



Yorke Peninsula Council

NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of Council
will be held on Wednesday 8th April 2015,
in the Council Chambers,
57 Main Street, Minlaton commencing at 5.30pm

Andrew Cameron
CHIEF EXECUTIVE OFFICER

A G E N D A

- | | |
|--------|---|
| ITEM 1 | <u>YORKE PENINSULA COUNCIL</u> |
| 1.1 | <u>Welcome by Mayor</u> – meeting declared opened |
| 1.2 | <u>Opening Prayer</u> |
| 1.3 | <u>Present</u> |
| 1.4 | <u>Leave of absence</u> |
| 1.5 | <u>Apologies</u> |

1.6 Conflict of Interest

CONFLICT OF INTEREST

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

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

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

- 1.7 Minutes of previous meeting – for confirmation
1.7.1 Council meeting held on Wednesday 11th March 2015 at 5.30pm
1.7.2 Confidential Council meeting held on Wednesday 11th March 2015 at 6.10pm.
- 1.8 Motions on Notice
Nil
- 1.9 Questions on Notice
Nil
- 1.10 Questions without Notice
- 1.11 Petitions
Nil
- ITEM 2 MAYOR Page 4
1. Monthly Report from Mayor Agnew
- ITEM 3 COUNCILLORS' REPORT
Nil
- ITEM 4 **INFORMATION AGENDA** Page 5
- 4.1 Items for exclusion
- 4.2 Receipt of Information Reports
- 4.3 Chief Executive Officer Pages
1. CEO Activities 6 - 7
2. Action List 8 - 11
- 4.4 Corporate and Community Services
1. Tourism Statistics 12 - 14
- 4.5 Assets and Infrastructure Services Pages
1. Construction and Maintenance Works 15 - 16

4.6	<u>Development Services</u>	Pages
	1. Inspectoral – Activity Report	17 - 18
	2. Development Application Decisions	19 - 24
	3. Waste Management System Application Decisions	25 - 26
	4. Environmental Health – Activity Report	27
ITEM 5	<u>VISITORS TO THE MEETING</u>	
	1. Jo Daniels-Wilson, Andy Dennard and Mike Archer – The Friends of Port Moorowie	
ITEM 6	<u>DEBATE AGENDA</u>	Page 28
6.1	<u>CHIEF EXECUTIVE OFFICER</u>	Pages
	1. Delegations to CDAP	29 - 34
	2. Confidential Minutes Review new Order	35 - 36
	3. Updated PO015 Code of Practice	37 - 44
	4. State Bushfire Coordination Committee	45 - 51
6.2	<u>CORPORATE AND COMMUNITY SERVICES</u>	Pages
	1. Financial Report	52 - 53
	2. Request for Annual Progress Allocation	54 - 56
	3. Updated PO094 Annual Progress Allocations Policy	57 - 63
	4. Art Committee S41 Dissolution	64 - 69
	5. Amber Joy Poulton – Sponsorship Request	70 - 80
6.3	<u>ASSETS AND INFRASTRUCTURE SERVICES</u>	Pages
	1. Gulfview Road Stansbury Capital Works	81 - 82
	2. Park Terrace-Spencer Highway Intersection	83 - 84
	3. Funding Applications Hardwicke Bay Progress	85 - 118
	4. Jetty Maintenance Budget	119 - 123
6.4	<u>DEVELOPMENT SERVICES</u>	Pages
	1. Revocation and re-dedication of Foreshore Reserve	124 - 137
	2. Bush Camping Recommendations	138 - 141
	3. Land for the Port Moorowie Community Club	142 - 163
	4. Mining Lease Proposal Klein Point Stansbury	164 - 169
	5. Authorisation Land Management Agreement	170 - 191
	6. Proposed sea wall for Rogues Point	192 - 206
	7. Commercial Use of Footpaths Policy	207 - 209
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 210
	1. WTY Point Pearce Construction Tender 118-2015	211 - 212
	2. Material Supply Tender 117/2015	213
ITEM 9	<u>NEXT MEETING</u> Wednesday 13 th May 2015	
ITEM 10	<u>CLOSURE</u>	

MAYOR

IA/ITEM 2

MONTHLY REPORT

(File Ref:9.24.1.1)

INTRODUCTION

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

RECOMMENDATION

That the report be received.

COMMENT

4 th March	Elected Members District Tour North
6 th March	Welcomed the Supervisory Officers Association combined Central Branch to Yorke Peninsula Council Region at a luncheon and meeting held in Ardrossan.
11 th March	CEO Annual Performance Review Working Party Preliminary Meeting. Monthly Council Meeting.
12 th March	Along with CEO Andrew Cameron and Chair of the Friends of Troubridge Island Peter Stockings we met with Minister Stephen Mullighan in Adelaide in relation to the future of Troubridge Island Lighthouse.
18 th March	SAROC Meeting at LGA House.
19 th March	Local Government Association Board Meeting and Central Local Government Region Executive Meeting both held in Adelaide at LGA House.
20 th March	Andrew Cameron CEO and I attended the Future Directions Review meeting for Central Local Government Region held in Clare.
21 st March	Drafted to participate in the Cancer Council Relay for Life as part of the "Pass the Ruler Yorketown Area School Staff team" at the Yorketown Oval over Saturday and Sunday.
25 th March	Monthly Elected Members Workshop.
30 th – 31 st March	Attended the State Government Mid North Community Country Cabinet Forums at Orroroo and Burra.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Not Applicable.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not Applicable.

INFORMATION

AGENDA

CHIEF EXECUTIVE OFFICER

IA/ITEM 4.3

1. CEO ACTIVITIES

(File Ref:9.24.1.1)

INTRODUCTION

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

RECOMMENDATION

That the report be received.

COMMENT

2 nd March	Final Inspection of Black Point Boat Ramp with Graeme Coppock and Black Point Progress Association.
4 th March	Elected Members District Tour North
5 th March	Elected Members District Tour South
10 th March	Corporate Management Team Meeting held at Minlaton Meeting with Michael Ellis from Yorke Peninsula Country Times
11 th March	CEO Performance Review Working Party meeting to discuss Annual CEO Performance Review. Monthly Council Meeting.
12 th March	Along with Mayor Ray Agnew and Chairperson of the Friends of Troubridge Lighthouse meeting with Minister Stephen Mullighan in Adelaide in relation to the future of the Troubridge Island Lighthouse.
13 th March	Future Directions Workshop for review of Central Local Government Region.
16 th March	Meeting with Rod Nixon at Maitland in relation to building site. Meeting with Ardrossan Progress Association in relation to various matters.
17 th March	Ardrossan Hospital Board and Trust meeting.
18 th March	Maitland Office Project meeting Romaldi. Special Elected Members Budget meeting.
19 th March	Executive Services Team Meeting held at Minlaton.
20 th March	Future Directions Meeting for Central Local Government Region held in Clare.
25 th March	Monthly Elected Members Workshop.
27 th March	Project Control Group Meeting for the Maitland Office Accommodation project held on site at Maitland.

31st March

Work Health and Safety Plan and Injury Management
Annual System Review.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN
--

Not Applicable.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not Applicable.

CHIEF EXECUTIVE OFFICER

IA/ITEM 4.3

2. ACTION LISTING REPORT

(File Ref: 9.24.1.1)

INTRODUCTION

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

RECOMMENDATION

That the report be received.

COMMENT

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

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Strategic Plan

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

Strategic Goal: 2.4 Effective Risk Management

Yorke Peninsula Council's Risk Management Framework

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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

COUNCIL MEETING 8th April 2015

Action List

Responsible Officer	Agenda Item Number	Task	Due Date	Status
Director Corporate & Community Services	10 th Aug 10 Item 20.4	Advise the Dept of Environment and Natural Resources that Council wish to Relinquish Care and Control of Crown Land Lot 88 Main Street Curramulka CR 5856/772	As soon as DEWNR responds	Underway - DEWNR advised, no response to date
22 nd January 2014				
Director Corporate and Community Services	DA/CCS/R4	Organise Land Only lease for Balgowan Camping Ground	As soon as Ministerial approval is granted	Waiting on consent
14 th May 2014				
Director Assets & Infrastructure Services	DA/AIS/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 th August, 2014				
Director Corporate & Community Services	DA/CCS/R6	Seek Ministerial approval for the revocation of the Community Land classification to accommodate the necessary requirements for the Minister for Emergency Services to build a new Country Fire Service station at Pt Victoria	October 2014	Still with the Minister's officer
10 th 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	To discuss at future workshop April 2015

11 th 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	February 2015	Underway
11 th March 2015				
CEO	DA/CEO/R1	Update the Delegations Register for the website, and re-issue sub delegations to all staff	March 2015	Completed
CEO	DA/CEO/R2	Place Community Engagement Strategy and Policy on website and office counters for public consultation with notices in the Advertiser and YPCT	March 2015	Completed
CEO	DA/CEO/R3	Incorporate PO091 Risk Management Policy and PR098 Risk Management Procedure into controlled documentation and on website if required	March 2015	Completed
CEO	DA/CEO/R4	Send correspondence to the Government in relation to Time Zone Changes	March 2015	Completed
Director Corporate and Community Services	DA/DCS/R2	Advise Arthurton War Memorial Sports Club Inc that Council has agreed to increase their Oval Water Allocation	March 2015	Completed
Director Corporate and Community Services	DA/CCS/R4	Yorke Peninsula VIC Logo matter layed on the table pending further information being provided to Council	Until further notice	
Director Corporate and Community Services	DA/CCS/R5	Incorporate updated Records Management Policy in controlled documentation and website	March 2015	Completed
Director Corporate and Community Services	DA/CCS/R6	Advise SYP Landcare Group that Council has agreed to an extension of the grant until 30 June 2016	March 2015	Completed

Director Corporate and Community Services	DA/CCS/R7	Advise organisers of the Tour of Minlaton that Council has agreed to make a donation of \$250	March 2015	Completed
Director Development Services	DA/DS/R1	Organise for the CEO to submit the Strategic Directions Report to the Minister for Approval	March 2015	Completed
Director Development Services	DA/DS/R2	Forward a submission with comments approved by Elected Members to the Minister of Planning in relation to Planning Reforms	March 2015	Completed
Director Assets & Infrastructure Services	CA/AIS/R1	Advise successful tenderer in relation to the Bitumen Services Tender	March 2015	Tenderer advised completed

DIRECTOR CORPORATE AND COMMUNITY SERVICES

IA/ITEM 4.4

1. TOURISM RESEARCH (File Ref: 9.24.1.1)

INTRODUCTION

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

RECOMMENDATION

That the report be received.

COMMENT

Tourism Research Australia is Australia's leading provider of quality tourism intelligence across both international and domestic markets. They aim to equip the tourism industry with information to strengthen their marketing and business decisions. The data provided by this department underpins government tourism policy and aims to improve the performance of the tourism industry for the benefit of the Australian community.

Tourism Research Australia's Regional tourism profiles provide comprehensive tourism demand and supply data for 77 of Australia's tourism regions and all states and territories. The profiles are published annually and provide reliable visitor information to support the development of regional tourism and growth of regional economies.

Whilst it is acknowledged that statistics collected on a National level can have a 15% variance due to the methodology utilised to collate these figures, there is still value in comparing the Yorke Peninsula data with the Statewide data collected.

It is interesting to note that Yorke Peninsula is the third highest region visited within South Australia, and is higher than the Barossa or Kangaroo Island. The caravanning industry is listed as the third highest supplier of accommodation within South Australia, which reflects the high proportion of Caravan Parks available throughout our region. The internet continues to be the main information source for South Australian visitors which is why it is imperative that our Visitor Centre Staff continue to grow and develop our online bookable product.

As the tourism industry is a critical economic driver for Council, the flow on effect of visiting tourists spending direct with other businesses within our local region contributes significantly to our economic sustainability and it is important that Council remain committed to supporting and developing this industry to maximise our tourism opportunities

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Council Strategic Plan; Item 3 – Our Economy, Strategy 3.1 – Sustainable Economic Growth

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Nil

South Australia visitor profile

Visitors to South Australia	Expenditure	Visitors	Nights	Average length of stay	Average trip expenditure	Average nightly expenditure
	\$ million	'000	'000	Nights	\$	\$
Domestic day	1,153	11,403	np	np	101	np
Domestic overnight	3,146	5,220	18,962	4	603	166
International	684	361	10,087	28	1,895	68

Domestic overnight visitor profile (South Australia)

	Visitors	Nights	Share of visits	Share of nights	Average stay
	'000	'000	%	%	Nights
Top 3 regions visited					
Adelaide	2,160	7,212	41	38	3
Fleurieu Peninsula	664	1,857	13	10	3
Yorke Peninsula	499	1,730	10	9	3
Purpose of visit					
Holiday	2,384	8,904	46	47	4
Visiting friends/relatives	1,666	5,999	32	32	4
Business	915	2,671	18	14	3
Other	320	1,031	6	5	3
Top 3 accommodation					
Home of friend or relative	1,969	6,987	38	37	4
Hotel, resort, motel or motor Inn	1,536	4,025	29	21	3
Total camping/caravan	902	3,769	17	20	4
Experiences					
Culture and heritage	754	np	14	np	np
Nature based	909	np	17	np	np
Indigenous	31	np	1	np	np
Food and wine	2,989	np	57	np	np
Top 3 information sources					
Internet	1,843	7,132	35	38	4
Previous visit	1,364	5,214	26	27	4
Friends or relatives	664	2,515	13	13	4
Top 3 visitor origins					
SA	3,449	10,293	66	54	3
Vic	804	3,392	15	18	4
NSW	428	2,142	8	11	5

SOURCE - Tourism Research Australia, 2013, National Visitor Survey and International Visitor Survey year ending June 2013, Tourism Research Australia, Canberra



Australian Government

Austrade



TOURISM
RESEARCH
AUSTRALIA

TOURISM IN LOCAL GOVERNMENT AREAS 2013

YORKE PENINSULA (DC), SOUTH AUSTRALIA

AREA POPULATION: 11,119



TOURISM BUSINESSES	TOTAL
Non-employed	57
1 to 4 employees	67
5 to 19 employees	32
20 or more employees	8
Total	164

TOP INTERNATIONAL MARKETS*	VISITORS ('000)	NIGHTS ('000)
New Zealand	np	np
United Kingdom	np	np
Germany	np	np

VISITORS TO LOCAL GOVERNMENT AREA*	INTERNATIONAL	DOMESTIC OVERNIGHT	DOMESTIC DAY	TOTAL
<i>Visitors ('000)</i>	1.8	234.8	172.3	408.9
<i>Visitor nights ('000)</i>	21.3	875.0	-	896.3
<i>Average stay (nights)</i>	11.7	3.7	-	3.8
<i>Spend (\$m)</i>	1.9	67.3	13.0	82.1
Average spend per trip (\$)	1,036.8	286.6	75.2	200.9
Average spend per night (\$)	89.0	76.9	-	77.2
Average spend (commercial accommodation) per night (\$)	np	99.7	-	np
<i>Reason (visitors '000)</i>				
Holiday	np	181.8	91.0	np
Visit friends or relatives	np	42.0	np	np
Other	np	np	np	np
<i>Travel party (visitors '000)</i>				
Unaccompanied	np	25.3	-	np
Couple	np	76.2	-	np
Friend/relatives travelling together	np	130.9	-	np
<i>Accommodation (nights '000)</i>				
Hotel or similar	np	np	-	np
Home of friend or relative	np	213.7	-	np
Commercial camping/caravan park	np	227.2	-	np
Backpacker	np	np	-	np
Other accommodation	np	399.6	-	np

*Four year averages to 2013. 'np' = the estimate is unreliable and cannot be published. '-' = not available. Source: ABS, Tourism in Local Government Areas - Cat. No. 3235.0. ABS Count of Tourist Accommodation - Cat. No. 8165.0. International Visitor Survey and National Visitor Survey.

