GDS Number

Series 2 4.66.2.6

Distribution

Dear Bronwyn Scholes,

'Merv Hughes Fishing' series 2 is going to commence in March 2016 at 4.30pm plus a weekly repeat on the ONE HD channel (series 1 started this year on May 16 at 4pm).

We are filming 10 episodes so we are estimating that Merv Hughes Fishing will carry a large number of viewers as we are expecting 250,000 - 300,000 viewers per week each run.

This will be a great opportunity for District Council of Yorke Peninsula to benefit from such an iconic Australian identity. To view program product review clips and other promotional clips click this website link [www.mervhughesfishing.com.au](http://www.mervhughesfishing.com.au)

Bronwyn we will be filming one episode of Merv Hughes Fishing in series 2 at Marion Bay and are interested in District Council of Yorke Peninsula being involved with this show as with integration of local content and web promotion on the Merv Hughes Fishing website.

We would be interested for District Council of Yorke Peninsula to sponsor the episode we are filming later this year at Marion Bay and the package for \$5000 + GST will include District Council of Yorke Peninsula logo in end credits of ALL ten episodes and website links.

Please remember that channel 10 have a two year license over the show so any repeats which is common practice after initial airing may go further than first planned. This is a massive benefit for District Council of Yorke Peninsula as for the original 10 weeks/20 shows can double, triple or even multiple further past those predictions.

If you would discuss any plan at any cost further, please call me. We would like to work in with your future plans and establish a solid partnership for this and future series of Merv Hughes Fishing.

Kind regards

Michael Hoogzard

Associate Producer

0432 259 747



This email has been checked for viruses by Avast antivirus software.

[www.avast.com](http://www.avast.com)

## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **DA/ITEM 6.2**

#### **9. SCENIC TOURISM FRAMES**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To seek a decision on the location of 3 Scenic Tourism Frames as previously approved by Council.

##### **RECOMMENDATION**

That Yorke Peninsula Council approves the erection of three Scenic Tourism Frames at the following locations;

- Point Turton Foreshore (overlooking the jetty)
- Port Vincent Foreshore (on the beach)
- Marion Bay Jetty (at the beginning of the jetty)

##### **LINK TO STRATEGIC PLAN**

Key Theme/s :           Sustainable Communities  
                                  3. Our Economy  
Strategic Goal:        3.1 Sustainable Economic Growth

##### **BACKGROUND**

Council have previously endorsed the installation of three Scenic Tourism Frames throughout the Yorke Peninsula. Research on suitable locations has been undertaken and several options have been suggested. To narrow the location options and to maximise potential usage it is suggested that the frames be installed in towns where the three highest earning Council Managed Caravan Parks are situated, these being Port Vincent, Point Turton and Marion Bay.

##### **DISCUSSION**

These frames will provide visitors to the Yorke Peninsula a perfect vantage point to compose a photograph of themselves, friends and family with spectacular scenic backdrops. The idea is that people will take photos to share with friends and family particularly via social media methods. As social media marketing is emerging as the future of tourism advertising.

The structures are constructed from recycled plastic and are around 3.5m wide and 3 meters high, so it is important that they are located where they won't obstruct residential views or cause dangerous traffic conditions.

It is further suggested that to maximise their use, they be located in prominent positions where larger volumes of people are present during peak holiday periods.

## COMMUNITY ENGAGEMENT PLAN

This project is a Level 2 Consultation.

Following a decision from Council regarding the locations, there will be a letter to the respective Progress Associations to gain their feedback on the proposal. This is scheduled for the week commencing the 17<sup>th</sup> of August.

The frames will also need Development Approval which means that a Public Notice will be placed for all residents to express their opinions on the project. The Development Application will be lodged on Monday the 17<sup>th</sup> of August.

If a frame is installed on the beach at Port Vincent, approval may be required from the Coastal Protection Agency.

Once this has happened, there will be advertising on Council's Social Media and Website.

It is hoped that the frames will be ready for installation by the end of September in readiness for the October Long Weekend.

## CONSULTATION PROCESS

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

- Visitor Information Centre Coordinator, Yorke Peninsula Council
- Visitor Information Centre Officer, Yorke Peninsula Council
- Walk the Yorke Project Manager, Yorke Peninsula Council
- Director, Development Services, Yorke Peninsula Council
- Risk Administrator, Yorke Peninsula Council

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

- **Bill Chernabaeff** – Advanced Plastic Recycling (APR)
- **Reg Phillips** - Senior Ranger, Parks, Sports & Recreation Auckland Council

## POLICY IMPLICATIONS

Not applicable

## BUDGET AND RESOURCE IMPLICATIONS

\$15,000 has been identified in the 2015/2016 Capital Budget to fund the Frames.

## RISK / LEGAL / LEGISLATIVE IMPLICATIONS

A comprehensive Risk Assessment of the Installation of the Frames will be undertaken by Development Services as part of the Development Approval Process.

## ATTACHMENTS

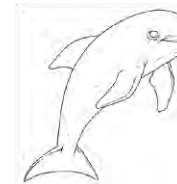
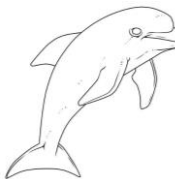
**Attachment 1:** Photographs and rough sketches of the proposed frames

Please note, final designs are being prepared by the manufacturer's graphic designers.

**Attachment 2:** Community Engagement Plan



# HELLO FROM PORT VINCENT



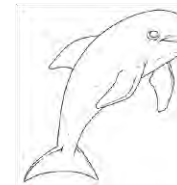
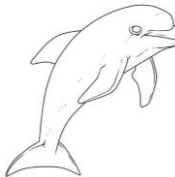
#yorkepeninsula

[visityorkepeninsula.com.au](http://visityorkepeninsula.com.au)





# MAGNIFICENT MARION BAY



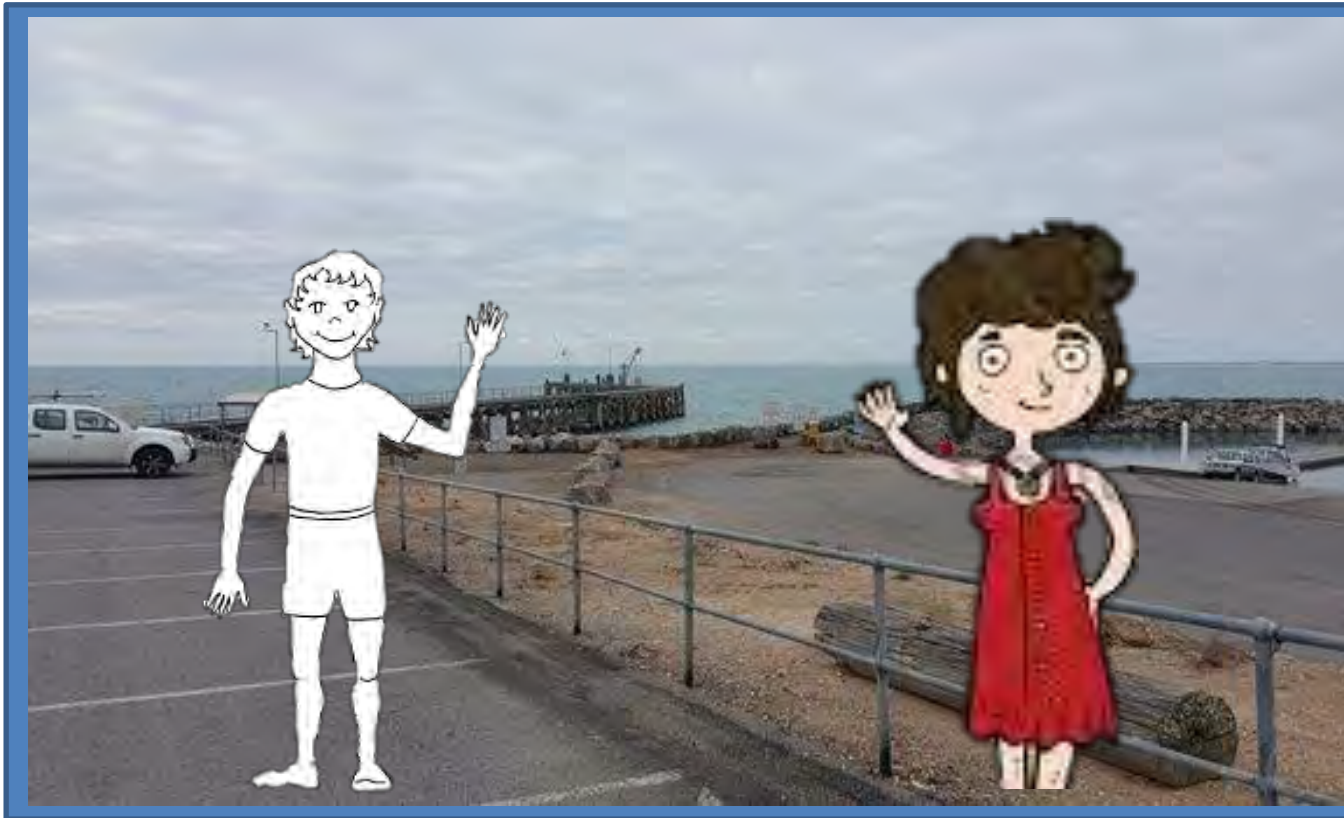
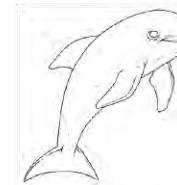
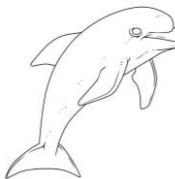
#yorkepeninsula  
[visityorkepeninsula.com.au](http://visityorkepeninsula.com.au)







# MAKING MEMORIES AT POINT TURTON

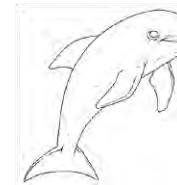
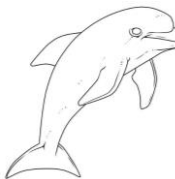


#yorkepeninsula  
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# INNES NATIONAL PARK



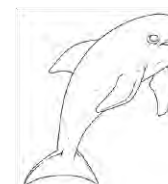
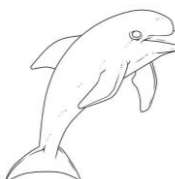
#yorkepeninsula  
[visityorkepeninsula.com.au](http://visityorkepeninsula.com.au)







# SENSATIONAL STENHOUSE BAY



#yorkepeninsula

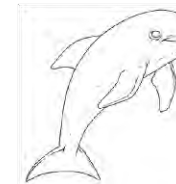
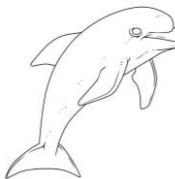
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# HELLO FROM ARDROSSAN

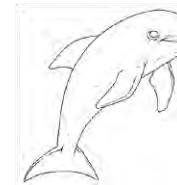
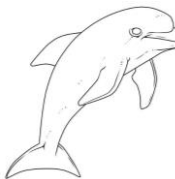


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# GREETINGS FROM STANSBURY



#yorkepeninsula

[visityorkepeninsula.com.au](http://visityorkepeninsula.com.au)



# COMMUNITY ENGAGEMENT PLAN

SF215

Responsible Officer: Business Improvement Officer

Issue Date: 10th June 2015

Next Review Date: June 2019

**PROJECT NAME:** Scenic Tourism Frames

[illegible]

## **DIRECTOR ASSETS & INFRASTRUCTURE SERVICES**

### **DA/ITEM 6.3**

#### **1. TRANSFER STATION GATE FEES** (File Ref: 9.24.1.1)

##### **PURPOSE**

The purpose of this report is to seek consideration by Council to endorse the revised gate fees for the three (3) Transfer Stations.

##### **RECOMMENDATION**

That Council:

1. endorse the revised gate fees as proposed by Transpacific.
2. approve the updating of these fees within the Fees and Charges Register.

##### **LINK TO STRATEGIC PLAN**

Key Theme/s: Sustainable Communities  
1. Sustainable Infrastructure  
Strategic Goal/s: 1.3 Provide waste and recycling services to our community in order to reduce waste to landfill.

##### **BACKGROUND**

Gate fees associated with Transfer Station operations are generally reviewed on an annual basis by the contractor (Transpacific) and provided to Council for endorsement.

Gate fee charges are incorporated with Council's Fees and Charges Register with revised amounts captured within the endorsement process annually of changes within the Fees and Charges Register. Unfortunately, Transpacific did not provide their revised gate fee charges at the time of updates to the Fees and Charges Register. Therefore, there is a need to consider at an independent level.

##### **DISCUSSION**

Transpacific are exercising their rights pursuant to the Service Rates Schedule of the contract for the Management and Operation of Resource Recovery Centres to adjust gate fees annually at the three Transfer Station sites being CYP (near Arthurlton), Ramsay (near Port Vincent) and Warooka.

The proposed adjustments are set out in IS043 Transfer Stations (Resource Recovery Centres) (Attachment 1). I have taken the liberty to highlight the existing (old) and revised (new) fees for consideration.

##### **COMMUNITY ENGAGEMENT PLAN**

Level 1 Inform – website

The community will be informed of the changes to the gate fees by the updating of IS043 Transfer Stations (Resource Recovery Centres) and the Fees and Charges Register on Council's website.

#### **CONSULTATION PROCESS**

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

- Nil

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

- Nil

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET AND RESOURCE IMPLICATIONS**

Nil

#### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

There may be an increased risk of illegal dumping as a result of increases to the gate fees.

#### **ATTACHMENTS**

**Attachment 1:** IS043 Transfer Stations (Resource Recovery Centres)



**PRINCIPAL OFFICE:**  
8 Elizabeth Street, Maitland  
Telephone (08) 8832 0000  
**ALL CORRESPONDENCE TO:**  
P.O. Box 88, MINLATON, SA 5575  
Fax (08) 8853 2494  
Email: [admin@yorke.sa.gov.au](mailto:admin@yorke.sa.gov.au)  
Website: [www.yorke.sa.gov.au](http://www.yorke.sa.gov.au)



## TRANSFER STATIONS (RESOURCE RECOVERY CENTRES)

IS043

Responsible Officer: Operations Manager

Issue Date:

Next Review Date: June 2016

### OPENING TIMES

CYP (near Arthurton)		Ramsay		Warooka	
Tuesday	1.00pm – 4.00pm	Tuesday	7.30am – 12.00pm	Wednesday	12.00pm – 4.00pm
Thursday	7.30am – 11.00am	Thursday	12.00pm – 4.00pm	Saturday	2.00pm – 4.00pm
Saturday	8.30am – 10.00am	Saturday	11.00am – 1.00pm	Sunday	8.30am – 10.00am
Sunday	2.00pm – 4.00pm	Sunday	11.00am – 1.00pm		

### FEE SCHEDULE

Description	Clean Green		Domestic and General		Inert Construction and Demolition		Asbestos	
	2014-15 Fee	2015-16 Fee	2014-15 Fee	2015-16 Fee	2014-15 Fee	2015-16 Fee	2014-15 Fee	2015-16 Fee
Cars (Sedans)	\$18	\$20	\$24	\$25	N/A		\$121	\$125
Utilities and trailers up to 6X4 not exceeding water level	\$23	\$25	\$31	\$35	\$34	\$35	\$121	\$125
Utilities and trailers up to 6X4 raised over water level	\$40	\$40	\$61	\$65	\$53	\$55	\$182	\$190
Utilities and trailers up to 8X5 not exceeding water level	\$36	\$35	\$53	\$55	\$48	\$50	\$182	\$190
Utilities and trailers up to 8X5 raised over water level	\$54	\$55	\$76	\$80	\$72	\$75	\$182	\$190
Utilities and trailers larger than 8X5 not exceeding water level	\$71	\$75	\$106	\$110	\$86	\$90	POA	
Utilities and trailers larger than 8X5 raised over water level	\$89	\$90	\$136	\$145	\$105	\$115	POA	
Trucks 10 m3 and under (e.g. Single rear Axle trucks)	\$176	\$180	\$301	\$320	\$190	\$205	POA	
Trucks 15 m3 and under (e.g. Single rear Axle trucks)	\$353	\$360	\$602	\$635	\$380	\$410	N/A	
Trucks 15 m3 to 22m3 (e.g. Single rear Axle trucks)	\$618	\$635	\$1054	\$1110	\$665	\$715	N/A	
Trucks 22m3 to 29m3 (e.g. Single rear Axle trucks)	\$883	\$905	\$1507	\$1590	\$951	\$1020	N/A	
Trucks larger than 29m3 (e.g. Single rear Axle trucks)	\$1060	\$1085	\$1808	\$1910	\$1141	\$1225	N/A	

ADDITIONAL CHARGES <b>PER ITEM</b>	
Mattresses	\$20
Gas Cylinders	\$20
<del>Motorbike Tyre</del>	<del>\$10</del>
Car Tyre	\$15
4WD Tyre	\$25
Light Truck Tyre	\$25
Truck Tyre	\$45
RECYCLING	
Metals and batteries	FREE
E-WASTE	
Batteries and calculators etc	FREE
Small Items – keyboards, iPods, blenders etc	\$5
Medium Items – vacuum cleaners, scanners	\$12
Large Items – computer packages and televisions (greater than 36cm) etc	\$22
Extra Large Items – photocopiers, large printer etc	\$50
OTHER INFORMATION	
<ul style="list-style-type: none"> <li>▪ All sites are managed and operated by Transpacific Industries Group Ltd – Telephone 8867 1355</li> <li>▪ Special loads: POA – Contact Transpacific on <b>telephone</b> 8867 1355 (<del>business hours</del>) or 0481 014 599 (<del>after hours</del>)</li> <li>▪ <b>Prices include EPA Levy (if applicable) and GST.</b></li> <li>▪ Clean Green: Tree or lawn clippings and clean timbers. Treated timber not permitted.</li> <li>▪ Domestic and General: General household and mixed wastes.</li> <li>▪ Inert Construction and Demolition: Loads containing soil, concrete or other inert materials.</li> <li>▪ Asbestos: Delivered as per regulations (Ramsay site only). Material must be man-handleable and is the driver's responsibility to unload.</li> <li>▪ No prescribed waste.</li> <li>▪ <b>E-Waste: Domestic quantities only. Maximum of two televisions per load per customer.</b></li> <li>▪ <del>Computers &amp; Televisions may be delivered free of charge.</del></li> <li>▪ <b>EFTPOS preferred.</b> <del>facilities are available at each site</del></li> </ul>	
<b>PLEASE COVER YOUR LOAD</b>	

## **DIRECTOR ASSETS & INFRASTRUCTURE SERVICES**

### **DA/ITEM 6.3**

#### **2. DRAFT TRANSPORT ASSET MANAGEMENT PLAN** (File Ref: 9.24.1.1)

##### **PURPOSE**

The purpose of this report is to seek Council endorsement to undertake public consultation of the Draft Transport Asset Management Plan (provided under separate cover).

##### **RECOMMENDATION**

That Council endorse public consultation of the Draft Transport Asset Management Plan as provided in Attachment 1.

##### **LINK TO STRATEGIC PLAN**

Key Theme/s: Sustainable Communities  
1. Sustainable Infrastructure  
Strategic Goal/s: 1.1 Implement and maintain Council's Asset Management Plan

##### **BACKGROUND**

The Yorke Peninsula Council own and maintain an extensive transport network, which includes roads, footpaths and kerb and gutter. The road network, which comprises sealed, unsealed, formed and graded, unformed roads and tracks, is approximately 3890km in length.

The Draft Transport Asset Management Plan is presented to Council as a way forward in managing transport assets. It includes the following:

- road categorisation for all roads within the Council area;
- levels of service (construction, renewal and maintenance standards) for all road categories;
- proposed funding for upgrade, renewal and maintenance of transport infrastructure; and
- a proposed 10 year Capital Works program.

##### **DISCUSSION**

In March 2014 Council purchased Conquest Asset Management Software, with support from Tonkin Consulting, to manage infrastructure and other assets. As part of the implementation process of the new software a stocktake and review of all asset categories was commenced.

Transport assets were reviewed and a revaluation was undertaken by Tonkin Consulting using the following methodologies:



- Road categories and hierarchy were taken from an initial Road Hierarchy Study undertaken in 2001. The road network categories were:
  - Sealed Roads – Township, Rural High Use and Rural Normal Use.
  - Unsealed Sheeted Roads – High, Medium and Low Use.
  - Low Use Unsealed Sheeted roads were then prioritised to High, Medium and Low Wear using a priority score based on social, freight and tourism importance.
  - Road lengths for each category were as follows:
 

▪ Township Sealed Roads	200km
▪ Rural High Use Sealed Roads	193km
▪ Normal Use Sealed Roads	111km
▪ Unsealed High Use Sheeted Roads	226km
▪ Unsealed Medium Use Sheeted Roads	300km
▪ Unsealed Low Use Sheeted High Wear Roads	1452km
▪ Unsealed Low Use Sheeted Medium Wear Roads	462km
▪ Unsealed Low Use Sheeted Low Wear Roads	206km
▪ Unsealed Formed and Graded Roads	455km
▪ Unformed Roads and Tracks	236km
- Roads, footpaths and kerb and gutter were segmented into various lengths.
- Construction and renewal standards were developed based on assumptions from staff of current service levels. The standards included the following:
  - Sealed Roads:
    - Road Corridor
    - Sealed Width
    - Pavement Depth and Width
    - Reseal Treatment
    - Seal Life
    - Pavement Treatment and Life
  - Unsealed Roads:
    - Road Corridor
    - Sheeted Width and Depth
    - Life and Condition at End of Life
- Condition data on the transport network has been collected by using contractors and Council staff. Sealed road, footpath and kerb and gutter data was collected using electronic data capture. High and Medium Use unsealed road data has been collected by using both electronic and manual capture methods, while a majority of Low Use road data has been collected by staff. All unsealed roads have been cored to identify an approximate sheeting depth.