DIRECTOR ASSETS & INFRASTRUCTURE SERVICES

IA/ITEM 4.5

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

INTRODUCTION

The following is a summary of capital and maintenance works undertaken within Assets & Infrastructure Services during the month preceding the April 2015 meeting of Council.

RECOMMENDATION

That the report be received.

COMMENT

- Patrol grading is ongoing throughout the district in line with the current schedules and technique.
- The following upgrades/works have been undertaken upon Community Wastewater Management Systems (CWMS) and water supply schemes:

CWMS

- Repairs to irrigation solenoids – **Port Victoria**
- Civil works WWTP compound – **Port Victoria**
- Chlorine line repairs – **Maitland**
- Fencing around new buffer tank – **Maitland**
- Repairs to gravity drain – **Maitland**
- CCTV and condition rating assessments – **Maitland**
- Installation of chlorine analyser system – **Chinaman Wells**
- Repairs to Chlorine line – **Stansbury**

Water Schemes

- Repairs to pipework from beach well – **Marion Bay Desalination Plant**

- All CWMS, water supply and stormwater harvesting schemes are continually monitored and tested in accordance with SA Health and Environment Protection Authority (EPA) licence conditions.
- Roadside vegetation clearance activities have been undertaken within the Hundred of Melville (Gumbowie Road) and Tiparra (Rose Road).
- Jetpatching activities have commenced within the Northern area of the district.
- Approximately eighty (80) Customer Service Requests (CSR's) have been addressed throughout March with activities including:
 - Sealed and unsealed road maintenance
 - Attention to street trees
 - Sign replacement and repairs
 - Driveway installation
 - Repairs to/installation of stormwater infrastructure
 - Response to vandalism
 - Footpath maintenance

- Maintenance to public buildings
- The Walk the Yorke project is progressing well with milestones achieved, including the installation of the following components;
 - Trail markers, bollards and bench seats (ongoing)
 - Shelters (of 19 shelters, 14 have floor cemented and 7 have roof completed)
 - Trail construction – Point Pearce (tender process)
 - Progress report submitted to Australian Government.
- Landscaping has been completed within the reserve between Edithburgh and Sultana Point with mulch and low lying shrubs.
- Footpath maintenance has been attended to within Yorketown, Minlaton, Port Vincent and Price.
- Attention to parks, gardens and reserves is ongoing throughout the district.
- Road construction and/or maintenance activities have been applied to the following roads within the 2014/15 budget allocations:
 - Clinton Road – prepared for sealing
 - Coleman Road – resheeting ongoing
 - Willing Road – resheeting commenced
 - North Terrace (Artherton) – swale drain constructed
 - Hayes Road – patching commenced
 - Daly Head Road – construction ongoing
- Maintenance works have been applied to jetties, including ladder replacement at Port Julia and removal of a pylon at Port Victoria (parent pile existing).
- Beach access fencing has been installed at Watsons Beach.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Strategic Plan

Key Theme: Sustainable Communities

1. Sustainable Infrastructure

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

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not applicable.

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

1. INSPECTORIAL – ACTIVITY REPORT

(File Ref: 9.24.1.1)

INTRODUCTION

To inform Council of the activities of the Inspectorial Team.

RECOMMENDATION

That the report be received.

COMMENT

Council's Officers have dealt with many routine matters during the past month, including illegal campers, wandering and nuisance dogs, noisy dogs, noisy poultry and nuisance cats.

The owners of two impounded dogs came forward and collected their dogs from the pound after paying the appropriate pound fees. Six dog owners received an expiation notice for owning or keeping an unregistered dog. The majority of the unregistered expiations have been issued as a result of the continuing door knock being performed by Council Rangers.

A Maitland farmer reported that overnight a dog had attacked approximately 10 of his sheep, which resulted in the destruction of at least 5 of them. All of the injuries were in the neck region of the sheep. Prior to the arrival of a Council Officer a neighbour of the victim attended and advised a dog had escaped overnight and came home with blood on it and feared that it may have attacked sheep in the vicinity. The owner of the dog subsequently had the dog destroyed and agreed to compensate the neighbour for any losses. No further action was taken in relation to the incident.

A Warooka resident was issued with an expiation notice for a dog attack and owning an unregistered dog as a result of walking his dog off leash within the Warooka township when it attacked and killed a cat.

Routine patrols of boat ramps have been performed to ensure that users are paying to use the facilities. Three expiation notices have been issued to boat launchers who did not pay for using the launching facilities prior to launching their boat.

Regular patrols have taken place at the bush camping reserves to ensure users are paying for the facilities. These facilities continue to be very popular with campers, particularly over the recent long week end.

Council's Fire Prevention Officers continue to monitor the burning off of rural land to ensure compliance with the conditions on the permits. Those permit holders who do not adhere to the permit conditions may receive a \$315 expiation notice. It is somewhat disappointing that many of the prescribed burnoffs have escaped. On each occasion the permit holder had appeared to comply with the conditions of the permit, but due to the excessive dry conditions the fires escaped the containment lines.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Fire and Emergency Services Act 2005

Dog and Cat Management Act 1995

Local Government Act 1999

Strategic Plan

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

Strategic Goal: 2.3 Meet all legislative and compliance responsibilities

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

2. DEVELOPMENT APPLICATION DECISIONS

(File Ref: 9.24.1.1)

INTRODUCTION

Development Applications for the period 2 March 2015 to 27 March 2015.

RECOMMENDATION

That the report be received.

COMMENT

The following is a list of all Development Applications processed for the period 2 March 2015 to 27 March 2015.

Yorke town

544/1170/2012	544/1255/2012	544/1227/2013
544/1137/2014	544/1222/2014	544/1227/2014
544/1008/2015	544/1010/2015	544/1016/2015
544/1017/2015	544/1022/2015	544/1027/2015
544/1028/2015	544/1029/2015	544/1030/2015
544/1031/2015	544/1036/2015	544/1037/2015
544/1043/2015	544/1055/2015	

Maitland

544/2224/2013	544/2287/2013	544/2015/2014
544/2224/2014	544/2225/2014	544/2226/2014
544/2227/2014	544/2235/2014	544/2236/2014
544/2259/2014	544/2272/2014	544/2286/2014
544/2296/2014	544/2002/2015	544/2005/2015
544/2007/2015	544/2010/2015	544/2015/2015
544/2018/2015	544/2020/2015	544/2023/2015
544/2037/2015	544/2045/2015	

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Development Act 1993

Council's Development Plan

Strategic Plan

Key Theme: Sustainable Communities

2. Progressive and Sustainable Development

Strategic Goal: 2.2 Streamlined Development Assessment Process

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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

**LIST OF DEVELOPMENT APPLICATIONS & DECISIONS ISSUED BY THE ASSISTANT BUILDING SURVEYOR UNDER DELEGATION
FOR THE PERIOD 2 MARCH 2015 – 27 MARCH 2015**

YORKETOWN

Dev. App. No.	Name & Address	Location	Proposal	Class	Area m ²	Cost \$	Conditions Planning Building	Assessment / Valuation No	Decision Date	Builder Licence No
544/1170/2012	S & R Bressington PO Box 1253 LITTLE HAMPTON	(Lot 1) 2 Esplanade POINT TURTON	New Dwelling & Garage	1a 10a	141.15 61.48	215,898	LAPSED	101972 5400452050	4 March 2015	G Wahlstedt GL148938
544/1255/2012	Hart Bros PO Box 193 WAROOKA	Lot 100 Martin Road MINLATON	Storage Shed Office Advertising displays	7b 5 10b	162 17.5 Varies	20,000	Planning 1 Building 5 Stage 3 & 4	419572 5408895103	23 March 2015	Owner Builder
544/1227/2013	M & K Cook 23 Second Street MINLATON	(Lot 2) 23 Second Street MINLATON	STAGE 2 Garage	10a	24	Included in Stage 1	Planning 4 Building 6 STAGE 2	303107 5407774502	19 March 2015	Haywood Home Improvements BLD58028
544/1137/2014	S Halman PO Box 154 EDITHBURGH	(Lot 1)10 Sultana Point Road EDITHBURGH	Garage	10a	38.35	10,000	Planning 5 Building 2	425322 5405119950	2 March 2015	TBA
544/1222/2014	P Agnos 11 Anthony Street HELEY BEACH	(Sec 435) 1044 North Coast Rd POINT SOUTTAR	Balcony & Carport	10a	24 42	8,000	Planning 3 Building 2	116467 5400874623	17 March 2015	Evastrong Home Improvements G10391
544/1227/2014	G & C Dalton PO Box 244 MINLATON	(Lot 6) 4A West Terrace MINLATON	New Dwelling & Garage UMR	1a 10a	184.95 35.81	216,815	Planning 1 Building Nil Private Certifier	433508 5407606453	2 March 2014	Fairmont Homes Group GL188013
544/1008/2015	R & J Reddaway PO Box 367 MINLATON	(Lot 722) Tucker Avenue BRENTWOOD	Garage	10a	49.47	8,400	Planning 1 Building 2	319053 5408842001	19 March 2015	Owner Builder
544/1010/2015	I & C Allen 7 Munilla Avenue FAIRVIEW PARK	(Lot 84) 25 Seascape Road POINT TURTON	Verandah & Deck	10a	32.4	10,000	Planning 2 Building 2	426593 5401057254	2 March 2015	Owner Builder
544/1016/2015	M & J Aitchison PO Box 259 WAROOKA	(Lot 2) 3 Point Turton Road POINT TURTON	Retaining Wall	10b	17.4	11,900	Planning 2 Building 1	406892 5400782788	25 March 2015	Owner Builder
544/1017/2015	PJ Hannemann 9 Hermitage Drive ANGLE VALE	(Lot 177) 26 Murdoch Cres POINT TURTON	Carport	10a	37	3,800	Planning 3 Building 2	111138 5400784900	5 March 2015	Owner Builder
544/1022/2015	PH Edmonds 46 Eton Road POINT TURTON PARK	(Lot 2) 3972 South Coast Road WAROOKA	Garage	10a	90	10,430	Planning 4 Building 2	107557 5400716158	2 March 2015	TBA

544/1027/2015	W Matters PO Box 61 HARDWICKE BAY	(Lot 190) 14 Bayview Road HARDWICKE BAY	Carport	10a	59.4	4,800	Planning 1 Building 1	325811 5409039966	25 March 2015	Owner Builder
544/1028/2015	Leisure Options PO Box 88 MINLATON	(PTS 744) 35b Stansbury Road YORKETOWN	Extension of Propagation Area	10a	72	5,000	Planning 1 Building 1	406371 5403387026 A0040	23 March 2015	Owner Builder
544/1029/2015	T Turner 88 Alexander Street SELLICKS BEACH	(Lot 192) 15 Murdoch Cres POINT TURTON	Pergolas x 2 & Decks x 2	10a 10a	15 25.5	10,000	Planning 1 Building 6	111393 5400785428	24 March 2015	Owner Builder
544/1030/2015	J Singh 3 Chruch Street HAHNDORF	Site 15a (Lot 20) 17 Willyama Drive MARION BAY	Caravan Annexe	1a	18	4,900	Planning 1 Building 2	118877 5400935211	19 March 2015	Matthew Lampe
544/1031/2015	GB Abell PO Box 285 MINLATON	(Sec 191) 120 Minlaton Road MINLATON	Demoish Garage; New Garage	10a	51.46	9,000	Planning 5 Building 2	320226 5408921009	26 March 2015	A Glover BLD51278
544/1036/2015	C Barnes 6c Buckingham St GILBERTON	(Sec 341) 882 North Coast Road POINT SOUTTAR	Demoish Existing Shed; New Garage	10a	71.25	10,400	Planning 1 Building 4	116053 5400873823	23 March 2015	Bargain Steel Centre
544/1037/2015	C Librandi 14 Rhode Island Dv PARAFIELD GDNS	(Lot 46) 10 Fourth Street WAROOKA	Demolition of Garage	10a	175	1,000	Planning N/A Building 7	101287 5400327056	5 March 2015	J Taheny
544/1043/2015	V & E Faggotter PO Box 149 MINLATON	(Lot 82) 36 Fourth Street MINLATON	Carport	10a	43.92	6,750	Planning 1 Building 2	303594 5407822009	23 March 2015	Minlaton Builders G6630
544/1055/2015	B Walker (Keulen) 21 Wexford Street SALISBURY DOWNS	(Sec 146) 31 Slow Street MARION BAY	Demolish Existing Shack	N/A	N/A	5,000	Planning N/A Building 7	117739 5400932408	24 March 2015	TBA
TOTAL						\$356,195				

MAITLAND

Dev. App. No.	Name & Addresses	Location	Proposal	Class	Area m ²	Cost \$	Conditions Planning Building	Assessment / Valuation No	Decision Date	Builder Licence No
544/2224/2013	M Venning 40 South Terrace KADINA	(Lot 775) 26 Alice Street MAITLAND	Verandah	10a	26.5	1,500	Planning Nil Building 2	11338 4601917015	03 March 2015	Owner Builder
544/2287/2013	PN Copley & V Love PO Box 162 MINLATON	(Lot 16) 5 Edwards Street BLUFF BEACH	Two Storey Dwelling & Garage	1a 10a	387 90	400,000	Planning 14 Building 1 Private Certifier	408823 5408773480	25 March 2015	DMH Constructions
544/2015/2014	WK Proctor PO Box 103 PORT VINCENT	(Lot 93) 1 Stormbird Street PORT VINCENT	Verandah & Deck	10a	94 129	9,500	Planning 4 Building 2	417311 5408347801	11 March 2015	Owner Builder