The revaluation highlighted a significant backlog of work on the unsealed road network which needed to be investigated.

A draft version of the Transport Asset Management Plan using data and methodologies from the revaluation was presented at a workshop with Elected Members held in May. Discussion took place on the assumptions that had been made in the revaluation in relation to the road categorisation, Levels of Service, including construction and renewal standards, and the significant unsealed road backlog. The presentation identified that there was a significant amount of roads in the Unsealed Low Use Sheeted category which was driving the backlog and that a strategy needed to be developed to deal with the backlog so that it did not keep increasing. Outcomes presented were to consider

reviewing the construction and renewal standards for each category of unsealed road, especially the condition at end of life (how much a road can deteriorate prior to being re-sheeted) and to investigate whether or not some roads could be shifted to a lower category.

A second workshop with Elected Members was held in July focussing on proposed changes to the unsealed road renewal standards, which was based on data for the worst roads in each category and adjustments to road categories based on staff knowledge of the network. The re-categorising of Low Use roads made the following alterations to road lengths in each category:

- |  |       |
|--|-------|
| • Unsealed Low Use Sheeted High Wear Roads   | 707km |
| • Unsealed Low Use Sheeted Medium Wear Roads | 984km |
| • Unsealed Low Use Sheeted Low Wear Roads    | 346km |
| • Unsealed Formed and Graded Roads           | 539km |

These changes made an impact on the backlog and made it manageable. It was recommended that a Draft Transport Asset Management Plan be finalised using these changes and presented to Council and then undergo public consultation.

The Draft Transport Asset Management Plan is an evolving plan that will act as a guiding document for the future and I therefore seek adoption of the plan by Council, subject to the public consultation process.

## **COMMUNITY ENGAGEMENT PLAN**

### Level 2 Consult

The community will be invited to provide feedback on the Draft Transport Asset Management Plan via the methods shown in Attachment 1.

## **CONSULTATION PROCESS**

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

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

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

- Tonkin Consulting

## **POLICY IMPLICATIONS**

PO128 Asset Management Policy

#### **BUDGET AND RESOURCE IMPLICATIONS**

Within previous and current budget parameters.

#### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Local Government Act 1999 (SA)

#### **ATTACHMENTS**

**Attachment 1:** Community Engagement Plan

**Provided under separate cover:** Draft Transport Asset Management Plan



# COMMUNITY ENGAGEMENT PLAN

SF215

Responsible Officer: Business Improvement Officer

Issue Date: 10th June 2015

Next Review Date: June 2019

**PROJECT NAME: Draft Transport Asset Management Plan**

Stakeholders	Level 2 CONSULT	Responsibility	Start Date	End Date	Status	Evaluation Method
All residents	Website	Asset Manager	14/08/2015	11/09/2015	NS	# website hits
	Public Notice	Asset Manager	14/08/2015	18/08/2015	NS	Notice appeared in correct issue
	Media Release	Business Improvement Officer	14/08/2015	18/08/2015	NS	Media release 'picked up'
	Social Media	Business Improvement Officer	14/08/2015	11/09/2015	NS	# likes &/or shares
	Special Publication*	Asset Manager	14/08/2015	11/09/2015	NS	# submissions received
* Due to the size of the Plan, copies will only be available upon request						

## **DIRECTOR DEVELOPMENT SERVICES**

### **DA/ITEM 6.4**

#### **1. AUTHORISATION TO SIGN LAND MANAGEMENT AGREEMENT**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To seek authorisation from Council for the Mayor and Chief Executive Officer to execute a Land Management Agreement relating to development at Lot 3003, Black Point.

##### **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 3003 in Deposited Plan 41615.

##### **LINK TO STRATEGIC PLAN**

Key Theme/s:	Sustainable Communities 2. Progressive & Sustainable Development
Strategic Goal/s:	2.3 Continue to guide sustainable and integrated land use and development through the Development Plan and assessing and monitoring development applications.

##### **BACKGROUND**

Prodec Pty Ltd and Gloyne Pty Ltd ("the Owner") have requested Council to execute documents to permit a Land Management Agreement (LMA) to be registered on the Title of allotments (15) being created under land division application 544/D001/2009.

The Subject Land is lot 3003 in Deposited Plan 41615 in the area named Black Point Hundred of Muloowurtie ("the Land").

The LMA was offered as part of development application 544/D001/2009 which was approved in February 2010 subject to the LMA being entered into prior to issue of Titles for the new allotments.

##### **DISCUSSION**

The Subject Land is within the Settlement Zone in the Yorke Peninsula Council Development Plan and the LMA places additional restrictions over and above the Development Plan, namely;

- Dwellings must be connected to an aerobic wastewater treatment system,
- No second hand transportable building will be located on the land, and
- No division of the land to create an additional allotment.

The LMA will be registered on the Title of the new allotments and will be binding on the current and future owner of the Land.

## **COMMUNITY ENGAGEMENT PLAN**

Level 1: Providing information to assist understanding of how decisions were made

## **CONSULTATION PROCESS**

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

- Nil

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

- Nil

## **POLICY IMPLICATIONS**

Nil

## **BUDGET AND RESOURCE IMPLICATIONS**

Costs associated with the registration of the LMA on land Titles are borne by the land owner. There are no immediate or ongoing costs to Council other than the administration issues associated with signing the relevant documentations.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

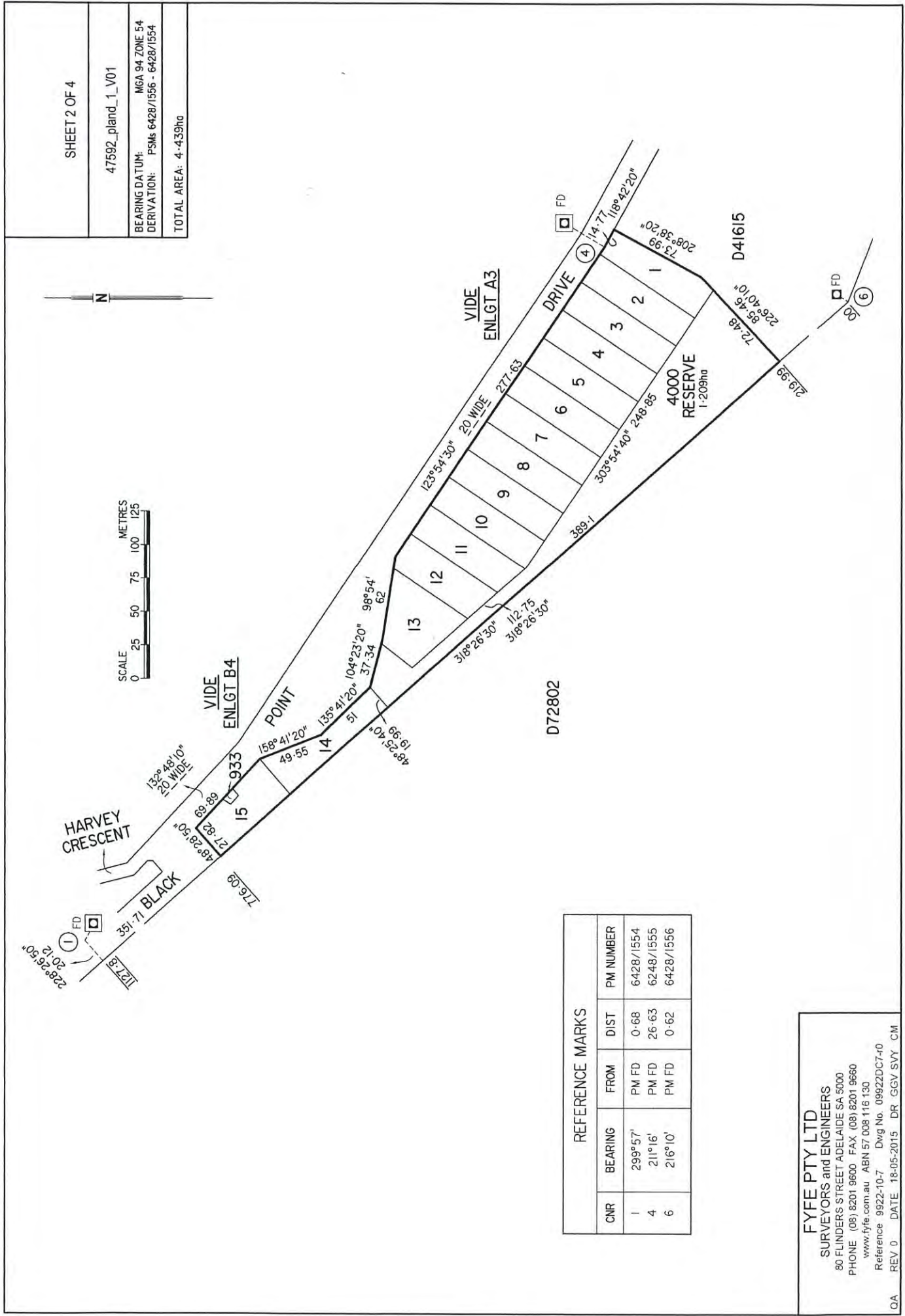
Development Act, Section 57A  
Local Government Act, Section 38(1)

## **ATTACHMENTS**

**Attachment 1:** Subject Land

**Attachment 2:** Locality Plan

**Attachment 3:** Land Management Agreement





DC OF YORKE PENINSULA  
DEV NO 544/D001/09

# SUBJECT TO CERTIFIED SURVEY



GULF ST. VINCENT

HARVEY CRES  
PUBLIC ROAD

BLACK VINE ENLIGHTENED

ENLARGEMENT E.I



SEC 413

RESERVE 3008  
in DP 41615

3013  
in DP 41615  
DC OF YORKE PENINSULA  
CT 5294176

TOTAL AREA ..... 4.439ha  
No. OF EXISTING LOTS ..... 1  
No. OF PROPOSED LOTS ..... 16  
RESERVE AREA ..... 1.208ha

ALL DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY  
LEVELS AND CONTOURS SHOWN ON THIS PLAN ARE  
SUITABLE ONLY FOR SUBDIVISION PLANNING PURPOSES  
AND ARE NOT TO BE USED FOR ANY DESIGN ACTIVITIES

VOUCHED FOR IN ACCORDANCE WITH REGULATION 15 (3)(A)  
OF THE DEVELOPMENT REGULATIONS 1993

LICENSED SURVEYOR \_\_\_\_\_ DATED / /

ROAD GEOMETRY SCALED FROM AERIAL PHOTOGRAPHY  
AND IS APPROXIMATE ONLY

## LEGEND

--- EXISTING WALKING TRACK  
--- PROPOSED WALKING TRACK



LEVEL DATUM: AHD  
LEVEL AUTHORITY: NA  
COORD DATUM: NA  
SCALE 1: 1250  
DATA FILES:  
INSTRUMENT: 090227191

PLAN SHEET:  
COUNCIL: DC OF YORKE PENINSULA  
MAP SHEET: 6026-14a  
CT REF: CT 5294176  
FIVE PTY LTD  
A.C.N. 629 282 485  
143 MILLAR ROAD ROSE PARK SA 5067  
TEL (08) 8384 1000  
FAX (08) 8384 1004  
www.five.com.au  
Brisbane (07) 4655 4500  
Melbourne (03) 8672 6665  
Sydney (02) 9555 4594

PRODEC PTY LTD  
PLAN OF PROPOSED DIVISION  
ALLOTMENT 3003 IN DP 41615  
BLACK POINT DRIVE  
HUNDRED OF MULGOORRIE  
BLACK POINT

ISSUED TO CLIENT  
HMP CWA 1401028  
START CHECK DATE  
REVISED  
NO

PLAN OF PROPOSED DIVISION, BLACK POINT DRIVE, BLACK POINT



TO: The Registrar General

**DISTRICT COUNCIL OF YORKE PENINSULA** of 8 Elizabeth Street MAITLAND SA 5573 **HEREBY APPLIES** pursuant to the provisions of Section 57A(2) of the Development Act, 1993 for the notation of the attached Land Management Agreement pursuant to the provisions of Section 57A(14) of the said Act which said Land Management Agreement is dated the \_\_\_\_\_ day of ~~2009~~ **2015** and made between **DISTRICT COUNCIL OF YORKE PENINSULA** aforesaid as the Council of the one part and **PRODEC PTY LTD** and **GLONE PTY LTD** of Faraway House, Level 1, 21 Franklin Street, ADELAIDE SA 5000 as the Owner of the other part which Agreement binds the whole of the land comprised in Certificate of Title Register Book Volume 5294 Folio 176 and operates to control the future development, management, preservation or conservation of the said land.

DATED the \_\_\_\_\_ day of ~~2009~~ **2015**

**THE COMMON SEAL** of  
**DISTRICT COUNCIL OF YORKE PENINSULA**  
 was hereunto affixed in the presence of:

.....  
 Mayor

.....  
 Chief Executive Officer

The Owner **HEREBY CONSENTS** to the noting of the attached Land Management Agreement Deed.

**EXECUTED by PRODEC PTY LTD**  
 in accordance with s127(1) of the Corporations Act by:

Signature

Print Name

Director

Signature

Print Name

Director / Secretary (delete  
 inapplicable)

and if only one person has signed, that person states that he/she is the sole director and sole secretary of the company

**EXECUTED by GLONE PTY LTD**  
 in accordance with s127(1) of the Corporations Act by:

Signature

Print Name

Director

Signature

Print Name

Director / Secretary (delete  
 inapplicable)

and if only one person has signed, that person states that he/she is the sole director and sole secretary of the company

THIS DEED is made the

day of

~~2009~~ 2015

**BETWEEN:**

**DISTRICT COUNCIL OF YORKE PENINSULA** of 8 Elizabeth Street MAITLAND SA 5573 ("the Council") of the one part

and

**PRODEC PTY LTD and GLONE PTY LTD** of the address specified in Item 1 of the Schedule (hereinafter with its successors and assigns, as the case may be, referred to as "the Owners") of the other part

**RECITALS:**

- A. The Owners are the registered proprietors of an estate in fee simple in the whole of the land specified in Item 2 of the Schedule ("the Land").
- B. Save and except the Owners and the person(s) specified in Item 3 of the Schedule, if any, as at the date of this Deed no other person has any legal interest in the Land.
- C. The Owners have applied for Development Plan consent and Land Division consent pursuant to the provisions of the *Development Act 1993* ("the Act") to divide the Land creating 15 additional allotments and a reserve from one existing allotment ("the proposed Development") as depicted on the Plan of Division attached to Item 4 of the Schedule to this Deed ("the Plan of Division").
- D. The Council is prepared to grant the Development Plan consent with Land Division consent providing that any dwelling to be situated on any of the allotments is connected to an on-site aerobic treatment system approved by the Council.
- E. The purpose of this Deed is to ensure environmentally sustainable wastewater treatment and recycling practices are followed on the Land and the connection to an appropriate waste water treatment system will achieve this purpose.
- F. Pursuant to the provisions of section 57A(2), the parties agree the matters which are the subject of this Deed are relevant to the proposed Development.
- G. The parties agree that the proposed Development shall not be commenced pursuant to the relevant development approval unless and until this Deed has effect pursuant to section 57A(10) of the Act.

## NOW THIS DEED WITNESSES:

### INTERPRETATION

1. The parties acknowledge that the matters recited above are true and accurate and agree that they form part of the terms of this Deed.
2. In the interpretation of this Deed unless the context otherwise requires or admits:

Words and phrases used in this Deed that are defined in the Act, or in the regulations made under the Act, have the meanings ascribed to them by the Act or the regulations as the case may be;

References to any statute or subordinate legislation include all statutes and subordinate legislation amending, consolidating or replacing the statute or subordinate legislation referred to;

The term "the Owner" where it is a company includes its successors, assigns and transferees and where it is a person includes his or her heirs, executors, administrators and transferees and where it 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 for the time being registered or entitled to be registered as the proprietor of an estate in fee simple of the Land;

The term "person" includes a corporate body;

The term "the Land" shall include any part or part of the Land;

The term "Plan of Division" is the plan of division that is depicted in Item 4 of the Schedule;

The term "on-site aerobic treatment system" shall mean an approved and recognised sewerage treatment system;

The term "dwelling" shall mean any building, capable of human habitation, proposed to be constructed on the Land and which is or will be an approved development under the Act but does not include a "second hand transportable building";

The term "second hand transportable building" shall mean any previously used building that is capable of being moved or removed to or from the Land;

Any term which is defined in the statement of the names and descriptions of the parties or in the Recitals has the meaning there defined;

Words importing the singular number or plural number are to be taken to include the plural number and the singular number respectively;

Words importing any gender include both genders;

Where two or more persons are bound hereunder to observe or perform any obligation or Deed whether express or implied they are bound jointly and each of them severally.

3. Clause headings are provided for reference purposes only and are not to be resorted to in the interpretation of this Deed.
4. 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.
5. Nothing contained in this Deed shall fetter the Council in the exercise of its discretion as the Relevant Authority under the Act.

#### **ACKNOWLEDGMENTS OF THE OWNER:**

6. The Owners acknowledge that prior to its occupation, any dwelling on any of the allotments must be connected to an on-site aerobic treatment system approved by the Council.
7. The Owners acknowledge that no second hand transportable building will be located on any allotment at any time.
8. The Owners acknowledge that there will be no further division of the Land with the exception of land division which involves the realignment of the common boundary between two contiguous allotments and no more than the (10) percent of either allotment is affected by the boundary change or the amalgamation of two or more contiguous allotments, once the Development is approved.

#### **UNDERTAKINGS OF THE OWNER:**

9. The Owners shall ensure that, prior to occupation, any dwelling situated on any of the allotments will be connected to an on-site aerobic treatment system approved by the Council.
10. The Owners shall not cause, suffer or permit any second hand transportable building to be located on any allotment at any time.
11. The costs and expenses incurred by the Owners in relation to any action taken by the Owners pursuant to clause 6 of this Deed shall be borne by the Owners.

#### **OPERATION OF THIS DEED**

12. The parties expressly declare and agree that the provisions of this Deed shall be binding and impose obligations upon them upon the Deed being registered and a memorial thereof entered on the Certificate of Title for the Land pursuant to the provisions of section 57A(14) of the Act in priority to any other registrable interest in the land save and except for the estate and interest of the Owners therein.

#### **RESCISSION**

13. If any development authorisation obtained for the Development is not granted, or if granted, lapses or expires by virtue of the provisions of the Act without being implemented by the Owners, the Council agrees to rescind this Deed at the request of the Owners and the reasonable costs of and incidental to the preparation, stamping and registration of the Deed of Rescission shall be borne by the Owners.

## **COUNCIL'S POWERS OF ENTRY**

14. The Council or any employee or authorised officer of the Council may at any time enter into or upon the Land for the purposes of:
  - 14.1 inspecting the Land or any building thereon;
  - 14.2 exercising any other powers of the Council under this Deed or pursuant to law.

## **VARIATION AND WAIVER**

15. This Deed may not be varied except by a supplementary Deed signed by the Council and the Owners.
16. The Council may waive compliance by the Owners with the whole or any part of the obligations of the Owners herein contained but no such waiver is effective unless expressed in writing and signed by the Council.

## **NOTICES**

17. Notice for the purposes of this Deed is to be taken to be properly served on the Owners if it is:
  - 17.1 posted to the Owners at the Owners' last address known to the Council; or
  - 17.2 any method prescribed by the *Development Regulations 1993* for the service of a notice.

## **NOTING OF THIS DEED**

18. Each party must do and execute all such acts, documents and things as are necessary to ensure that this Deed is noted by the Registrar-General against the Certificate of Title for the Land pursuant to Section 57A(14) of the Act.

## **COSTS**

19. The Owners are to bear the costs of and incidental to the negotiation and preparation of this Deed and the stamping and the noting of this Deed on the Certificate of Title to the Land.
20. The Owners hereby agree 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.

## **GOVERNING LAW**

21. The law governing the interpretation and implementation of the provisions of this Deed is the law of South Australia.



**GENERAL PROVISIONS**

22. 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 record that it is their intention that such provision be severed from this Deed and that the remaining provisions are to be effective and enforceable according to their terms.
23. This Deed contains the whole Deed between the parties in respect of the matters referred to herein.

**EXECUTED** as a Deed

**THE COMMON SEAL** of the )  
**DISTRICT COUNCIL OF YORKE PENINSULA** )  
 was hereunto affixed in the presence of: )

.....  
 Mayor

.....  
 Chief Executive Officer

**SIGNED by PRODEC PTY LTD** )

in the presence of: )

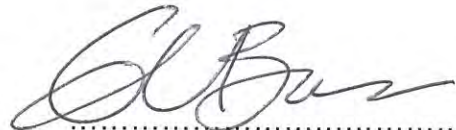
.....  


.....  
 Witness

.....  
 Name

**SIGNED by GLONE PTY LTD** )

in the presence of: )

.....  


.....  
 Witness

.....  
 Name

The person named in Item 3 of the Schedule, if any, who has a legal interest in the Land by virtue of the interest specified therein **HEREBY CONSENTS** to the Owners entering into this Deed.

Signed for and on behalf of  
**COMMONWEALTH BANK of AUSTRALIA**  
 by its lawful attorney in the  
 presence of

SIGNED in South Australia by ) COMMONWEALTH BANK OF  
 COMMONWEALTH BANK OF AUSTRALIA ) AUSTRALIA ABN 48 123 123 124  
 ABN 48 123 123 124 by its duly ) By its Attorney  
 constituted Attorney )  
*Neville John Leslie Mead* )  
 who certified that he is the )  
*Relationship Executive* )  
 South Australia of COMMONWEALTH BANK )  
 OF AUSTRALIA in the presence of )

*[Signature]*  
 (Signature of Witness)

*KIM DIANE OATES*

(Full Name of Witness)

*d-level 2  
 100 King William street  
 Adelaide SA 5000*

(Address of Witness)

*(08) 8206 4068*

(Daytime telephone number)

Power of Attorney No *10999753*

**THE OWNERS HEREBY CERTIFY** pursuant to Section 57A(12) of the Act that no other person has a legal interest in the land.