544/2224/2014	M Palmer PO Box 453 WILLIAMSTOWN	(Unit 1) 1/5 Tiddy Widdy Rd ARDROSSAN	Verandah	10a	27	3,500	Planning 1 Building 3	433219 4600272411	13 March 2015	Owner Builder
544/2225/2014	M Palmer PO Box 453 WILLIAMSTOWN	(Unit 2) 2/5 Tiddy Widdy Rd ARDROSSAN	Verandah	10a	32	3,500	Planning 1 Building 3	433227 4600272366	13 March 2015	Owner Builder
544/2226/2014	M Palmer PO Box 453 WILLIAMSTOWN	(Unit 3) 3/5 Tiddy Widdy Rd ARDROSSAN	Verandah	10a	27	3,500	Planning 1 Building 3	4332535 4600272315	13 March 2015	Owner Builder
544/2227/2014	M Palmer PO Box 453 WILLIAMSTOWN	(Unit 4) 4/5 Tiddy Widdy Rd ARDROSSAN	Verandah	10a	27	3,500	Planning 1 Building 3	433243 4600272278	13 March 2015	Owner Builder
544/2235/2014	PF Maguire PO box 1 ARDROSSAN	(Sec 372) 8 Grahn Road JAMES ROAD	Garage Extension & Verandah	10a	92	25,000	Planning 8 Building 2	31468 4604899650	17 March 2015	TBA
544/2236/2014	DB Fraser 3 Baker Avenue PORT VINCENT	(Lot 56) 3 Baker Avenue PORT VINCENT	Garage, Carport & Verandah	10a	144	30,000	Planning 8 Building 2 Private Certifier	307298 5408217505	25 March 2015	TBA
544/2259/2014	Black Point Progress Assoc Inc 63 Barker Road PROSPECT	Sec 446 HD Muloowurtie	Memorial Wall	10b	9	5,000	Planning 2 Building 2	48561 4604620209	16 March 2015	TBA
544/2272/2014	SG Mattschoss RMD Sandilands Via ARDROSSAN	(Lot 373) 1027 Sandy Church SANDILANDS	Office & Amenities Refurbishment & Verandah Addition	10a 5	155 56	200,000	Planning 1 Building 2	432856 4604571005	16 March 2015	TBA
544/2286/2014	JM & BA Dayman C/- Post Office PORT CLINTON	(Sec 365) 651 Yararoo Drive KAINTON	Implement Shed	7	1486	187,880	Planning 1 Building 8	42929 4607033253	02 March 2015	Redden Bros G9148
544/2296/2014	AD Martin 3 Martinique Ct WEST LAKES	(Lot 1) 21 Cornwall Street PORT CLINTON	Single Storey Dwelling & Deck	1a 10a	148 22.32	165,202	Planning 9 Building 2	433581 4606283859	04 March 2015	Allsteel Transportable Homes G10238
544/2002/2015	LN & JP Harper PO Box 261 MAITLAND	(Lot 126) 17 Viewbank Cres MAITLAND	Carport & Verandah	10a	67.05 24.0	8,173	Planning 2 Building 2	419317 4602051170	11 March 2015	TBA
544/2005/2015	SN Brown PO Box 1296 ARDROSSAN	(Sec 285) 1922 Ardrossan Rd CUNNINGHAM	Shed	10a	216	25,000	Planning 6 Building 1 Private Certifier	22392 4604118307	25 March 2015	TBA
544/2007/2015	GJ McAskill PO Box 209 PORT VINCENT	(Lot 148) 16 Baker Avenue PORT VINCENT	Carport	10a	36	3,300	Planning 5 Building 2	307223 5408211007	25 March 2015	Owner Builder

544/2010/2015	FS Greenslade CMB URANIA	(Sec 81W) 17598 Spencer Hwy URANIA	Verandah	10a	43	14,000	Planning 1 Building 2 Private Certifier	29645 4604698209	26 March 2015	T Van Shaik
544/2015/2015	CR Harrison PO Box 238 PORT VICTORIA	(Lot 6) 2119 Port Victoria Rd PORT VICTORIA	Carport	10a	18	2,000	Planning 1 Building 2	427617 4604723312	16 March 2015	Owner Builder
544/2018/2015	GW Smart 53 North Terrace MAITLAND	(Lot 27) 53 North Terrace MAITLAND	Pergola	10a	93.6	29,500	Planning 4 Building 2	14662 4602149100	19 March 2015	SA Quality Home Improvements
544/2020/2015	PS Von Einem 29 Helmsdale Ave GLENGOWRIE	(Lot 25) 25 Tiddy Widdy Beach Road TIDDY WIDDY BCH	Garage	10a	27.45	5,115	Planning 7 Building 2	8615 4600626603	19 March 2015	Owner Builder
544/2023/2015	JD Stephens 3/25 Cobby Drive MODBURY HEIGHTS	(Lot 7) 11 Moody Road BALGOWAN	Carport	10a	30.24	3,096	Planning 3 Building 2	35980 4605053509	11 March 2015	TBA
544/2037/2015	RJ Nixon PO Box 180 MAITLAND	(Lot 742) 4 Elizabeth Street MAITLAND	Demolish Entire Site	10a	510	12,000	Planning Nil Building 7	10330 4601818009	18 March 2015	Owner Builder
544/2045/2015	DE & KJ Oliver 16 Hughes Cres POORAKA	(Lot 512) 9 Welfare Road BALGOWAN	Demolish Shed	10a	70	1,000	Planning Nil Building 7	36830 4605097000	26 March 2015	
TOTAL						\$1,141,266				

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

3. WASTEWATER SYSTEM APPLICATION DECISIONS

(File Ref: 9.24.1.1)

INTRODUCTION

Wastewater System application decisions for the period 2 March 2015 to 27 March 2015.

RECOMMENDATION

That the report be received.

COMMENT

The following is a list of all Wastewater System applications processed for the period 2 March 2015 to 27 March 2015.

Maitland

050/174/2013	050/136/2014	050/003/2015
050/017/2015	050/018/2015	050/021/2015
050/022/2015	050/024/2015	

Yorke town

050/141/2014	050/014/2015
--------------	--------------

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Development Act 1993

Environmental Protection Act 1993

Council's Development Plan

Strategic Plan

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

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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

**LIST OF WASTE CONTROL APPLICATIONS & DECISIONS ISSUED BY THE ENVIRONMENTAL HEALTH OFFICERS UNDER DELEGATION
FOR THE PERIOD 2 MARCH 2015 TO 27 MARCH 2015**

Maitland

Septic App. No.	Owner	Location	Proposal	Conditions	Assess. No	Decision Date	Plumber & Licence No
050/174/2013	PW Copley & V Love PO Box 162 MINLATON	(Lot 16) 5 Edwards Street BLUFF BEACH	Sewer Connection	11	408823	25 March 2015	TBA
050/136/2014	EM Mattschoss RMD Sandilands ARDROSSAN	(Lot 373) 1027 Sandy Church Road SANDILANDS	Existing Septic & Soakage	11	432856	16 March 2015	JBG Architects
050/003/2015	AD Martin 3 Martinique Court WEST LAKES	(Lot 1) 21 Cornwall Street PORT CLINTON	Septic & Soakage	11	433581	04 March 2015	T Woods
050/017/2015	T Salmon PO Box 563 PORT WAKEFIELD	(Site 130) 1 Park Terrace ARDROSSAN	STED Connection	11	59	03 March 2015	T B Simmons
050/018/2015	G & G Seery 33 Swansea Street LARGS NORTH	(Site 15) 1 Park Terrace ARDROSSAN	STED Connection	11	59	03 March 2015	T B Simmons
050/021/2015	Paradise Developments PO Box 2658 ALICE SPRINGS	(Lot 67) 9 Marina Drive PORT VINCENT (Dwelling 3)	STED Connection	11	410910	16 March 2015	Rivergum Homes P/L
050/022/2015	Paradise Developments PO Box 2658 ALICE SPRINGS	(Lot 67) 9 Marina Drive PORT VINCENT (Dwelling 4)	STED Connection	11	410910	16 March 2015	Rivergum Homes P/L
050/024/2015	LJ Rowe 14 Hanley Street POORAKA	(Site 50) 1 Park Terrace ARDROSSAN	STED Connection	11	59	24 March 2015	Toby Simmons

Yorke town

Septic App. No.	Owner	Location	Proposal	Conditions	Assess. No	Decision Date	Plumber & Licence No
050/141/2014	G & C Dalton PO Box 244 MINLATON	(Lot 6) 4a West Terrace MINLATON	Aerobic System	11	433508	2 March 2015	Fairmont Homes Pty Ltd
050/014/2015	Hart Bros PO Box 193 WAROOKA	(Lot 100) Martin Road MINLATON	Septic & Soakage	11	419572	23 March 2015	Owner Applicant

DIRECTOR DEVELOPMENT SERVICES

IA/ITEM 4.6

4. ENVIRONMENTAL HEALTH ACTIVITY REPORT

(File Ref: 9.24.1.1)

INTRODUCTION

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

RECOMMENDATION

That the report be received.

COMMENT

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

Regular routine inspections of food businesses.

The annual registration of warm water systems was undertaken in March. There are three (3) facilities in the area that have warm water systems and under the *South Australian Public Health (Legionella) Regulations 2013* these systems need to be registered with the local authority. Registration remains in force for a period of 12 months and therefore facilities must renew their registration annually. Council must follow up that facilities are:

- decontaminating their systems every 6 months
- having the entire system audited annually to demonstrate that regular maintenance is being carried out to minimise the risk of *Legionella* establishing in the warm water pipe work and other associated plant.

On Thursday 26 March the EHO conducted a food safety training session for staff that are involved in catering for Council functions. Eight staff members attended the (almost) 2 hour session at Minlaton, with general feedback being that it was interesting and informative.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

South Australian Public Health Act 2011.

Food Act 2001

South Australian Public Health (Wastewater) Regulations 2013

On-site Wastewater Systems Code

Strategic Plan

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

Strategic Goal: 2.3 Meet all legislative and compliance responsibilities

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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

DEBATE

AGENDA

CHIEF EXECUTIVE OFFICER

DA/ITEM 6.1

1. DELEGATIONS REGISTER (File Ref: 9.24.1.1)

INTRODUCTION

Council has conducted an annual review of its Delegation Register, in accordance with Section 44(6) of the Local Government Act 1999. A need to include new delegations under the Development Act 1993 has been identified.

RECOMMENDATION

Delegations made under the Development Act 1993

1. That, having conducted its annual review of the Council's Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Council in exercise of the powers contained in Section 20 and 34(23) of the Development Act:
 - 1.1 delegates the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation annexed to the Report dated 8th April 2015 and entitled Delegations Register to the Council's Development Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation (attached) under the Development Act 1993 and Development Regulations 2008.

COMMENT

Section 44 of the Local Government Act 1999 ("the Act") provides that the Council may delegate a power or function vested or conferred under this or another Act. The Act requires that the Council review the delegations made once in each financial year.

The Local Government Association delegations templates have been utilised to review the delegations register and specific legal advice has been obtained in respect of the powers and functions under the Development Act 1993 that are recommended for delegation to the Development Assessment Panel in the proposed Instrument of Delegation (attached).

All Authorised Officer and/or Authorised Person appointments continue to remain valid.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Development Act 1993

Development Regulations 2008

Local Government Act 1999

Applicable to various objectives contained in the Strategic and Corporate Plan 2012 – 2015

PO91 Risk Management Policy

PO127 Development Assessment Panel Delegations Policy

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

It is essential that Council has updated and appropriate delegations in place to ensure Council's risk is mitigated by ensuring legislative compliance, consistency and appropriate, suitably qualified personnel are undertaking these business and regulatory functions.

**INSTRUMENT OF DELEGATION UNDER THE
DEVELOPMENT ACT 1993, AND DEVELOPMENT REGULATIONS 2008
TO THE DEVELOPMENT ASSESSMENT PANEL**

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument. Refer to the Schedule of Conditions at the back of this document.
2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and or amended.

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

10. Matters Against Which Development Must be Assessed	
10.1	The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):
10.1.1	the provisions of the appropriate Development Plan;
10.1.3	in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) on the satisfaction of the conditions specified in Section 33(1)(c) of the Act;
10.1.4	in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 on the satisfaction of the conditions specified in Section 33(1)(d) of the Act;
10.1.5	the requirement that any encroachment of a building over, under, across or on a public place has been dealt with in a satisfactory manner; and
10.1.6	such other matters as may be prescribed.
10.2	The power pursuant to Section 33(3) of the Act, when granting a development plan consent, to reserve a decision on a specified matter until further assessment of the development under the Act.
11. Determination of Relevant Authority	

11.2	The power pursuant to Section 34(1a) of the Act, where the Minister has made a declaration under Section 34(1)(b)(vi) of the Act, to provide the Development Assessment Commission with a report, relating to the application for development authorisation, within the time prescribed by the Regulations.
12.	Special Provisions Relating to Assessment Against Development Plans
12.4	The power pursuant to Section 35(2) of the Act to assess whether or not a development is seriously at variance with the relevant Development Plan.
12.5	The power pursuant to Section 35(3)(a) of the Act in appropriate cases, to concur in the granting of consent to a development described as a non-complying development.
17.	Public Notice and Consultation
17.2	Where a person applies for a consent in respect of the Development Plan for a Category 2A development, -
17.2.3	if a representation is received under paragraph (b) of Section 38(3a) of the Act within the prescribed number of days, the power pursuant to Section 38(3a)(c) of the Act to, in the Delegate's absolute discretion, allow the person who made the representation to appear personally or by representative before it to be heard in support of the representation.
17.6	The power pursuant to Section 38(10)(a) of the Act, in respect of a Category 2 development, to determine whether to allow a person who made a representation to appear personally or by representative before the Delegate.
17.7	The duty pursuant to Section 38(10)(b) of the Act, in respect of a Category 3 development, to allow a person who made a representation and who as part of that representation indicated an interest in appearing before the Delegate, a reasonable opportunity to appear personally or by representative to be heard in support of the representation.
17.8	The duty pursuant to Section 38(11) of the Act to allow an applicant to appear personally or by representative before the Delegate or the Council in order to respond to any relevant matter.
18.	Application and Provision of Information
18.1	The power pursuant to Section 39(2) of the Act to request an applicant to:
18.1.1	provide such additional documents or information to enable

	assessment of the application;
18.1.2	remedy any defect or deficiency in any application or accompanying document or information required by or under the Act;
18.10	The power pursuant to Section 39(4)(d) of the Act and Regulation 17(3)(a) of the regulations to refuse an application that relates to a development of the kind that is described as a non-complying development under the Development Plan without proceeding to make an assessment of the application.
18.12	The power pursuant to Section 39(7) of the Act to approve an application for variation of the conditions of the development authorisation previously given under the Act, or to extend the period for which such authorisation remains operative.
21.	Conditions
21.1	The power pursuant to Sections 42(1) and (3) of the Act to attach such conditions as the Delegate thinks fit or as may be prescribed by regulation to any decision under Division 1 of Part 4 of the Act.
24.	Crown Development and Public Infrastructure
24.1	The power pursuant to Section 49(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.
24.2	The power pursuant to Section 49(5) of the Act to report to the Development Assessment Commission on any matters contained in a notice from the Development Assessment Commission under Section 49(4a) of the Act.
25.	Electricity Infrastructure Development
25.1	The power pursuant to Section 49A(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.
25.2	The power pursuant to Section 49A(5) of the Act, where notice of a proposal to undertake development for the purposes of the provision of electricity infrastructure has been given to the Council pursuant to Section 49A(4a) of the Act, to report to the Development Assessment Commission on any matters contained in the said notice.

<u>DELEGATIONS UNDER THE DEVELOPMENT REGULATIONS 2008</u>	
60. Non-Complying Development	
60.1	The power pursuant to Regulation 17(3) of the Regulations, after receipt of an application which relates to a kind of development that is described as non-complying development to:
60.1.1	refuse the application pursuant to Section 39(4)(d) of the Act and notify the applicant accordingly; or
60.1.2	resolve to proceed with an assessment of the application.
60.2	The duty pursuant to Regulation 17(4) of the Regulations, in situations where the Delegate has resolved to proceed with the assessment of an application for non-complying development, to require the applicant to provide a statement of effect.
60.3	The power pursuant to Regulation 17(6) of the Regulations to determine that a proposed development is of a minor nature for the purposes of exemption from the requirements to provide a statement of effect.
74. Determination of Commission as Relevant Authority	
74.1	Where the Development Assessment Commission is the relevant authority under Section 34(1)(b) of the Act:
74.1.2	in any case, the power pursuant to and in accordance with Regulation 38(2)(b) to provide a report on matters under Section 33(1) (as relevant).
74.2	Where the Development Assessment Commission is the relevant authority under Section 34(1)(b)(iv) of the Act and the proposed development is to be undertaken within one kilometre of a boundary with the Council, the power, pursuant to Regulation 38(4) of the Regulations, to provide the Development Assessment Commission with comments on the proposed development.
82. Lapse of Consent or Approval	
82.1	The power pursuant to Regulation 48(2) of the Regulations to extend the time when any consent or approval under Part 4 of the Act will lapse.

SCHEDULE OF CONDITIONS

CONDITIONS OR LIMITATIONS APPLICABLE TO DELEGATIONS CONTAINED IN THIS INSTRUMENT

Paragraph(s) in instrument to which conditions/limitations apply	Conditions / Limitations
10, 12, 17, 18, 21, 60, 82	<p>These delegations may only be exercised by the CDAP in respect of:</p> <ul style="list-style-type: none"> • Category 2 applications where representations have been made, and a representor or representors wish to address the CDAP in support of their representation. • Category 3 applications where representations have been made, and a representor, or representors wish to address the CDAP in support of their representation. • Non-complying applications which proceed with an assessment, and in respect of which representations have been made, and a representor, or representors wish to address the CDAP in support of their representation. • Other such development applications, which do not meet the above requirements, but in respect of which the Chief Executive Officer or Director Development Services believe determination by the CDAP is warranted.
11, 24, 25, 74	<p>These delegations may only be exercised by the CDAP in respect of development applications where, in the opinion of the Chief Executive Officer or Director Development Services the proposed development is of a minor nature.</p>

CHIEF EXECUTIVE OFFICER

DA/ITEM 6.1

2. CONFIDENTIAL MINUTES REVIEW (File Ref:9.24.1.1)

INTRODUCTION

To seek approval from Elected Members to retain confidential minutes dated 9th April 2014 for a further 12 month period.

RECOMMENDATION

That Council:

1. having reviewed the confidential minutes dated 9th April 2014, do hereby make the following order under Section 91 of the Local Government Act to retain the Confidential Minutes for a further 12 month period.

Section 91(7) Order

2. The confidential minutes from the Council meeting held on 9th April 2014 in relation to Sale of Land for Non-Payment of Rates considered in confidence under section 90(3)(a) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the minutes in relation to Sale of Land for Non-Payment of Rates and the report and associated documentation continue to be retained in confidence for a further period of 12 months or until all properties have been sold, whichever occurs earlier .

COMMENT

A confidential report was prepared for the previous Council in April 2014 in relation to several properties where the amount payable for outstanding rates had reached a stage where Council could commence action to sell the properties for non-payment of rates.

At that time Council made an order to maintain the report and minutes in confidence for a period of 12 months a copy of the report and minutes will be provided to Elected Members (under separate cover).

That 12 month period is due to expire and the matter is yet to be finalised. Some of the property owners have had a change in their circumstances whereby they have been able to pay their rates that were outstanding in addition to fines and legal costs and have been brought up to date.

Some of the properties continue to remain in arrears and action has been taken to comply with the legislation to commence the process to sell the remaining parcels in order for Council to recover the outstanding rates owed. This is a very lengthy process that requires a thorough process to ensure compliance with the legislation.

The process is yet to be finalised and it is for this reason a further order to maintain the minutes in confidence is being requested.

The information contained within the minutes identifies details of the properties and owners and it would be remiss of Council to release this information prior to the sale of land process being finalised.

An auction for sale of the properties that have debts that remain outstanding has been organised for Friday 8th May 2015 commencing at 2.00pm in the Council Chambers at Minlaton.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Section 184 Local Government Act 1999

PO048 Management & Recovery of Outstanding Debts Policy

Strategic Plan

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

Strategic Goal: 2.1 Financially Sustainable Organisation

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Section 184 of the Local Government Act 1999 provides Council with the power to sell such properties thereby reducing Council's exposure to outstanding rate debts.

The sale of these properties will reduce Council's outstanding rate liability.

The assessment record will be made more relevant by the sale of land where the principal ratepayer has been deceased for a considerable period of time or where the valuation of the land exceeds the amount of outstanding rates.

CHIEF EXECUTIVE OFFICER

DA/ITEM 6.1

3. ACCESS TO COUNCIL AND COMMITTEE MEETINGS AND DOCUMENTS CODE OF PRACTICE (File Ref:9.24.1.1)

INTRODUCTION

To seek Council approval for the adoption of the updated Access to Council and Committee Meetings and Documents Code of Practice.

RECOMMENDATION

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

COMMENT

The Access to Council and Committee Meetings and Documents Code of Practice has been updated to reflect the change to Council's name, and a few small cosmetic typographical corrections, the intent of the policy remains the same.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Strategic Plan

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

Strategic Goals: 2.2 Efficient, effective and professional organisation
2.3 Meet all legislative and compliance responsibilities

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

This policy will ensure Council's risk in relation to ensuring the public have access to Council meetings and documents is mitigated to facilitate legislative compliance.



COUNCIL POLICY

Access to Council and Committee Meetings and Documents Code of Practice

Policy Number:	PO015		
Strategic Plan Objective:	Meet all legislative and compliance responsibilities		
Policy Owner:	CEO	File Number:	9.63.1
Responsible Officer:	Governance Officer	Minute Reference:	027/2014 (12/02/2014)
Date Adopted:	12/02/2014	Next Review Date:	February 2015 April 2019

1. POLICY OBJECTIVES

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

2. SCOPE

This policy applies to Council and all Council committee meetings and documents

3. DEFINITIONS

Council	Council and all Council committees
Council meetings	Council and all Council committee meetings
Council meetings minutes	Council and all Council committees meeting minutes
Employee(s)	All personnel undertaking tasks/duties for and/or on behalf of the District Council of Yorke Peninsula Council , including persons employed directly by the Council in a full time, part-time or casual basis under an employment contract, volunteers, contractors, agency personnel and work experience placements.
Personal affairs	Includes but is not limited to a person's financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person's employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, but does not include the personal affairs of a body corporate.

4. POLICY STATEMENT

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

- The relevant provisions of the Local Government Act 1999 ("the Act");
- Public access and participation;

- The process for restricting public access to a meeting or a document;
- Access to meeting agendas;
- Access to meetings;
- The process for excluding the public from meetings;
- When the public can be excluded;
- How the Council uses the confidentiality provisions in the Act;
- Access to documents;
- Review of confidentiality orders;
- Accountability and reporting;
- Availability of the code.

4.1 Public Access to the Agenda for Meetings

At least three clear days before a Council meeting (unless it is a special meeting) the Chief Executive Officer (CEO) will ensure that written notice of the meeting is given to all Council members setting out the date, time and place of the meeting. The notice must contain or be accompanied by the agenda for the meeting.

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

A reasonable number of copies will be available for public inspection as soon as practicable after they are supplied to the Members of Council.

The meeting notice and agenda will be on public display at each Council office and on [Council's website](#) until the completion of the relevant Council meeting.

Copies of agenda documents and non-confidential reports will be made available to members of the public in attendance at meetings.

Members of the public may also obtain hardcopies of agendas and relevant documents/reports for a fee, in accordance with a Council's Fees and Charges Register.

Where the CEO, after consultation with the principal member of the Council, or in the case of a Committee - the presiding member, believes that a document or report should be considered in confidence and the public excluded, the basis under which the order could be made, in accordance with section 90(3) of the Act, will be specified.

Where a person provides information to the Council and requests that it be kept confidential, Council cannot consider the request unless the matter is one that falls within section 90(3) of the Act. If this is the case, Council will then consider the request on its merits.

4.2 Public Access to Meetings

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

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

Members of Council and employees may lawfully participate in informal gatherings/discussions including:

- Planning sessions around developing policies and strategies;
- Briefing sessions
- Training sessions

- Workshops

provided that no decisions are made or effectively made on a matter that would ordinarily form part of a formally constituted Council meeting agenda.

The Council is not required to hold an informal gathering open to the public. Notice of informal gatherings will be provided to the public in advance, annually.

4.3 Confidentiality Provisions and Matters Where the Public can be Excluded

In summary, Section 90(3) of the Act provides that Council, can exclude the public in the following circumstances:

- Matters involving the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- Matters that could reasonably be expected to give a commercial advantage to a person with whom the Council is conducting, or proposing to conduct, business, with;
- Matters that could prejudice the commercial position of the Council;
- Information that could reasonably be expected to prejudice the commercial position of the person who supplied the information or provide a third party with a commercial advantage; ~~and would, on balance, be contrary to the public interest;~~

~~• Matters that would, on balance, be contrary to the public interest;~~

- Matters where a trade secret would be revealed;
- Matters affecting the security of the Council, members or employees of the Council, or Council property, or the safety of any person;
- Where the disclosure of information could reasonably be expected to prejudice the maintenance of law (including by affecting/potentially affecting the prevention, detection or investigation of a criminal offence, or the right to a fair trial);
- Matters that must be considered in confidence to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
- Where Legal advice is being considered;
- Information relating to actual litigation, or litigation that the Council believes on reasonable grounds will take place, involving the Council or an employee of the Council;
- Where information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council) will be disclosed;
- Tenders for the supply of goods or services;
- Information relating to a proposed amendment to a Development Plan under the Development Act 1993, before a Plan Amendment Report relating to the amendment is released for public consultation;

Formatted: Indent: Left: -0.52 cm

Formatted: List Paragraph, Indent: Left: -0.52 cm, Bulleted + Level: 1 + Aligned at: 1.39 cm + Indent at: 2.02 cm

- Information relating to a proposed amendment to a Development Plan under the Development Act 1993, before a Development Plan Amendment proposal relating to the amendment is released for public consultation;
- Information relevant to the review of a determination of a Council under the Freedom of Information Act 1991.

In accordance with section 91(8) an order cannot be made ~~under subsection 7~~ to exclude the public on the following grounds ~~to prevent~~:

- ~~D~~disclosure of remuneration or conditions of service of an employee of the Council after the remuneration or conditions have been set or determined;
- ~~D~~disclosure of the identity of a successful tenderer for the supply of goods or services, or any of the reasons as to why a successful tenderer has been selected;
- ~~D~~disclosure of the amount(s) payable by the Council under a contract for the supply of goods or services after the contract has been entered into;
- ~~D~~disclosure of the identity of land that has been acquired or disposed of by the Council, or any reasons as to why land has been acquired or disposed of.

Embarrassment to the Council or to members or employees of the Council; or a loss of confidence in the Council is not a valid reason to exclude the public from a meeting.

Any consideration of the use of the confidentiality provisions to exclude the public from the discussion of matter at a meeting will require the identification of one or more of the grounds listed within section 90(3) of the Act and the factual reasons for the relevance and application of the ground(s) in the circumstances.

Before a meeting orders that the public be excluded, pursuant to section 90(2), to enable the receipt, discussion and consideration of a matter, the meeting will, in public, formally determine if this is necessary and appropriate, and then pass a resolution to exclude the public while dealing with that matter.

If this occurs then the public must leave the room. This means that all members of the public (including employees), unless named in the resolution as entitled to remain, are required to leave the room.

Once Council has made the order, it is an offence for a person, who knowing that an order is in force, to enter or remain in the room ~~in~~ where the meeting is being held.

Council can ~~include request~~ a person(s) or persons to remain in the meeting such as a ratepayer who is suffering personal hardship when circumstances about paying their rates are being discussed.

When making an order the meeting must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. If an order is to apply for over 12 months, then the order must be reviewed every 12 months from the date it was made.

Once the discussion has concluded, the meeting will then consider if it is necessary to make an order that a document associated with this agenda item (including minutes) remain confidential, in consideration of the provisions of section 91 of the Act which details when a Council must not order that a document remain confidential. Details relating to any order to keep information or a document confidential must also to be made known to the public.