**SIGNED by PRODEC PTY LTD**

in the presence of:

)  
)  
)

  
.....

  
.....

Witness

  
.....

Name

**SIGNED by GLONE PTY LTD**

in the presence of:

)  
)  
)

  
.....

  
.....

Witness

  
.....

Name



## SCHEDULE

### ITEM 1

#### Full Name of Owners:

PRODEC PTY LTD and GLONE PTY LTD

#### Address of Owner:

C/- Faraway House  
Level 1, 21 Franklin Street  
ADELAIDE SA 5000

### ITEM 2

#### Land Description:

The whole of the land comprised within Certificate of Title Register Book Volume 5294 Folio 176 being Allotment 3003 Deposited Plan 41615 in the area named Black Point Hundred of Muloowurtie.

### ITEM 3

#### Full Name of person with legal interest in the Land (if any) and details of interest in the Land

COMMONWEALTH BANK of AUSTRALIA

### ITEM 4

#### Plan of Division

Attached hereto

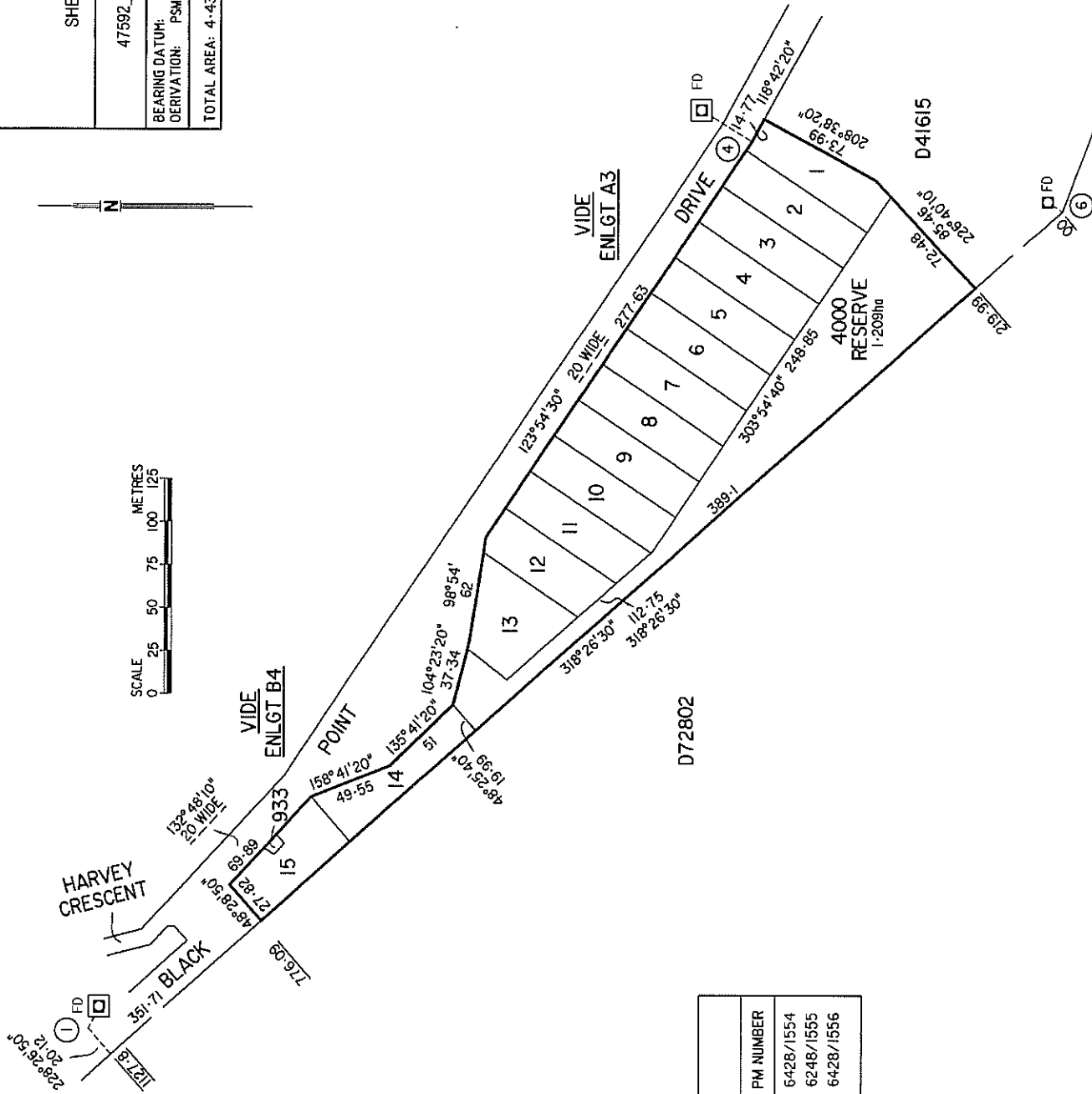
PURPOSE:	DIVISION	AREA NAME:	BLACK POINT	APPROVED:	SHEET 1 OF 4 47592_textL_01_v01
MAP REF:	6428/14/D, 6428/14/E	COUNCIL:	YORKE PENINSULA COUNCIL	DEPOSITED/FILED:	
LAST PLAN:	F48735	DEVELOPMENT NO: 544/D001/09/001			
AGENT DETAILS:		SURVEYORS CERTIFICATION:			
FYPE PTY LTD LEVEL 3, 80 FLINDERS STREET ADELAIDE SA 5000 PH: 82019600 FAX: 82019650					
AGENT CODE: ALRF					
REFERENCE: 9922-10-7 DC7-R0					
SUBJECT TITLE DETAILS:					
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	
CT	5294	176		ALLOTMENT(S)	
OTHER TITLES AFFECTED:					
EASEMENT DETAILS:					
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE
					IN FAVOUR OF
CREATION					
ANNOTATIONS:					

SHEET 2 OF 4

47592\_pland\_1\_V01

BEARING DATUM: MGA 94 ZONE 54  
DERIVATION: PSMs 6428/1556 - 6428/1554

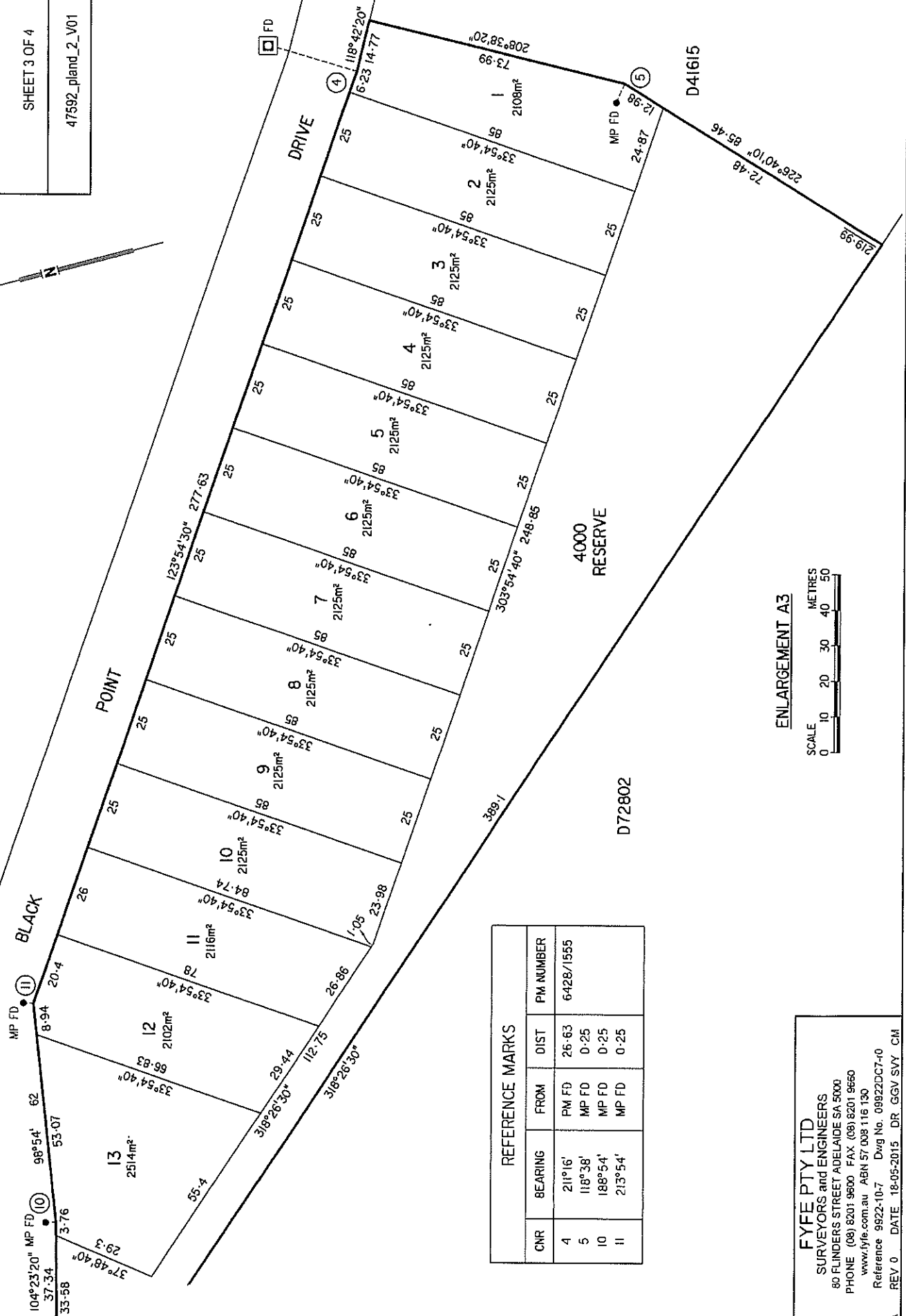
TOTAL AREA: 4.439ha



D72802

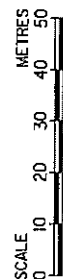
REFERENCE MARKS			
CNR	BEARING	FROM	DIST
1	299°57'	PM FD	0.68
4	211°16'	PM FD	26.63
6	216°10'	PM FD	0.62
			PM NUMBER
			6428/1554
			6248/1555
			6428/1556

**FYFE PTY LTD**  
SURVEYORS and ENGINEERS  
80 FLINDERS STREET ADELAIDE SA 5000  
PHONE (08) 8201 9600 FAX (08) 8201 9660  
www.fyfe.com.au ABN 57 008 116 130  
Reference 9922-10-7 Dwg No. 09922DC7-0  
OA REV 0 DATE 18-05-2015 DR GSV SVY CM



REFERENCE MARKS			
CNR	BEARING	FROM	PM NUMBER
4	21°16'	PM FD	6428/1555
5	118°38'	MP FD	0-25
10	188°54'	MP FD	0-25
11	213°54'	MP FD	0-25

ENLARGEMENT A3



## FYFE PTY LTD

SURVEYORS and ENGINEERS

80 FLINDERS STREET ADELAIDE SA 5000

PHONE (08) 8201 9600 FAX (08) 8201 9660

www.fyfe.com.au ABN 57 008 116 130

Reference 9922-10-7 Dwg No. 08922DC7-0

OA REV 0 DATE 18-05-2015 DR GGV SVY CM

FYFE PTY LTD

**PETER LID**  
SURVEYORS and ENGINEERS  
80 FLINDERS STREET ADELAIDE SA 5000

PHONE (08) 8201 9600 FAX (08) 8201 9660  
www.fyfe.com.au ABN 57 008 116 130

www.tyle.com.au ABN 57 008 116 130  
Reference 9922-10-7 Dwg No. 09922DC7-0

QA    REV 0    DATE 18-05-2015    DR GGV SWY CM

NB: This form may be used only when no panel form is suitable. A penalty of up to \$2000 or 6 months imprisonment applies for improper witnessing.