Where keeping a document confidential is considered proper and necessary, a resolution is required which includes:

- the grounds for confidentiality;
- the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed – if the order has a duration of more than 12 months, the order must be reviewed at least once in every year;
- Whether the power to revoke the order will be delegated to an employee of the Council under section 91(9) (if applicable).

Council meetings minutes will record the making of an order in accordance with sections 90(2) and (3) and section 91(7).

Once discussion has concluded, the public are then permitted to re-enter the meeting.

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

The Council will not consider a number of agenda items “in confidence” together all at once. Each item and the relevant exemptions will be considered and determined separately.

4.5 Public Access to Documents

Minutes and non-confidential reports of a meeting of Council will be publicly available within 5 days after the meeting.

Various documents, including this policy, are available for inspection and purchase (for a fee) by the public and also in electronic form on the Internet for public access.

Requests to access other Council documents can be made under the Freedom of Information (FOI) Act 1991. Inquiries in relation to the process for accessing documents under the FOI Act can be directed to Council's accredited Freedom of Information Officer, Jackie Reddaway on 8832 0000.

4.6 Review of Confidentiality Orders

A review of the reports or documents that were considered under the provision of sections 90(3) and 91(7) of the Act will be conducted each month to ensure that items are released in accordance with the resolution of Council, when the confidential provision no longer applies.

Orders that exceed 12 months will be considered annually by the CEO to assess whether the grounds for non-disclosure, in the CEO's view are still relevant.

If CEO is of the view that there are items that require a fresh confidentiality order because the original order is about to expire and the grounds for non-disclosure are still relevant, then the CEO will prepare a report to Council making recommendations with respect to each item to be retained in confidence.

Each item must then be addressed separately by the Council and assessed against section 90(3) and section 91(7) of the Act. The Council cannot delegate the power to apply sections 90(3) and 91(7) of the Act.

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

If there is no longer any need for the confidentiality order then the Council will revoke the order made in accordance with section 91(7) of the Act.

If it is determined that a fresh confidentiality is required, Council must again provide the grounds and reasons for the minutes and/or documents remaining confidential.

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

4.7 Accountability and Reporting

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

- Number of occasions each of the provisions of sections 90(2) and 90(3) were utilised;
- Number of occasions each of the provisions of sections 90(2) and 90(3) and section 91(7) were utilised, expressed as a percentage of total agenda items considered;
- An indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion;
- Number of occasions that information originally declared confidential has subsequently been made publicly available;
- Number of occasions that information declared confidential has not been made publicly available and the reason for this in each case.

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.

Council has also established procedures for the review of decisions under section 270 of the Act for:

- Council;
- employees of the Council; and
- other persons acting on behalf of the Council.

Complaints about public access to either a meeting or a document decision can also be lodged with the CEO for review under Council's Internal Review of a Council Decision Policy.

6. **REVIEW**

The Council ~~will must~~ review this code ~~of practice within 12 months after the conclusion of a periodic election, on an annual basis~~ and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines to ensure that the principle of open government is being applied in a proper manner.

7. **TRAINING**

Council is committed to supporting Elected Members and employees in complying with this policy.

This policy will be provided to Elected Members and employees during induction. Training needs will be reviewed annually, during individual performance reviews and

as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

Elected Members and employees will actively participate in training.

8. RELATED COUNCIL POLICIES AND DOCUMENTS

PO037 Internal Review of a Council Decision Policy

PO147 Complaints Policy

PO057 Public Consultation Policy

R011 Fees and Charges Register

9. REFERENCES AND LEGISLATION

Local Government Act 1999

Development Act 1993

Ombudsman's "In the Public Eye" audit report

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

10. COUNCIL DELEGATION

Delegate:	Chief Executive Officer
Minute Number: Sub delegation	Nil

11. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Code Of Practice For Access To Council Meetings, Council Committees And Council Documents	PO015	07/04/2003	08/06/2010
Access to Council and Committee Meetings and Documents Code of Practice	PO015	12/02/2014	March 2015

CHIEF EXECUTIVE OFFICER

DA/ITEM 6.1

4. STATE BUSHFIRE COORDINATION COMMITTEE (File Ref:9.24.1.1)

INTRODUCTION

To seek endorsement from Council for nominations to the Flinders Mid North Bushfire Management Committee.

RECOMMENDATION

That Council approve the nominations of Phil Herrmann as Council's representative and Fraser McEvoy as the proxy representative to the Flinders Mid North Bushfire Management Committee.

COMMENT

Senior Compliance Officer Phil Herrmann and Fraser McEvoy have been Council's representatives on the Flinders Mid North Bushfire Management Committee during the last three years and their term is due to expire in June 2015.

Correspondence has been received from the State Bushfire Coordination Committee advising that the current term of the committee is due to expire on 30th June 2015 (copy attached).

The State Bushfire Coordination Committee has agreed that each Council is entitled to be represented on the Committee and are therefore asking Council to submit their nominations.

The new term of the Committee is for three (3) years until 30th June 2018.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Fire and Emergency Services Act 2005

Local Government Act 1999

Strategic Plan

Key Theme: Corporate Governance and Leadership

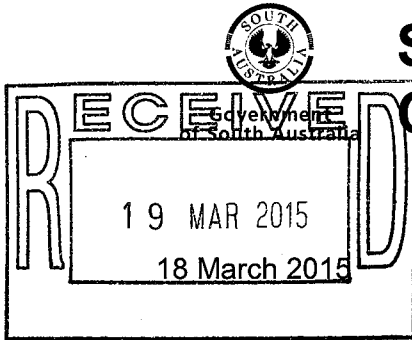
2. Organisational Efficiency and Resource Management

Strategic Goals: 2.3 Meet all legislative and compliance responsibilities

2.4 Effective Risk Management

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Representation on this important committee will ensure Council's risk is mitigated as far as possible.



STATE BUSHFIRE COORDINATION COMMITTEE

Item Number	1903-2015-1
GDS Number	5.14.3.5
Distribution	

Yorke Peninsula Council
Andrew Cameron
PO Box 88
Minlaton SA 5575

GPO BOX 2468
ADELAIDE SA 5001
TELEPHONE: 08 8463 4200

Our ref:
Enquiries: Leigh Miller
Telephone: 08 8463 4121
Email: miller.leigh@cfs.sa.gov.au

Dear Mr Cameron

RE: NOMINATION FOR THE FLINDERS MID NORTH BUSHFIRE MANAGEMENT COMMITTEE

The term of the current Bushfire Management Committee is due to expire on the 30th of June 2015 and I am writing to you to once again seek a representative and a deputy for the Flinders Mid North Bushfire Management Committee.

The State Bushfire Coordination Committee has agreed that each local council within the Bushfire Management Area is entitled to be represented on the Committee by the Chief Executive Officer or a Senior Manager from council staff.

Your current representative is Phil Herrman and his deputy is Fraser McEvoy

The roles and responsibilities of the State Bushfire Coordination Committee and the Bushfire Management Committees are attached.

It is the intention to have Bushfire Management Committees established by the end of June 2015 to enable the Committee's decision-making to be in place for the 2015 -16 Fire Danger Season. The term of appointment will for 3 years until 30th June 2018.

I would greatly appreciate it if you could provide the name and contact details of your representative and deputy on the attached form to the Administration Officer at CommunityEngagementSupport.CFS@cfs.sa.gov.au by the 24th of April 2015 please.

If you have any questions regarding the establishment of the Bushfire Management Committee, please feel free to contact me on (08) 8463 4121.

Thank you for your ongoing commitment to bushfire management planning.

Yours sincerely,

Leigh Miller
Executive Officer.

Fire and Emergency Services Act, 2005

Subdivision 2—Bushfire management committees

72—Establishment of bushfire management areas

- (1) The Governor may, by proclamation made on the recommendation of the State Bushfire Coordination Committee, divide the State into ***bushfire management areas***.
- (2) The State Bushfire Coordination Committee must, in formulating a recommendation for the purposes of subsection (1) —
 - (a) give attention to the nature and form of the natural environment; and
 - (b) take into account local government boundaries or areas and Natural Resources Management regions.
- (3) The Governor may, by subsequent proclamation made on the recommendation of the State Bushfire Coordination Committee —
 - (a) vary the boundaries of any bushfire management area;
 - (b) abolish a bushfire management area (on the basis that a new division is to occur).

72A—Establishment of bushfire management committees

- (1) The State Bushfire Coordination Committee must establish a bushfire management committee for each bushfire management area.
- (2) The composition of a bushfire management committee will be determined by the State Bushfire Coordination Committee after consultation with the Minister (and the State Coordination Bushfire Committee will then make appointments to the committee).
- (3) A member of a bushfire management committee will be appointed for a term determined by the State Bushfire Coordination Committee on conditions approved by the Minister and, at the expiration of a term of appointment, is eligible for reappointment.
- (4) The State Bushfire Coordination Committee may remove a member of a bushfire management committee from office for any reasonable cause.
- (5) The office of a member of a bushfire management committee becomes vacant if the member—
 - (a) dies; or
 - (b) completes a term of office and is not reappointed; or
 - (c) resigns by written notice to the State Bushfire Coordination Committee; or
 - (d) is removed from office under subsection (4).
- (6) On the office of a member becoming vacant, a person must be appointed in accordance with this Act to the vacant office.

(7) The State Bushfire Coordination Committee may appoint a suitable person to be a deputy of a member of a bushfire management committee.

(8) The State Bushfire Coordination Committee will determine the quorum of a bushfire management committee.

(9) A bushfire management committee must comply with any requirement of the State Bushfire Coordination Committee relating to the conduct of its business but otherwise may determine its own procedures.

72B—Functions of bushfire management committees

(1) A bushfire management committee has the following functions:

(a) to advise the State Bushfire Coordination Committee on bushfire prevention in its area;

(b) to promote the coordination of policies, practices and strategies relating to bushfire management activities within its area;

(c) to prepare, and to keep under review, a Bushfire Management Area Plan for its area, and to ensure that this plan is consistent with the State Bushfire Management Plan;

(d) to oversee the implementation of its Bushfire Management Area Plan and to report to the State Bushfire Coordination Committee or, if it thinks fit, to the Minister, on any failure or delay in relation to the implementation of the plan;

(e) to prepare, or initiate the development of, other plans, policies, practices or strategies to promote effective bushfire management within its area;

(f) to convene local or regional forums to discuss issues associated with bushfire management within its area, and to work with local communities to promote and improve effective bushfire management;

(g) at the request of the Minister or the State Bushfire Coordination Committee, or on its own initiative, to provide a report on any matter relevant to bushfire management within its area;

(h) to carry out any other function assigned to the bushfire management committee under this or any other Act, by the Minister or by the State Bushfire Coordination Committee.

(2) SACFS is responsible for providing an officer of SACFS to undertake the role of Executive Officer of a bushfire management committee.

(3) A bushfire management committee is, in the performance of its functions, subject to the control and direction of the State Bushfire Coordination Committee.

72C—Power of delegation

(1) A bushfire management committee may delegate a function or power of the bushfire management committee under this or any other Act —

(a) to a person for the time being performing particular duties or holding or acting in a particular office or position; or

(b) to any other person or body.

(2) A delegation under this section —

(a) must be by instrument in writing; and

(b) may be absolute or conditional; and

(c) does not derogate from the ability of the regional bushfire management committee to act in any matter; and

(d) is revocable at will.

(3) A function or power delegated under this section may, if the instrument of delegation so provides, be further delegated.

72D—Use of facilities

A bushfire management committee may, by arrangement with the relevant body, make use of the services of the staff, equipment or facilities of —

(a) SACFS; or

(b) SAMFS; or

(c) a council; or

(d) another public authority or entity

Bushfire Management Committee Membership Nomination Form

Bushfire Management Committee	
Nomination Organisation	
Chief Executive Officer	
Business Address	
Postal Address	
Phone Number	
Fax Number	
Member Nomination	
Nomination Type (Member/Deputy)	
Last Name	
Give Name(s)	
Organisational Position/Job Title	
Business Address	
Postal Address	
Day time Phone Number	
Mobile Number	
Fax Number	
Email Address	
Admin Assistant to Member (if arrangements in place)	
Name	
Title	
Postal Address	
Day Time phone number	
Mobile Number	
Fax Number	
Email Address	

The Nominee is aware of the responsibilities of the membership and has accepted to undertake the role on behalf of the organisation.

Nominee Signature _____ Dated _____

The above nomination has been endorsed by the Organisation/Agency and on behalf of the Organisation/Agency is endorsed by:

Name of Person Authorising Nomination _____

Title of Authorising Person _____

Signature _____ Date _____



Bushfire Management Committee Membership Nomination Form

Bushfire Management Committee Members have a three year term.

It is the individual committee members' responsibility to ensure that the BMC understands the roles and responsibilities of the individual organisation/agency in terms of bushfire management activities.

Although the SACFS is responsible for providing an officer to undertake the Executive Officer role, all members of the BMC are equal and have equal responsibility to ensure the roles and functions and work of the Committee are undertaken.

Each Member should express the full range of opinions and needs of their organisation/agency, including the risk of adopting or not adopting particular course of action.

All BMC Members are required to ensure that the work of the Committee is carried out in a timely fashion. BMC Members are not expected to complete the work of the Committee as an individual, but collectively as a whole with shared responsibilities.

It is the responsibility of individual Committee Members for regular attendance at meetings and to make an apology if they cannot attend.

It is the individual Members responsibility that they prepare for meetings, reading minutes, the agenda and any associated papers, and to ensure that any actions that they were required were followed up.

An organisation/agency may have a Deputy to their member and where essential the Member may send their Deputy. However, sending a deputy must not become a standard practice. It is up to the BMC Member to inform the Deputy what they may or may not commit to on their behalf, ensure the Deputy understands the role of the BMC and implications of its deliberations and decisions.

A full description of the responsibilities, role and function of organisations and the BMC (and its Members) are outlined in the SBCC Administrative Guidelines for the SBCC and BMC (October 2010) available from the Executive Officer of the relevant BMC.

Please forward your nominations by email or Post to;

The Administration Officer at CommunityEngagementSupport.CFS@cfs.sa.gov.au

or

Leigh Miller, SA Country Fire Service, GPO Box 2468 Adelaide, SA 5001

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

1. FINANCIAL REPORT 31st March 2015

(File Ref: 9.24.1.1)

INTRODUCTION

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

RECOMMENDATION

That Council receive the financial report as at 31st March 2015.

COMMENT

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

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

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government (Financial Management) Regulations 2011.