## **DIRECTOR DEVELOPMENT SERVICES**

### **DA/ITEM 6.4**

#### **2. REMOVAL OF LAND MANAGEMENT AGREEMENT**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To seek support from Council for a Land Management Agreement to be removed from the Title of land.

##### **RECOMMENDATION**

That Council consent to the removal of the Land Management Agreement from land identified as Allotment 102 in Deposited Plan 34305 and the Director Development Services be authorised to sign relevant documents for the removal of such.

##### **LINK TO STRATEGIC PLAN**

Key Theme/s: Sustainable Communities  
2. Progressive & Sustainable Development  
Strategic Goal/s: 2.3 Continue to guide sustainable and integrated land use and development through the Development Plan and assessing and monitoring development applications.

##### **BACKGROUND**

In June 1992 the owner of Lot 102 Davit Drive, Bluff Beach, entered a Land Management Agreement (LMA) with the Council under the Planning Act 1982. The LMA provided controls of the development of the land including restricting subdivision, use of a caravan or tent, restricting building work, the keeping of animals and planting of flora.

In more recent times (October 2014) the zoning of the subject land was changed with a portion now being 'Residential Zone' and the balance 'Rural Living Zone'. The owner now wishes to subdivide the subject land and seeks the consent of Council to permanently remove the LMA from the Title.

##### **DISCUSSION**

The LMA on the subject land was appropriate under previous zoning however now that the zoning has been changed to accommodate more intense development the terms of the LMA are in conflict with the zoning and are no longer appropriate. The LMA is an agreement between the land owner and the Council and is referred to on the Certificate of Title for the land so that any prospective purchaser is aware of the agreement.

Approval is required from both parties to enable the LMA to be removed from the Title.



## **COMMUNITY ENGAGEMENT PLAN**

Level 1 - Providing information to assist understanding of how decisions were made

## **CONSULTATION PROCESS**

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

- Nil

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

- Nil

## **POLICY IMPLICATIONS**

Nil

## **BUDGET AND RESOURCE IMPLICATIONS**

Costs associated with the removal of the LMA from the Title are borne by the land owner. There are no immediate or ongoing costs to Council other than the administration issues associated with signing the relevant documentations.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Development Act Section 57

## **ATTACHMENTS**

**Attachment 1:** Correspondence from Mosel Steed Surveying

Our Ref: K12069

3 July 2015

Mr Allan Cotton  
Yorke Peninsula Council  
[Allan.Cotton@yorke.sa.gov.au](mailto:Allan.Cotton@yorke.sa.gov.au)

Dear Allan,

**REQUEST FOR LMA RESCISSION  
ALLOTMENT 102 IN D34305  
DAVIT DRIVE, BLUFF BEACH  
DEVELOPMENT NO. 544/D011/15 & 544/D012/15**

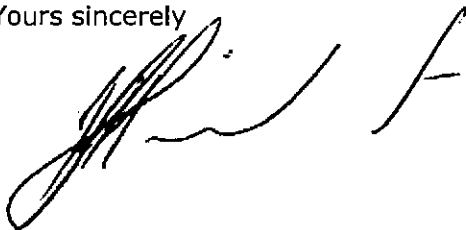
Please find attached the Certificate of Title Volume 5079 Folio 837 for the subject land of the above development. Currently there is a Land Management Agreement (AG 7283623) registered over this allotment (copy attached for your information).

It would appear appropriate now the rezoning has been finalised that measures be put in place to start the process of removing this document from the Certificate of Title. Would you please let us know if you need to take this to Council, CDAP or if you have authority to execute a document to rescind this agreement. If you need to gain authority, it would be appreciated if you would initiate this process and notify us when this has been obtained so we may instruct a Registered Conveyancer to prepare the necessary documentation for execution.

We note that this request formed part of the original request to rezone the land initiated by Julie Jansen from Masterplan SA P/L in her letter dated 25 September 2012 (copy attached).

Please call if you wish to discuss further.

Yours sincerely



**Michael Liebelt**  
Director/Licensed Surveyor

Enc: CT 5079/837  
AG 7283623  
Masterplan letter (25/9/15)

## DIRECTOR DEVELOPMENT SERVICES

### DA/ITEM 6.4

### **3. ACCESS ADVISORY WORKING PARTY MEETING MINUTES** (File Ref: 9.24.1.1)

#### **PURPOSE**

This report is to receive the Minutes of Council's Access Advisory Working Party held 24 July, 2015.

#### **RECOMMENDATION**

That Council:

1. receive the Minutes of the Access Advisory Working Party held on 24 July, 2015.
2. endorse the recommendations by the Access Advisory Working Party.

#### **LINK TO STRATEGIC PLAN**

Strategic Plan

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

Strategic Goal: 2.3 Meet all legislative and compliance responsibilities

#### **BACKGROUND**

To keep Council informed of regular Access Advisory Working Party Meetings and to consider identified projects to meet the needs of people with disabilities.

#### **DISCUSSION**

Attached are the Minutes of the Access Advisory Working Party meeting held on 24 July, 2015.

Item 1.5 of the Minutes recommends the following motion be adopted:-

***Brenda Bowman moved Kerry Daves seconded***

*It is recommended that Council commit to the following four projects:*

1. Price Footpath access ramps x 2 - \$1,000
2. Port Vincent Institute access project - \$1,500
3. Edithburgh War Memorial crossover ramp widening - \$800
4. Yorketown Senior Citizens access ramp - \$1,500

**CARRIED**

If Council endorse the above recommendations the total Allocations so far for 2015/2016 financial year is \$4,800. Remaining Budget is \$15,200 for future projects during the remainder of the 2015/2016 financial year.

## **COMMUNITY ENGAGEMENT PLAN**

Level 2 – Consult with members of the Access Advisory Working Party

## **CONSULTATION PROCESS**

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

- Director Development Services
- Operations Co-ordinator

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

- Access Advisory Working Party
- Progress Associations

## **POLICY IMPLICATIONS**

Yorke Peninsula Council Disability Plan.

## **BUDGET AND RESOURCE IMPLICATIONS**

Consistent with the 2015/2016 budget allocation.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Disability Discrimination Act

Council has adopted a Disability Action Plan to ensure that people with disabilities can access Council functions, facilities and services.

## **ATTACHMENTS**

**Attachment 1:** Minutes of the Meeting held 24 July 2015



## *Yorke Peninsula Council*

# **Minutes of the Meeting of the Access Advisory Working Party**

Held on Friday 24 July 2015,  
In the Council Chambers  
57 Main Street Minlaton commencing at 1.30pm  
(Subject to confirmation)

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### **ITEM 1**

#### **1.1 WELCOME BY CHAIRPERSON**

Chairperson Cr Alan Headon welcomed everyone to the meeting and declared the meeting open at 1:30pm

#### **1.2 PRESENT**

Cr Alan Headon (Port Clinton Progress Assoc), Jane Lavery (Warooka Progress Assoc), Ann Brown (Stansbury), Brenda Bowman (Ardrossan Progress Assoc), Arty Glazbrook (Maitland Progress Assoc), John Edwards (Edithburgh Progress Assoc), Perry Woodward (Port Julia Progress Association), Charlotte Germaine (Minlaton), Peter Rigg (Curramulka Community Club), Dianne Jolly (Minlaton), Judi Machadinho (Hardwicke Bay Progress Assoc), Nancy Newbold (Friends of Wauraltee Hall), Leith illman (Friends of Wauraltee Hall), Heather Shepley (Corny Point Progress Assoc), Raelene Irlam (Port Victoria Progress Assoc), Kerryn Dawes (Edithburgh Progress Assoc)

#### **IN ATTENDANCE**

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

#### **1.3 LEAVE OF ABSENCE**

Nil

## **1.4 APOLOGIES**

Vic Brown (Ardrossan Progress Assoc), Beth Fairlie (Port Vincent Progress Association), Carlien Cook (Bluff Beach Community Group), Bronte Crisp (Foul Bay Progress Assoc), D'Arcy Button (Minlaton Progress Assoc)

## **1.5 MINUTES OF THE PREVIOUS MEETING**

### **Brenda Bowman moved Ann Brown seconded**

That the minutes of the Access Advisory Working Party meeting held on Friday 24 April 2015, as circulated, be confirmed as a true record.

**CARRIED**

## **1.6 MATTERS ARISING FROM MINUTES**

### **1. Individual updates on projects allocated funding**

#### **1.1 Footpath access ramps on Charles Street, Yorketown**

It has been identified that according to Australian Standards there is not enough room to construct a ramp on either side of Charles Street, Yorketown. A risk analysis could be carried out to determine extent of risk if not building in accordance with Australian Standards. Nick Hoskin will organise some photos of the area and present at next meeting.

#### **1.2 Disabled parking & ramp Access at Point Turton Hall**

This project is near completion. A Disabled wider door has been installed and the ramp has been prepared but not installed. Work should be completed prior to next meeting.

#### **1.3 Yorketown access & egress ramps at Yorketown Hospital**

The hospital has decided on a new design which has been quoted at approximately \$9,000. As such a project is too large for the Access Advisory Working Party budget; Brenda Bowman suggested the hospital contact Rod Thomas, Chair of the YP Health Advisory Council, who may be able to provide some funding. Nick Hoskin will give an update at next meeting.

#### **1.4 Disabled car parking at Minlaton Town Hall**

This project has been completed including a footpath crossover.

#### **1.5 Yorketown Library access ramp**

This project has been completed.

#### **1.6 Access Ramp at Yorketown Senior Citizens Hall**

Due to insufficient funds being available in the 2014/2015 budget, the project will need to be considered in the 2015/2016 budget.

### **2. Other Matters Arising**

#### **2.1 Main Street Minlaton – Footpath Compliance**

In response to Mayor Agnew's enquiry about some crossovers, Nick Hoskin confirmed that some corner ramps along Main Street, Minlaton, do not meet current Australian Standards. However unless they are upgraded or modified there is no requirement that they need to meet the Standards. It was suggested that Mayor Agnew be consulted about specific areas he would like addressed. Roger Brooks will inquire and report back at the next meeting.