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

PO 142 Budget Reporting and Amendment Policy.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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

Yorke Peninsula Council

Budgeted Uniform Presentation of Finances as at 31st March 2015

	2014/15 Actuals	YTD \$'000
Income		-\$24,683
Less Expenses		\$15,429
Operating Deficit before Capital Amounts		-\$9,254
Less Net Outlays on Existing Assets		
Capital Expenditure on renewal and replacement of Existing Assets		\$1,665
Less Depreciation, Amortisation and Impairment		
Less Proceeds on Sale of Assets		-\$209
		\$1,456
Less Net Outlays on New and Upgraded Assets		
Capital Expenditure on New and Upgraded Assets		\$2,938
Less Amounts received specifically for New and Upgraded Assets		-\$991
		\$1,947
NET(LENDING) / BORROWING FOR FINANCIAL YEAR		-\$5,851

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

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

2. CURRAMULKA COMMUNITY CLUB REQUEST FOR ANNUAL ALLOCATION

(File Ref: 7.41.6.1)

INTRODUCTION

Council has received a request from the President of the Curramulka Community Club requesting consideration for their inclusion in the 2015/16 annual Progress Association allocations.

RECOMMENDATION

That Council endorse the eligibility of the Curramulka Community Club for annual Progress Association allocations from the 2015/16 financial year.

COMMENT

In recognition of the important contribution that Progress Associations make to the communities of Yorke Peninsula, and the support they provide to Council to achieve its goal of encouraging optimistic and thriving communities through positive participation in community life, Council has continued to budget annually for contributions to these Associations.

Additionally, Council policy PO094 (reviewed policy included at debate report 3.) allows for the allocation of funds to not for profit organisations that undertake the role usually provided by a Progress Association. The reviewed policy provides for a contribution to each township – currently no organisation from Curramulka is included in the annual allocation.

The Curramulka Community Club has formally requested consideration for inclusion in the 2015/16 Progress Associations allocations. Originally established to administer the sporting clubs, over time the Community Club has taken on a much broader role more akin to a Progress Association and also and is now hosting a range of events including Curry Lights Up and Curramulka Speedshear. Additionally the Community Club oversees the Curramulka Farmer's Market, and the Curramulka Heritage Group.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999.

Strategic Plan

Key Theme: Community Engagement

1. Vitality and Connection

Strategic Goal: 1.1 Develop and facilitate ongoing partnership and relationship with Progress Association, Tidy Town and other key community groups

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Provision is made within the annual budget each year to cater for allocations to all townships. The amount available in the 2015/16 budget is dependent on Council's endorsement of report 3 presented at this meeting.

CURRAMULKA COMMUNITY CLUB

President: Greg Agnew
Secretary: Catherine Watters
Treasurer: Michelle Short
ABN 76726915383

Secretary PO Box 120
Curramulka
SA 5580
ph 08 88542190

16/03/2015

Dear Sir/Madam,

The Curramulka Community Club was formed in 1997 as an umbrella organisation for the sporting clubs of Curramulka, including tennis, basketball, cricket, netball and golf. It's role was to administer and maintain facilities for these sporting clubs.

Since then the role of the Community Club has evolved to take on a much broader range of activities. The Community Club now hosts a range of events including 'Curry Lights Up', our annual Christmas celebration, the Curramulka Speedshear, Yorke Peninsula's premier speedshear attracting shearers from all over SA competing for thousands of dollars in prizemoney. Additionally the Community Club oversee the monthly Curramulka Farmer's Market – an opportunity for locals and visitors to buy and sell produce, and socialise in an informal relaxed atmosphere on a Sunday morning.

2014 saw the creation of the Curramulka Heritage Group, again under the banner of the Curramulka Community Club. This group hosted a very successful heritage weekend with displays in the town hall attracting many visitors. Plans for a 2015 event are under way.

We understand that the District Council of Yorke Peninsula makes funds available to Progress Associations on an annual basis. Given our broader role, we would like Council to consider our eligibility for these funds.

We look forward to your reply.

Yours truly,
Greg Agnew

ph 08 88542157
mob 0427542157
email laighside@gmail.com

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

3. PROGRESS ASSOCIATION ANNUAL ALLOCATION POLICY REVIEW

(File Ref: 9.24.1.1)

INTRODUCTION

To seek endorsement from Council of the updated PO094 Annual Allocations to Progress Associations policy.

RECOMMENDATION

That Council endorse the updated PO094 Annual Allocations to Progress Associations policy with suggested changes as presented for inclusion in Council's policy manual and on Council's website.

COMMENT

Council Policy, PO094 Annual Allocations to Progress Associations, was adopted by Council and is due for review.

Council officers have held discussions with Progress Associations in regard to the adequacy of current allocations as well as seeking feedback from associations with regard to eligibility for these allocations.

Issues raised include:

- Eligibility criteria is confusing with some associations having "access to substantial income sources" being denied allocations while others in the same category were denied. The issue in determining allocations has been the interpretation of the term "substantial income sources" and what level of income is "substantial".
- Smaller associations without access to such income sources have pointed out that they continue to receive the same amount as they did in 2012 (\$1,500 p.a.) while expenses for which this allocation was intended, such as insurance premiums, have increased significantly in the same period.
- Progress Associations spending is generally focused on improvements and maintenance within their townships and effectively save Council significant expense in maintaining these townships.
- The same associations contribute significantly to Council direction and community acceptance/endorsement of Council initiatives.

It is recommended that the following changes be made to the policy to provide a more equitable and transparent process for allocations to all townships in the Council area.

- Payment of contributions to be made by September 30 of each year to better facilitate payment of annual expenses falling due (currently paid later in the year);

- Removal of ineligibility due to having “access to substantial income sources” with an equal allocation being made available for all eligible townships. This change will end the debate between associations and Council over eligibility;
- Provisions be made for organisations to apply for additional funds when experiencing financial hardship – subject to relevant proof of such hardship and at the discretion of Council as illustrated in the reviewed policy;
- The annual application process to be discontinued with allocations granted automatically based on previous endorsement of eligibility by Council, or review of changes of circumstances.

The updated policy in the new template format is attached in its entirety, also attached for Members information is the former policy with changes tracked to allow for easy identification of inclusions/deletions.

If the current level of annual contribution is maintained (\$1,500) the change in policy will result in an additional \$9,000 of allocations in the 2015/16 budget to cover the six Associations who were deemed ineligible in 2014/2015 under the current policy. Currently 26 associations receive the annual allocation from Council. Allocations totalling \$40,500 have been distributed in 2014/2015 including a “catch up” payment for the 2013/2014 financial year endorsed by Council for the Friends of Port Moorowie.

It is suggested a further budget allowance of \$6,000 be contained in the 2015/16 budget for potential hardship applications which may be endorsed by Council during the year

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Strategic Plan

Key Theme: Community Engagement
1. Vitality and Connection

Strategic Goal: 1.1 Develop and facilitate ongoing partnership and relationship with Progress Association, Tidy Town and other key community groups

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Additional funding of \$15,000 is required in the 2015/16 operating budget should the new policy be endorsed as presented and the current level of contribution be maintained.

It is essential that Council has the appropriate policies and delegations in place to protect rate payer funds from misappropriation.



COUNCIL POLICY

Annual Allocation to Progress Associations

Policy Number:	PO 094		
Strategic Plan Objective	Strategic Plan – Key Theme – Corporate Governance and Leadership		
Policy Owner:	Director Corporate & Community Services	File Number:	18.63.1.1
Responsible Officer:	Corporate Services Officer	Minute Reference:	
Date Adopted:		Next Review Date:	April 2019

1. POLICY OBJECTIVES

Yorke Peninsula Council (YPC) is fully committed to the principals of:

- Ethical and Fair treatment of all involved
- Probity, accountability and transparency in all operations

This Policy aims to:

- Define how Council determines annual allocations to Progress Associations and similar not for profit organisations
- Demonstrate accountability and responsibility to ratepayers
- Ensure that all processes are monitored and recorded
- Ensure that the best possible outcome is achieved for Council and all community groups through fair, non-discriminatory processes with regard to appropriate risk management and legislative compliance

2. SCOPE

This policy applies to all persons authorised, through appropriate delegations, to determine and distribute annual allocations to Progress Associations or similar not for profit organisations.

3. DEFINITIONS

Eligible Associations:

- Ardrossan Progress Association Inc.
- Arthurton Progress Association Inc.
- Balgowan Progress Association Inc.
- Black Point Progress Association Inc.
- Bluff Beach Community Group Inc.
- Chinaman Wells Shack Owners Association Inc.
- Coobowie Progress Association Inc.
- Corny Point Progress Association Inc.

- Curramulka Community Club
- Edithburgh Progress Association Inc.
- Foul Bay Area Progress Association Inc.
- Friends of Port Moorowie Inc.
- Friends of Wauraltee & District Inc.
- Hardwicke Bay & District Progress Association Inc.
- James Well & Rogues Point Progress Association Inc.
- Maitland & District Progress Association Inc.
- Marion Bay Township Inc.
- Minlaton & District Progress Association Inc.
- Pine Point Progress Association Inc.
- Point Turton Progress Association Inc.
- Port Clinton Progress Association Inc.
- Port Julia Progress Association Inc.
- Port Rickaby Progress Association Inc.
- Port Victoria Progress Association Inc.
- Port Vincent Progress Association Inc.
- Price Progress Association Inc.
- Sheoak Flat Progress Association Inc.
- Stansbury Progress Association Inc.
- The Pines Community Association Inc.
- Tiddy Widdy Progress Association Inc.
- Warooka Progress Association Inc.
- Wool Bay Progress Association Inc.
- Yorketown Progress Association Inc.

List is complete as at the date of this policy review – should changes to the list be endorsed by Council the policy is to be updated at that time.

4. POLICY STATEMENT

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

The financial contribution is untied, however transparent, accountable and responsible management of ratepayer funds is an expectation of Council when expending these funds. Should there be any doubt in regard to appropriate use of such funds, Progress Associations should contact the Director Corporate & Community Services for advice.

Council will make one financial contribution per township.

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

Council will provide the grant to identified eligible associations no later than September 30 of each year. Granting of the contribution is at the discretion of Council.

Council may consider written applications from Progress Associations (or similar not for profit organisations) experiencing hardship, for funding in addition to the annual allocation. Submissions must be received by December 31 of each year for consideration at the February Council meeting.

Progress Associations (or similar not for profit organisations) are required to produce a copy of their most recent financial statement and any other information requested by Council as part of their application for this contribution.

5. COMPLAINTS

Complaints about this policy can be made in writing to the Director Corporate and Community Services. Complaints will be managed in accordance with Council's Complaints Policy PO147.

6. REVIEW

This policy will be reviewed every four years and as deemed necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

7. TRAINING

Council is committed to supporting Employees and Elected Members in complying with this Policy. Training needs will be identified and reviewed as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

8. RELATED COUNCIL POLICIES AND DOCUMENTS

PO147 Complaints Policy

9. COUNCIL DELEGATION

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

10. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Replaces PO094 updated 14/3/12	PO094	12/01/2004	08/06/2010
Annual Allocations for Progress Associations	PO094	14/03/2012	08/04/2015



COUNCIL POLICY

Annual Allocations to Progress Associations

Policy Number:	PO 094		
Strategic Plan Objective	Strategic Plan – Key Theme – Corporate Governance and Leadership		
Policy Owner:	Director Corporate & Community Services	File Number:	18.63.1.1
Responsible Officer:	Corporate Services Officer	Minute Reference:	058/2012 (14/03/2012)
Date Adopted:	14/03/2012 28/04/2015	Next Review Date:	24 months

1. POLICY OBJECTIVES

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

The financial contribution is untied, ~~however transparent, accountable and responsible management of ratepayer funds is an expectation of Council when expending these funds. Should there be any doubt in regard to appropriate use of such funds, Progress Associations should contact the Director Corporate & Community Services for advice. , but to ensure transparency, accountability and responsible management of ratepayer funds, Council requires a written submission from organisations wishing to receive this contribution.~~

~~Where Council has a reasonable expectation that Progress Associations have access to other substantial income sources, such as the operation of caravan parks or other commercially orientated ventures, no provision of financial support under this policy will be provided.~~

~~Generally,~~ Council will make one financial contribution per township.

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

Council will ~~seek applications once per year from progress associations (or similar not for profit organisations) with the aim of providing~~ the grant ~~to identified eligible associations~~ no later than ~~September 30 November~~ of each year. Granting of the contribution is at the discretion of Council.

~~Council may consider written applications from Progress Associations (or similar not for profit organisations) experiencing hardship, for funding in addition to the annual allocation. Submissions must be received by December 31 of each year for consideration at the February Council meeting.~~

Progress Associations (or similar not for profit organisations) are required to produce a copy of their most recent financial statement ~~and any other information requested by Council~~ as part of their ~~annual~~ application for this contribution.

2. COUNCIL DELEGATION

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

3. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Replaces PO094 updated 14/3/12	PO094	12/01/2004	08/06/2010
Replaces PO094 updated 8/04/15	PO094	14/03/2012	14/03/2012

Formatted Table

Formatted: Centered

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

4. ART COMMITTEE DISSOLUTION, CREATION OF WORKING PARTY, TERMS OF REFERENCE AND POLICY (File Ref:9.24.1.1)

INTRODUCTION

To seek endorsement of the dissolution of Council's Section 41 Committee known as the Art Committee and to have this Committee re-established as a Working Party of Council and endorse the Yorke Peninsula Art Exhibition Policy.

RECOMMENDATION

That Council:

1. dissolve the Section 41 Committee of Council, known as the Art Committee.
2. endorse the creation of a Working Party known as the Art Exhibition Working Party consisting of the following members:
 - Community Representative, Mrs Anne Eyles,
 - Community Representative, Mrs Irene Hughes-Jones,
 - Community Representative, Mrs Brenda Bowman,
 - Community Representative, Mr Bruce Davey,
 - Community Representative, Mr Geoff Lock,
 - Community Representative, Mr Bob Nicholls,
 - Community Representative, Ms Sally Glazbrook,
 - Council Representative, Cr John Rich,
 - Council Representative, Cr Alan Headon,
 - Council Representative, Ms Wendy Story.
3. endorse the Yorke Peninsula Art Exhibition Policy as presented.

COMMENT

The Art Committee is currently a Section 41 Committee of Council. The Committee operates under the Local Government Act and is in place at the pleasure of Council. This Committee was originally established to manage the biennial Art Exhibition on behalf of and in liaison with Council officers.

The Local Government Association, Mutual Liability Scheme has recommended that Council review the relevance of all their Section 41 committees and rationalise if required.

The Art Committee has also expressed its concern that in its current format there are issues arising from the input of artists as members of the Committee which could be perceived or construed as a conflict of interest.

Discussions held with the Committee, Elected Members, the CEO and the Director of Corporate and Community Services have determined that a Council Working Party will

mitigate the risk of the perception of conflict of interest and enable the committee to work at optimum efficiency.

Under the new format the Art Exhibition Working Party will meet to determine recommendations and present these recommendations to Council for its endorsement/approval of major decisions. Council will provide a minute secretary for meetings and services of other Council staff as requested and determined by the Director Corporate and Community Services.

There will be no adverse impact on the 2014/2015 or 2015/2016 budgets should the changed format of the Committee be endorsed as the budget provisions made for the Art Committee will simply transfer to the Art Exhibition Working Party.

As part of this transition the Yorke Peninsula Art Exhibition Policy has been developed in order to govern the business of the party and is attached for endorsement by Council.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Section 41 Local Government Act 1999

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Full budget provision will be made in the 2015/2016 Budget to continue to plan for the 2016 Exhibition.



COUNCIL POLICY

Yorke Peninsula Art Exhibition

Policy Number:	PO066		
Strategic Plan Objective	Offer a range of accessible community facilities, programs, events and activities		
Policy Owner:	Director Corporate & Community Services	File Number:	17.63.1
Responsible Officer:	Governance Officer	Minute Reference:	
Date Adopted:		Next Review Date:	April 2017

1. POLICY OBJECTIVES

The Yorke Peninsula Art Exhibition ("Exhibition") is a biennial event attracting locals and tourists from all over the country. This policy sets out the conditions under which the exhibition will operate and defines responsibilities.

Through the Exhibition Council aims to:

Support tourism on the Yorke Peninsula through the presentation of a quality event, inspiring artists, their families and friends and other visitors to extend their stay on the Yorke Peninsula;

Make an excellent contribution to the cultural experience of the Yorke Peninsula;

Provide a platform for artists of all capabilities.

2. SCOPE

This policy applies to all persons undertaking activities relating to the Exhibition for/on behalf of the Yorke Peninsula Council (YPC).

3. DEFINITIONS

4. POLICY STATEMENT

4.1 Yorke Peninsula Art Exhibition Working Party

The YPC have established the Yorke Peninsula Art Exhibition Working Party ("Working Party") as an informal working party to organise, co-ordinate and carry out the Exhibition on behalf of Council.

Membership of the Working Party is determined by resolution of Council.

The Working Party is directly responsible to the Director Corporate and Community Services and the Director Corporate and Community Services will oversee the Exhibition for Council.

The Working Party will make recommendations.

- Strive to provide a high quality Exhibition and competition for artists, residents and visitors

- Seek out funding and sponsorship opportunities for competition prizes
- Seek out funding and sponsorship opportunities for transport to and from Adelaide
- Seek out volunteers to assist in carrying out the Exhibition
- Make recommendations to the Director, Corporate and Community Services to procure goods and services as required
- Promote the Exhibition in a manner and locations as deemed appropriate.
- The Working Party will furnish minutes of each meeting to Council
- The Working Party will abide by the Council Code of Conduct
- The Chairperson will have a deciding vote.

4.2 Exhibition Location and Duration

The Exhibition is hosted at the Ardrossan Town Hall over the Easter long weekend. The Exhibition opening is held on Wednesday, between 7pm and 9pm and is by invitation only. Invitations are sent to people who have purchased art at a previous exhibition, artists who have entered this exhibition, sponsors and other invited guests as recommended by the Working Party and determined by Council.

The Exhibition will begin at around 8pm with a Welcome by the Mayor, or his delegate in their absence. A dignitary, selected by the Working Party and approved by Council, will then officially open the Exhibition, followed by speeches and prize announcements.

Two persons will receive guests at the door, collect entry fees and issue entry tickets and voting forms.

SF154 Yorke Peninsula Art Exhibition Schedule provides a specific timetable of activities to be undertaken during the Exhibition.

4.3 Competition Categories

Exhibition Competition Categories will be recommended by the Working Party and determined by resolution of Council and will be set out in SF163

4.4 Competition Entry fees

Competition entry fees will be recommended by the Working Party and determined by resolution of Council and recorded into the fees and charges register.

4.5 Prizes

Prizes are offered to encourage artists to enter their work and the value of the major prize and subsequent prizes are determined by resolution of Council.

Commendation Awards may be utilised to recognise artwork that came close to winning a prize.

4.6 Procurement

The Director Corporate and Community Services is responsible for ensuring goods and services are procured in accordance with Council's procurement policies, procedures and processes.

4.7 Entering Artwork into the Exhibition

Artists can enter their work into the exhibition by completing a SF164 Yorke Peninsula Art Exhibition Open Entry Form or a SF164A Yorke Peninsula Art Exhibition Schools Entry Form.

Both forms are available on line and in hard copy.

4.8 Conditions of Entry

Council will determine the conditions of entry by resolution. Conditions of Entry will be set out in SF166 Conditions of Entry and provided to all artists seeking to enter, either electronically or in hard copy.

Artwork will be assessed against the SF166 Conditions of Entry using SF166B Conditions of Entry Checklist by the working party for consideration by the Director Corporate and Community Services.

4.9 Judges

The number and identity of the judges will be determined by resolution of Council. Where ever possible, two or more reputable judges will be appointed.

4.10 Mini-exhibitions

Mini-exhibitions may be offered where artists can display as many artworks as they wish in a dedicated space, for a fee as determined by resolution of Council and recorded into the fees and charges register. Artists may promote the mini-exhibition to their list of buyers

4.11 Marketing

The Visitor Information Services Coordinator is responsible for co-ordinating marketing and promotion activities in consultation with the Working Party.

Council staff will assist the Visitor Information Services Coordinator as required.

Sponsors may display advertising banners leading up to and during the exhibition. Banners may require approval under Council By-Laws.

Council will determine the cost of catalogues by resolution.

4.12 Care of Artwork

Artists retain responsibility for their artworks at all times when participating in the Art Exhibition.

Persons handling artworks will do so with care.

4.13 Artwork Sales

Sales prices are to be determined by the exhibiting Artists. Artworks are sold on “a first come first served” basis. Sold artworks remain on display until Easter Monday, when they can be collected by the purchaser.

Each piece of artwork is issued with a unique entry number and persons wishing to make a purchase are required to quote that number at the sales desk, so as to accurately identify the painting to be purchased.

4.14 Artwork Delivery and Collection

Artwork must be collected from the Ardrossan Town Hall on Easter Monday, unless alternative arrangements have been made with the Working Party. Artworks to be delivered by the transport supplier are returned in their same packaging and delivered to the Transport supplier's depot.

4.15 Special Features

Artist Demonstrations, workshops and classes are popular, encourage attendance and will be incorporated into the Exhibition where ever possible.

5. COMPLAINTS

Complaints about this policy can be made in writing to the Director Corporate and Community Services. Complaints will be managed in accordance with Council's Complaints Policy PO147.

6. REVIEW

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

7. TRAINING

Council is committed to supporting Elected Members, employees and volunteers in complying with this policy.

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

Elected Members, employees and volunteers will actively participate in training.

8. RELATED COUNCIL POLICIES AND DOCUMENTS

PO058 Purchase of Goods & Services Policy
PO091 Risk Management Policy
PO137 Volunteer Management Handbook & Policies
R011 Fees and Charges Register

9. REFERENCES AND LEGISLATION

Local Government Act 1999
Code of Conduct for Council Employees
Code of Conduct for Council Members

10. COUNCIL DELEGATION

Delegate:	Chief Executive Officer
Sub delegation	Director Corporate & Community Services

11. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
New policy			

DIRECTOR CORPORATE AND COMMUNITY SERVICES

DA/ITEM 6.2

5. AMBER JOY POULTON FUNDING REQUEST (File Ref: 9.24.1.1)

INTRODUCTION

Council have been approached to support internationally acclaimed Country Music Artist, Amber Joy Poulton in her upcoming Yorke Peninsula Tour.

RECOMMENDATION

That Council support Amber Joy Poulton by providing sponsorship of \$3,000 to contribute to costs associated with her Yorke Peninsula tour.

COMMENT

Internationally renowned Country Music star, Amber Joy Poulton has recently moved to Yorke Peninsula and is keen to develop a substantial music presence within the region. As a trial for this idea, Amber Joy has approached Council for financial support toward the running costs of a pilot Yorke Peninsula Country Music Weekend.

Yorke Peninsula Visitor Information Centre staff met with Amber Joy to discuss options for developing the proposed current tour. These discussions centred in particular around opportunities that were available to work with local tourism operators through the development of packages which will include accommodation, activity options, meals, and tickets for the shows.

Experienced in providing this mix of tourism and music opportunities and with a passion for developing Yorke Peninsula as a premier country music destination, Amber Joy is tapping in to her strong fan base to draw visitors to Yorke Peninsula for her shows. Consultations to date show there is strong request for packaged options, including transport to and from Adelaide.

Amber Joy has approached a number of bus companies about how this might work, but is finding the costs associated with provision of bus-style accommodation are inhibiting the ability to provide this kind of packaging option. Consequently she has requested Council's support in an endeavour to keep costs down whilst attracting visitors to Yorke Peninsula and presenting them with an excellent opportunity to explore and learn more about Yorke Peninsula.

Along with providing a great weekend of country music entertainment, and the opportunity to visit several Yorke Peninsula tourism operations, Amber Joy will be supporting and promoting many local community organisations and groups by working with them to raise much-needed funds for groups nominated by the community.

The current tour schedule is as follows;

***“Come on Over – Country Music Weekend”
All aboard with Amber Joy Poulton and the Holy Men***

Friday, 29th May

Bus departs Adelaide. Tour of Bublacowie Military Museum (to be confirmed) , accommodation at Point Turton Caravan Park
Evening performance - The Pines Community Hall
Pasta Night (raising money for The Pines Community)
Entertainment by *Amber Joy Poulton & The Holy Men* + special local guest

Saturday, 30th May

Bus departs Point Turton. Tour of Barley Stacks Wines (to be confirmed) & accommodation at Port Victoria Caravan Park
Evening performance - The Coastal Shed Port Vic
Roast Night (raising money for the Royal Coastal Patrol)
Entertainment by *Amber Joy Poulton & The Holy Men* + special local guest

Sunday, 31st May

Bus departs Port Victoria.
Potential market with local produce at Minlaton
Afternoon performance - "Day on the Lawn"
(raising money for Minlaton CFS & support by Minlaton Bakery)
Entertainment by *Amber Joy Poulton & The Holy Men* + special local guest

Amber Joy is working with the Port Victoria and Point Turton Caravan Parks to develop affordable accommodation packages, along with visits to notable YP Tourism attractions such as Bublacowie Military Museum and Barley Stacks Wines, and also offering local produce baskets for purchase through the VIC.

Enquiries for Ticket sales are already happening, along with requests for bus accommodation from Adelaide to Yorke Peninsula. Although Amber Joy could factor the transport costs into her package price, it would be an advantage to keep the costs as low as possible to encourage visitors to the region and maximise contributions to local groups To ensure the first musical tour is a success Amber Joy is asking Council for financial support.

In return for financial support, Amber Joy will promote Council's support and sponsorship through all printed materials and throughout the musical performances.

It is anticipated that this will be the first in a series of future country music events on the peninsula, with an opportunity to further develop this idea into a full-scale Country Music Festival similar to others held around Australia.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999

Strategic Plan

Key Theme: Community Engagement
1. Vitality and Connection

Strategic Goal: 1.1 Develop and facilitate ongoing partnerships and relationships with Progress Associations, Tidy Towns and other key community groups.

Key Theme: Sustainable Communities
3. Our Economy

Strategic Goal: 3.1 Sustainable Economic Growth

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Any sponsorship approved by Council will be funded from excess funds remaining in the 2014/2015 budget for Progress Association allocations. (2014/15 Budget \$43,700 spent \$40,500). Any necessary budget adjustments will be incorporated in the March Budget Review to be presented to Council at its May meeting.

The artist has all relevant insurances including Public Liability Insurance.



Amber Joy Poulton

TIARA Award winner Amber Joy Poulton has packed 2014/15 full of festival appearances both in Australia & overseas, recorded a new album in Nashville & chart success with the album *Foolish Things* coming home to rave reviews. It was an immediate success with all four releases hitting the Australian Top 30 Country Music Charts with title track *Foolish Things* topping the charts at number 3 right under Lee Kernaghan & Keith Urban. Now with current single *I'll Fly Away* making the Top 10 & still in high rotation on Australia radio she's still coming down from her memorable support act for the great **Kenny Rogers** in February. Amber Joy is counting her blessings.

Tamworth 2015 proved a full circle moment for Amber Joy as she once again made the trek to country music heaven & did not disappoint her fans with a fantastic response to all her shows in the Diggers Auditorium & a nomination in two respected awards with Best Female Vocalist & Best Album in the People's Choice Awards & Best Contemporary Ballad in the Tamworth Songwriters Association. Word spread once again that she was an artist not to be missed at this year's festival.

When recording her latest album *Foolish Things* in Nashville, Amber Joy had access to some of the best musicians in the world who have played with stars like: **Linda Ronstadt, Trisha Yearwood and Emmylou Harris** & her heartfelt songs came to life & have already pleased her fans & radio stations around the country who have embraced her traditional country style. *"The songwriting process is a long one but to sit back now, listening to those songs, it makes it all worthwhile. It's very exciting hearing my songs move from the original thought & melody to these beautiful pieces of music"*. The album includes some wonderful songwriting collaborations with both **Sam Hawksley & Doug Bruce** & the stunning duet with **Amber Lawrence** is sure to please country music fans everywhere. *"I'll Fly Away"*, the beautiful gospel song has been re-invented to suit Amber Joy's soulful style of singing from the heart & is the only cover song on the album but is one that her fans have been requesting for years.

Major career highlights for Amber Joy include support acts for **Troy Cassar-Daley, Melinda Schnieder, Brian Cadd & Russell Morris** and one support act she will never forget is sharing the stage with the great **Kenny Rogers** twice at The Adelaide Festival Centre in 2012 & backing it up again with a second appearance on his last tour this year in February.

It's been a sensational transition into all things country music since her rise in 2009 as a Top 10 **Tony Starmaker** Grand Finalist to supporting Kenny Rogers, recording her own albums & then earning herself recognition as a songwriter with chart success.