## **2.2 Pine Trees at Yorketown Post Office**

No update at this stage. Post Office still consulting with SA Power Networks.

## **2.3 Port Vincent Institute**

There is an issue gaining access into the Port Vincent Institute over the stormwater drain. Nick Hoskin suggested it may be fixed by placing steel checkerplate over the stormwater area and has quoted this job at \$1,500. This matter was deferred to General Business.

## **1.7 MATTERS REFERRED BY COUNCIL**

Nil

## **1.8 PRESIDING MEMBER'S REPORT**

Nil

## **ITEM 2 CORRESPONDENCE**

### **2.1 Price Footpaths**

Price Progress Association has requested that a disabled crossover ramp be installed at the intersection of Clemintina Street and Fowler Terrace to allow pedestrians access to the footpath. Nick Hoskin suggested that two ramps be installed opposite each other at the intersection at an approximate cost of \$1,000. This matter was deferred to General Business.

## **ITEM 3 GENERAL BUSINESS**

John Edwards requested that the crossover ramp on the curb to the Edithburgh War Memorial be made wider. Nick Hoskin advised this would cost approximately \$800.

Ann Brown suggested a path be constructed from the new housing estate down to the pine trees, in Stansbury. Nick Hosking and Ann Brown will meet to discuss further.

Brenda Bowman suggested that Council contact YP Country Times to publish an article regarding some of the projects that the Access Advisory Working Party has completed.

Arty Glazbrook raised the issue that many curbs in Maitland do not have the cross over ramps. Arty will provide a list of concerned areas next meeting.

Arty Glazbrook raised issues about the lack of signage and access to the disabled toilet at Maitland. The sign at the back of the Op Shop needs to be moved to an area that people will see and the access door is difficult to open. Nick Hoskin to investigate and report back next meeting.

### **Brenda Bowman moved Kerry Daves seconded**

It is recommended that Council commit to the following four projects:

1. Price Footpath access ramps x 2 - \$1,000
2. Port Vincent Institute access project - \$1,500
3. Edithburgh War Memorial crossover ramp widening - \$800
4. Yorketown Senior Citizens access ramp - \$1,500

**CARRIED**

## **ITEM 4 NEXT MEETING**

23 October 2015 at 1.30pm

## **ITEM 5 CLOSURE**

The meeting closed at 2.17pm

.....  
**Presiding Member – Mr Alan Headon**  
Friday, 23 October 2015



## **DIRECTOR DEVELOPMENT SERVICES**

### **DA/ITEM 6.4**

#### **4. PROPOSED STANSBURY DRY AREA ON NEW YEAR'S EVE** (File Ref: 9.24.1.1)

##### **PURPOSE**

For Council to consider the implementation of a Dry Area at Stansbury on New Year's Eve 2015/2016.

##### **RECOMMENDATION**

That Council makes an application to the Liquor and Gambling Commissioner requesting a Dry Area be implemented at the Stansbury foreshore and oval precinct as shown in Attachment 1, from 10pm on Thursday 31st December 2015 to 8am on Friday 1st January 2016.

##### **LINK TO STRATEGIC PLAN**

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

##### **BACKGROUND**

As a result of unruly behaviour and vandalism in the Stansbury foreshore area on New Year's Eve in 2011 an application from SAPOL was received to declare the area a dry area on New Year's Eve for 2012. The consultation somewhat split the community in that SAPOL and the Alcohol Management Working Party indicated their preference of having a dry area from 6pm on 31 December to 8am the following morning, whilst the Stansbury Progress Association and several local residents were concerned that any dry area would have a detrimental effect on their popular sea side markets event. After much deliberation Council endorsed the dry area from 10.00pm on 31 December 2012 to 8.00am on 1 January 2013. Due to the success of this dry area in that no unruly behaviour or vandalism was reported at this event and that the introduction did not have a detrimental impact on the sea side markets, the dry area has also been implemented for the following two events.

##### **DISCUSSION**

Anthony Hoy, Brevet Sergeant of Stansbury Police advised Council that no calls or specific taskings were received in relation to the behaviour of patrons on New Year's Eve in Stansbury since the introduction of the dry area and he requests that the dry area again be implemented at this year's event. No negative responses have been received in relation to the introduction of the dry area in Stansbury on New Year's Eve. The majority of popular seaside destinations throughout the state now have dry areas put in place for New Year's Eve.

The event concludes with a fireworks display which commences at 9.30pm and lasts for approximately 10 minutes. At the conclusion of the fireworks, the majority of the family orientated crowd leave the area. In previous years the dry area has been introduced at the commencement of the fireworks which has resulted in some concern from local organises. Although the event will finish half an hour earlier than previous years it is suggested that the times of the dry area remain the same as in previous years which will enable the same advertising signage be used for this year's event. The Stansbury Progress Association have also discussed the proposed dry area and are supportive of the implementation of the dry area at the same times as in previous events.

The Liquor and Gambling Commissioner needs to approve any dry area and will not approve a further request for a short term dry area for New Year's Eve unless there is support from the local member as well as SAPOL. A letter of support for the implementation of the dry area has been received from Mr Steven Griffiths, MP, Member for Goyder and SAPOL.

#### **COMMUNITY ENGAGEMENT PLAN**

Nil

#### **CONSULTATION PROCESS**

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

- Council's Senior Compliance Officer
- Manager Development Services

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

- SAPOL
- Mr Steven Griffiths, MP, Member for Goyder
- Stansbury Progress Association

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET AND RESOURCE IMPLICATIONS**

Council Rangers erect and remove the dry area signage that is required in the area. If there are no changes made to the times of the dry area, there is sufficient signage from previous years.

#### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Section 131 of the Liquor Licencing Act 1977.

By introducing a dry area at the Stansbury foreshore it is anticipated that the risk of injury to persons and damage to property, due to disorderly behaviour, will be significantly reduced.

## **ATTACHMENTS**

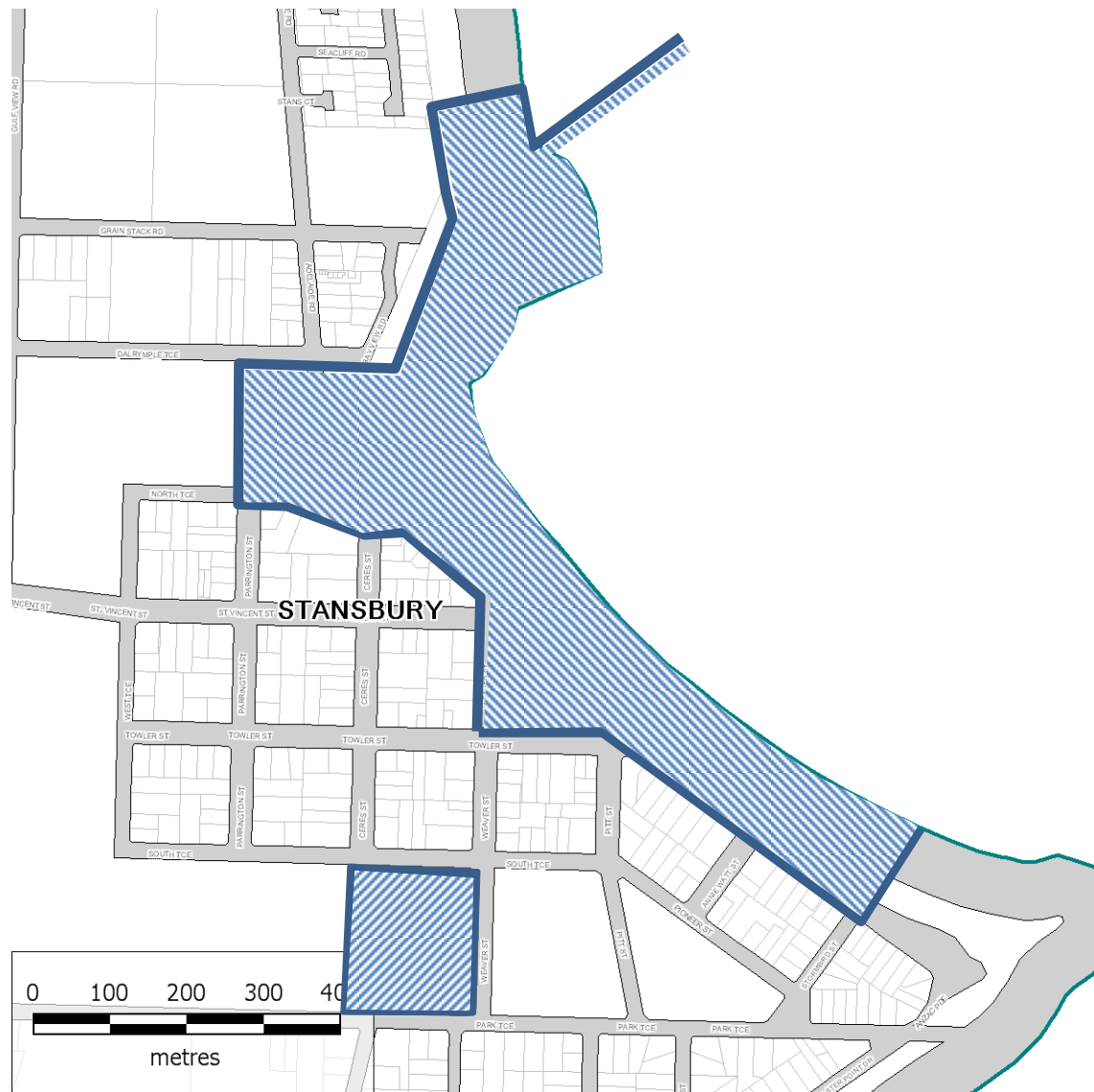
Attachment 1 Map of proposed Dry Area

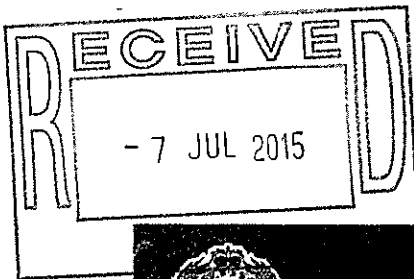
Attachment 2 Request from SAPOL for the Dry Area

Attachment 3 Support for the Dry Area by Local Member.

## Proposed Dry Area Stansbury

10.00pm December 31 2015 to 8.00am 1 January 2016





4759-2015-4
GDS Number 14-85-1.3
Distribution



Your Ref:  
Our Ref:  
Enquiries: Stansbury Police  
Telephone: 88524204  
Facsimile: 88524270

Mr. Phil HERRMANN  
Senior Compliance Officer  
District Council of the Yorke Peninsula

7th July 2015

Reference: Temporary Dry Zone Legislation - Stansbury

Dear Phil,

I am writing this letter to request that the District Council of the Yorke Peninsula declare the Stansbury foreshore and sporting area a dry zone for the pending New Year's Eve celebrations.

Last year's celebrations were relatively well behaved and there were no identified breaches detected by police.

The community has provided police with positive feedback about the dry zone and it is my understanding that they are in favour of continuing it for future New Year's Eve events.

I strongly support the Stansbury temporary dry zone. This combined with other strategies will help make for a safer environment for all persons attending the event.

Yours Faithfully,

Anthony HOY  
Brevet Sergeant 48954  
Stansbury Police





# STEVEN GRIFFITHS MP

Member for Goyder



9 July 2015

10 JUL 2015

Mr Phil Herrmann  
Senior Compliance Officer  
Yorke Peninsula Council  
PO Box 88  
MINLATON SA 5575

Dear Mr Herrmann

I write in reference to your letter (925-2015-0) requesting comment relating to the continuance of the dry zone established two years ago for the benefit of residents and patrons attending Stansbury's New Year's Eve celebrations.

Having not been made aware of any constituent concern relating to the dry zone implemented for this event previously, I am happy to endorse the request by local police for the area to again be designated a dry area from 10 pm on New Year's Eve to 8 am New Year's Day.

Further, I am pleased to be informed that the implementation of this dry zone has resulted in reduced vandalism and unruly crowd behaviour at the last two events, and hence increased enjoyment for all associated with this popular event.

I commend the Yorke Peninsula Council on the role it plays in ensuring local events are successful, and thank you for the opportunity to participate in this consultation process.

Yours sincerely

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

SPG: hrs  
Ref:E:\Letters\2015\Councils\YPC\Stansbury NYE Dry Zone.docx

Item Number
4876-2015-4
GDS Number
14.85.1.3
Distribution

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Web www.stevengriffiths.net

## **DIRECTOR DEVELOPMENT SERVICES**

### **DA/ITEM 6.4**

#### **5. AUTHORISATION OF SUPPLEMENTARY LAND MANAGEMENT AGREEMENT**

(File Ref: 544/2116/2015)

##### **PURPOSE**

To seek authorisation from Council for the Mayor and the Chief Executive Officer to execute a Supplementary Deed to existing Land Management Agreement No. 6504139 registered to Allotment 9, Hundred of Muloowurtie in the area named Pine Point.

##### **RECOMMENDATION**

That Council authorise the Mayor and the Chief Executive Officer to execute the Supplementary Deed to existing Land Management Agreement No. 6504193 registered to allotment 9, Hundred of Muloowurtie in the area named Pine Point, Certificate of Title Volume 5383 Folio 893.

##### **LINK TO STRATEGIC PLAN**

Key Theme/s:	Sustainable Communities 2. Progressive and Sustainable Development
Strategic Goal/s:	2.2 Streamlined Development Assessment Process
Key Theme/s:	Corporate Governance and Leadership – 2. Organisational Efficiency and Resource Management
Strategic Goal/s:	2.3 Meet all legislative and compliance responsibilities

##### **BACKGROUND**

The Council and the previous land owners Eric Smith Pty Ltd, Mr H M Boag and Mrs G L Boag entered into a Land Management Agreement (LMA) dated 26 February, 1988, which amongst other things limits the number and size of outbuildings.

The current owner has requested that Council agree to vary the LMA such that the owner may have a larger footprint for an outbuilding as well as a carport.

The Supplementary Deed to the LMA is a formal process by which the Council and Owner can agree to vary the LMA.

##### **DISCUSSION**

The Owner has agreed and it is suggested that Council also agree to remove point 7 (cited below) entirely from the LMA:

*7. Any development upon each allotment depicted in the Plan shall be restricted to a detached residential dwelling of a floor area of not less than 72 square metres and one outbuilding not exceeding 6.0m x 9.0m x 3.0m.*

The current Development Plan for the Yorke Peninsula Council contains policies in the Settlement Zone which adequately addresses residential dwellings, footprint sizes and overall site coverage and is applicable to the subject allotment.

I am satisfied with the terms of the Supplementary Deed and recommend Council authorise the Mayor and Chief Executive Officer to execute the Deed.

#### **COMMUNITY ENGAGEMENT PLAN**

It is not necessary to engage with the community on this matter. Should information on this matter be sought, Level 1 of the Community Engagement Policy (PO057) of informing can be adopted.

#### **CONSULTATION PROCESS**

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

- Senior Development Officer

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

- Nil

#### **POLICY IMPLICATIONS**

Not applicable

#### **BUDGET AND RESOURCE IMPLICATIONS**

All legal costs associated with the executing of the Supplementary Deed to the LMA will be met by the applicant.

#### **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

A designated authority, being Council, may enter a Land Management Agreement under Section 57A of the Development Act, 1993.

Executing the Supplementary Deed ensures that legal protocols have been appropriately adhered to with regards to development which would otherwise be outside of the restrictions under the LMA.

#### **ATTACHMENTS**

Nil



## **DIRECTOR DEVELOPMENT SERVICES**

### **DA/ITEM 6.4**

#### **6. LOCAL NUISANCE & LITTER CONTROL BILL 2015**

(File Ref: 9.24.1.1)

##### **PURPOSE**

To inform Council of the proposed legislative changes which will have a significant impact on resources.

##### **RECOMMENDATION**

1. That Council advises the LGA that it supports the review of the litter laws being proposed but any amendments to the legislation must remain within the Local Government Act.
2. Council strongly disagrees with the proposed amendments to nuisance laws due to the additional resources that will be required to enforce the Legislation.

##### **LINK TO STRATEGIC PLAN**

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

##### **BACKGROUND**

At the Minister's State/Local Government forum in December 2012, then Minister for Sustainability, Environment & Conservation, Hon Paul Caica, MP, outlined a proposal that formalised the role of Local Government in managing local environmental nuisance and reformed existing litter laws. At this time Minister Caica acknowledged concerns regarding cost shifting.

As part of a consultation period in 2013, Council responded to the LGA that the litter laws did need reviewing, however strongly disagreed with shifting the current environment nuisance laws being the responsibility of Local Government rather than the State Government through the EPA.

A draft Local Nuisance & Litter Control Bill has now been released and the LGA seek feedback by 21 August 2015.

##### **DISCUSSION**

The draft legislation proposes to remove the offences in relation to litter, abandoning of motor vehicle and removal of vehicles from the Local Government Act and place it under the new legislation.

Various parts of what is contained in Council's By-Laws will be transferred to the new legislation as will the powers to make orders pursuant to the Local Government Act in relation to unsightly land and animals that may cause a nuisance.

Currently there is an \$315 expiation fee with a maximum penalty of \$5,000 for any offence of littering on Local Government land. If someone discards a cigarette butt onto the ground or deposits a trailer load of rubbish, Council staff can deal with this by issuing a \$315 expiation notice.

The proposed legislation differentiates by both the quantity and type of litter. It provides four (4) tiers of littering offences to cover the variation in severity of the offence. The types of litter include general litter and hazardous litter which depending on the offence may result in an expiation with a fee of \$210, \$500 or \$1000. The proposed legislation changes also makes the owner of a vehicle responsible for any littering that may come from that vehicle which would assist staff dealing with littering complaints as currently they need to prove beyond reasonable doubt the actual person responsible.

The EPA will continue to focus on littering matters that may cause significant environmental harm, however it is still a concern that Local Government would be expected to manage serious matters in relation to illegal dumping.

The proposed changes to the litter legislation appears to be a good change, however rather than creating a new Act and extra functions for Council, these amendments could be included in the Local Government Act.

The real area of concern is the new responsibility of Council dealing with "Local Nuisances" which will include all complaints in relation to light, noise, odour, heat, smoke, fumes, aerosols, dust and animals. The proposal will mean that Council's will be forced to investigate complaints in relation to noisy air conditioners, pool pumps, the noise generated by persons on motorbikes, smoky wood heaters, general burning of rubbish which are all currently dealt with by EPA officers. The EPA do not have sufficient resources to deal with these complaints, therefore the State Government believes Local Government is in a better position to deal with these complaints.

The EPA did an informal survey and believe that the majority of Council's (including YPC) now deal with these complaints and the legislation changes now give them the appropriate authority to do so. Many Council's police the Environment Protection (Burning Policy) which controls the burning of rubbish in this state. Yorke Peninsula Council has not volunteered to police this legislation, it is currently policed in our district by the EPA. The illegal burning of matter in this area is a huge problem, non-compliant burning is observed on many days outside the fire danger season. Once the public become aware that Council is responsible for burning complaints, this job shift in itself will become a huge strain on current resources.

The public consultation brief states that the legislation will not create new functions for Council, however the Act states that a Council will be the principal authority in dealing with local nuisance and littering in its area. A Council will take action to detect, prevent and manage local nuisances and littering and will cooperate with any other person or body involved with the administration of the Act. It further goes on to say that if in the opinion of the Minister a Council has failed to carry out its functions, the Minister may propose certain actions and recover from a Council as a debt of any costs and expenses incurred by the Minister.

The transfer of existing laws pursuant to the Local Government Act and local By-Laws together with the huge array of laws now policed by the EPA and local police, will create a huge increase in workload for our Council and impact on our current resources.

## **COMMUNITY ENGAGEMENT PLAN**

Not applicable

## **CONSULTATION PROCESS**

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

- Manager Development Services
- Senior Compliance Officer

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

- Nil

## **POLICY IMPLICATIONS**

Nil

## **BUDGET AND RESOURCE IMPLICATIONS**

The proposed new legislation will require further resources that are not contained within current budget lines.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Local Government Act 1999  
Council By-Laws  
Environment Protection Act 1993  
Environment Protection (Burning) Policy 1994  
Summary Offences Act 1993

Risk implications are unknown at this point but would be considerably high if Council is made to resource the proposed changes.

## **ATTACHMENTS**

Nil

# CONFIDENTIAL

# AGENDA

## **DIRECTOR ASSETS & INFRASTRUCTURE SERVICES**

### **ITEM 8 – CONFIDENTIAL**

#### **1. WALK THE YORKE: BITUMEN SERVICES 131/2015** (File Ref: 9.24.1.1)

##### **PURPOSE**

For Elected Members to consider awarding the tender for the provision of bitumen sealing within sections of the Walk the Yorke Leisure Trail (tender number 131/2015).

##### **RECOMMENDATION**

###### **Section 90(3)(k) Order**

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

The Council is satisfied that, pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to agenda item 8 Walk the Yorke Bitumen Services is confidential information relating to –

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

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

###### **Section 91(7) Order**

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

##### **LINK TO STRATEGIC PLAN**

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

##### **BACKGROUND**

As per Yorke Peninsula Council's PO058 Purchasing and Procurement Policy, this report is called for as a supplier is to be recommended to Council for selection, following an open

tendering purchase method for the provision of bitumen sealing within sections of the Walk the Yorke Leisure Trail. Council resolution is required.

## **DISCUSSION**

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

## **COMMUNITY ENGAGEMENT PLAN**

As the report is for internal use, it has not been necessary to engage with the community on this occasion.

## **CONSULTATION PROCESS**

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

- Nil

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

- Nil

## **POLICY IMPLICATIONS**

Sections 90 & 91 - Local Government Act 1999

## **BUDGET AND RESOURCE IMPLICATIONS**

Not applicable.

## **RISK/LEGAL/LEGISLATIVE IMPLICATIONS**

Sections 90 and 91, Local Government Act 1999.