Amber Joy Poulton

In total Amber Joy has had 9 songs hit the Top 30 Charts, 2 songwriting awards, nominations in the Peoples Choice Awards & the respected TIARA Award & she's busy touring in 2015 to WA, Tasmania, NSW, VIC & of course her home in SA. Plus Cruisin' Country 2016.

As well as recording and performing her own songs Amber Joy has a fascination & obsession with the first queens of country music. Below are just a few of her shows that she has toured with and are available for any festival or show.

Honky Tonk Angels – The Story Of Loretta Lynn & Friends

The story of Loretta Lynn, the first queen of country music simply must be told. In full tribute mode Amber Joy delves into the music that is her inspiration – “Real Country Music”.

Honky Tonk Queens – The Songs Of The First Queens Of Country Music

Tammy Wynette, Patsy Cline, Dolly Parton, Olivia Newton John, June Carter Cash, Loretta Lynn, Linda Ronstadt, Shania Twain & more.

Boots - Country Music From The Cradle To The Grave Country music takes you all down memory lane through each milestone of life from birth, first dance, first date, first wedding dance, first baby & then through the tough times in life right up until we close our eyes for the last time. From booties to boothill.

Songs & Secrets – Country Musics Biggest Scandals & Hits. Rifling through the Queens Of Country's dirty laundry, their biggest hits & biggest secrets. Featuring all the songs you know & love by the greatest.

Man, I Feel Like A Woman. Tribute to Shania Twain & Linda Ronstadt.

Amber Joy has made appearances at: Tamworth, Mildura, Boyup Brook, Katherine Muster, Gympie Muster & Cruisin' Country 2011 “All aboard” with Beccy Cole, Adam Harvey, Gina Jeffreys, John Williamson, Catherine Britt, Amber Lawrence 2011 & 2013 along with the greats Lee Kernaghan, Troy Cassar-Daley, Adam Brand & more.....



Amber Joy Poulton

Top 30 hits

I'll Fly Away (2015 – No.10)
Maybe Baby (2014 – No.5)
Foolish Things (2014 – no.3)
Rosalie (2013)
Lovin' Is The Easy Part (2013)
Taking Goodbye (2012)
Close Enough (2011)
Break Even (2010 – no.5)
Rising Star (2010 – no.27)

Awards

Good Old Fashioned Days - SA APRA Best Traditional Song Of The Year 2009
Taking Goodbye - SA APRA Best Traditional Song Of The Year 2010
TIARA Award 2012.
SA Achiever Award 2009
Toyota Starmaker Top 10 Grand Finalist 2009
Peoples Choice Female Vocalist Of The Year Nominee 2013
Golden Medallion Media Award Best Female Vocalist Nominee 2013
Tamworth Songwriter Award Best Contemporary Ballad 2015
Peoples Choice Awards Best Female Vocalist Nominee 2015
Peoples Choice Awards Best Album 2015

Amber Joy Poulton

Toyota Starmaker Top 10 Grand Finalist 2009

www.amberjoypoulton.com.au

<http://www.facebook.com/amberjoypoulton>

amberpoulton@hotmail.com 0411 230 822

Corporate Email/Address From: Sent: 13 MAR 2015 To: Subject: Attachments:
--

Bronwyn Scholes
 Friday, 13 March 2015 4:31 PM
 Corporate Email Address
 FW: Application for Support
 ATT00001.jpg; Slide1.jpg; Amber Joy Poulton Bio 2015.doc

Item Number
1769 - 2015- 3
GDS Number
7.31.3.2
Distribution

Hi Girls
 Can you register this please
 Ta B

From: Amberjoy Poulton [mailto:amberpoulton@hotmail.com]
Sent: Friday, 13 March 2015 11:41 AM
To: Bronwyn Scholes
Subject: Application for Support

***"Come On Over - Country Music Weekend on the Yorke Peninsula"
 All Aboard With Amber Joy Poulton & The Holy Men***

Sponsorship/Funding Request

Hi Bronwyn,

Thanks for meeting with me yesterday. It was great to meet you, Wendy & Cathy & really wonderful to see the excitement building for my tour of Yorke Peninsula.

As discussed, this isn't just one weekend in May 2015. Long term, I would like to build a yearly or twice a year tour that people in SA & interstate recognise & get on board for.

I have two reasons wanting to create "Come On Over"

1. I now live here. I've recently moved from Adelaide to The Pines on the Yorke Peninsula. On moving over here I had people from the Peninsula asking when I'll be performing over here but interestingly I had many of my fan base in SA & VIC asking where I now live & to let *them* know when I'll be performing over here.
2. Tourism. I was also startled by how many people had never been to the Yorke Peninsula (or maybe just the tip) & that they were keen to visit but just needed a reason. I'd like to be their reason.

I would like to bring more people over to the Yorke Peninsula & with the councils help, to make it as easy as getting on a bus & the rest is up to us. Here is what I propose;

***"Come On Over - Country Music Weekend"
 All Aboard With Amber Joy Poulton & The Holy Men***

Friday, 29th May - Bus departs Adelaide. Tour along the way & accommodation at Point Turton

Evening performance - The Pines Community Hall - Pasta Night (raising \$'s-The Pines Community)

Entertainment by *Amber Joy Poulton & The Holy Men* + special local guest

Saturday, 30th May - Bus departs Point Turton. Tour on the way & accommodation at Port Victoria

Evening performance - The Coastal Shed Port Vic - Roast Night (raising \$'s - Royal Coastal Patrol)

Entertainment by *Amber Joy Poulton & The Holy Men* + special local guest

Sunday, 31st May - Bus departs Port Victoria. Potential Market with local produce at Minlaton

Afternoon performance - "Day On The Lawn" (raising \$'s for CFS & support by Minlaton Bakery)

I have the support of all the local groups mentioned above & these shows are absolutely going ahead & will have great crowds from the local community but I have a very strong desire to promote this beautiful Peninsula & bringing a bus load of visitors to town in the name of country music. It'll no doubt bring a buzz to these local areas as well as promoting local produce, local venues & to encourage more live entertainment in these rural areas & encouraging people to stop watching *My Kitchen Rules* & *I'm A Celebrity Get Me Out Of Here*, turn the TV off & get out into the community & enjoy some live entertainment in their very own venues.

For this to happen successfully I am hoping the Yorke Peninsula Council will also "Come On Over" & assist with funds for the bus. I have a quote from a bus company & am hoping that the council will assist with a sponsorship of \$3000 to go towards the bus & travel costs. I will of course announce your assistance at each show, have your brochures promoting the area & will have your logo on all promotional material that goes out from that point onwards.

This is something that I would love to see happen every year, if not twice a year using different towns each time. The Peninsula is *our* oyster with towns like Stansbury, Ardrossan, Wallaroo, Kadina, Moonta, Edithburgh....it's endless really & I can see the visitors re-booking each time with the notion that they'll get to see new towns each time & we could even have a situation in the future where we need two buses...wouldn't that be fantastic?

The shows are booked & locked in for the last weekend in May & a list of interested parties waiting for word on the bus, so there isn't a great deal of time to get this bus tour off the ground. If you could let me know asap, I will get the wheels turning right away.

There's a flyer attached of one of the booked shows which is already receiving bookings for the Port Victoria locals, my bio & also a few links to some of my clips.

<https://www.youtube.com/watch?v=cctDmT9b0w0> - Maybe Baby - Top 5 Aus. Country Music Charts

<https://www.youtube.com/watch?v=1cpznjUaKZs> - Rosalie - Top 5 Aus. Country Music Charts

<https://www.youtube.com/watch?v=LsP2ysrh2bQ> - Lovin' Is The Easy Part Top 10 Country Music Charts

Amber Joy Poulton

0411 230 822

Tamworth Songwriters Assoc Best Contemporary Ballad Nomination 2015

Peoples Choice Awards Best Female Vocalist & Best Album Nomination 2015

SA Fowlers Award - Best SA Country Music Act 2013

TIARA Award 2012

SA Achiever Award 2009

Starmaker Top 10 Grand Finalist 2009

SA APRA Best Traditional Country Song Of The Year 2009 & 2010



Amber Joy Poulton

TIARA Award winner Amber Joy Poulton has packed 2014/15 full of festival appearances both in Australia & overseas, recorded a new album in Nashville & chart success with the album *Foolish Things* coming home to rave reviews. It was an immediately success with all four releases hitting the Australian Top 30 Country Music Charts with title track *Foolish Things* topping the charts at number 3 right under Lee Kernaghan & Keith Urban. Now with current single *I'll Fly Away* making the Top 10 & still in high rotation on Australia radio she's still coming down from her memorable support act for the great **Kenny Rogers** in February. Amber Joy is counting her blessings.

Tamworth 2015 proved a full circle moment for Amber Joy as she once again made the trek to country music heaven & did not disappoint her fans with a fantastic response to all her shows in the Diggers Auditorium & a nomination in two respected awards with Best Female Vocalist & Best Album in the People's Choice Awards & Best Contemporary Ballad in the Tamworth Songwriters Association. Word spread once again that she was an artist not to be missed at this year's festival.

When recording her latest album *Foolish Things* in Nashville, Amber Joy had access to some of the best musicians in the world who have played with stars like: **Linda Ronstadt, Trisha Yearwood and Emmylou Harris** & her heartfelt songs came to life & have already pleased her fans & radio stations around the country who have embraced her traditional country style. *"The songwriting process is a long one but to sit back now, listening to those songs, it makes it all worthwhile. It's very exciting hearing my songs move from the original thought & melody to these beautiful pieces of music"*. The album includes some wonderful songwriting collaborations with both **Sam Hawksley & Doug Bruce** & the stunning duet with **Amber Lawrence** is sure to please country music fans everywhere. *"I'll Fly Away"*, the beautiful gospel song has been re-invented to suit Amber Joy's soulful style of singing from the heart & is the only cover song on the album but is one that her fans have been requesting for years.

Major career highlights for Amber Joy include support acts for **Troy Cassar-Daley, Melinda Schnieder, Brian Cadd & Russell Morris** and one support act she will never forget is sharing the stage with the great **Kenny Rogers** twice at The Adelaide Festival Centre in 2012 & backing it up again with a second appearance on his last tour this year in February.

It's been a sensational transition into all things country music since her rise in 2009 as a Top 10 Toyota Starmaker Grand Finalist to supporting Kenny Rogers, recording her own albums & then earning herself recognition as a songwriter with chart success.



Amber Joy Poulton

In total Amber Joy has had 9 songs hit the Top 30 Charts, 2 songwriting awards, nominations in the Peoples Choice Awards & the respected TIARA Award & she's busy touring in 2015 to WA, Tasmania, NSW, VIC & of course her home in SA. Plus Cruisin' Country 2016.

As well as recording and performing her own songs Amber Joy has a fascination & obsession with the first queens of country music. Below are just a few of her shows that she has toured with and are available for any festival or show.

Honky Tonk Angels – The Story Of Loretta Lynn & Friends

The story of Loretta Lynn, the first queen of country music simply must be told. In full tribute mode Amber Joy delves into the music that is her inspiration – “Real Country Music”.

Honky Tonk Queens – The Songs Of The First Queens Of Country Music

Tammy Wynette, Patsy Cline, Dolly Parton, Olivia Newton John, June Carter Cash, Loretta Lynn, Linda Ronstadt, Shania Twain & more.

Boots - Country Music From The Cradle To The Grave Country music takes you all down memory lane through each milestone of life from birth, first dance, first date, first wedding dance, first baby & then through the tough times in life right up until we close our eyes for the last time. From booties to boothill.

Songs & Secrets – Country Musics Biggest Scandals & Hits. Rifling through the Queens Of Country's dirty laundry, their biggest hits & biggest secrets. Featuring all the songs you know & love by the greatest.

Man, I Feel Like A Woman. Tribute to Shania Twain & Linda Ronstadt.

Amber Joy has made appearances at: Tamworth, Mildura, Boyup Brook, Katherine Muster, Gympie Muster & Cruisin' Country 2011 “All aboard” with Beccy Cole, Adam Harvey, Gina Jeffreys, John Williamson, Catherine Britt, Amber Lawrence 2011 & 2013 along with the greats Lee Kernaghan, Troy Cassar-Daley, Adam Brand & more.....



Amber Joy Poulton

Top 30 hits

I'll Fly Away (2015 – No.10)
Maybe Baby (2014 – No.5)
Foolish Things (2014 – no.3)
Rosalie (2013)
Lovin' Is The Easy Part (2013)
Taking Goodbye (2012)
Close Enough (2011)
Break Even (2010 – no.5)
Rising Star (2010 – no.27)

Awards

Good Old Fashioned Days - SA APRA Best Traditional Song Of The Year 2009
Taking Goodbye - SA APRA Best Traditional Song Of The Year 2010
TIARA Award 2012.
SA Achiever Award 2009
Toyota Starmaker Top 10 Grand Finalist 2009
Peoples Choice Female Vocalist Of The Year Nominee 2013
Golden Medallion Media Award Best Female Vocalist Nominee 2013
Tamworth Songwriter Award Best Contemporary Ballad 2015
Peoples Choice Awards Best Female Vocalist Nominee 2015
Peoples Choice Awards Best Album 2015

Amber Joy Poulton

Toyota Starmaker Top 10 Grand Finalist 2009

www.amberjoypoulton.com.au

<http://www.facebook.com/amberjoypoulton>

amberpoulton@hotmail.com 0411 230 822

DIRECTOR ASSETS & INFRASTRUCTURE SERVICES

DA/ITEM 6.3

1. GULFVIEW ROAD, STANSBURY – CAPITAL WORKS

(File Ref:9.24.1.1)

INTRODUCTION

The purpose of this report is to seek endorsement from Council to commission a stormwater design of the area surrounding Gulfview Road, Stansbury.

RECOMMENDATION

That:

1. the budget allocation for the construction of kerbing within a section of Gulfview Road, Stansbury be deferred
- and
2. a stormwater design be commissioned for that area as defined within Gulfview Road, Stansbury.

COMMENT

As part of the 2014/15 budget, Council approved a budget allocation of \$70,306 for the installation of kerb and watertable infrastructure within a section of Gulfview Road, Stansbury. This capital project was to be successfully completed utilising day labour and contractors.

Notwithstanding pre-budget project investigation and costings it has been identified that the topographical layout of the area where the kerb and watertable is proposed to be installed offers challenges for successful aboveground stormwater management.

In the interest of sound planning for the future, it is recommended that a stormwater design engineer be commissioned to undertake investigation and provide an appropriate model of stormwater infrastructure to cater for needs. The costs for this design can be sourced from the \$39,000 contractual allocation for this project. It should be noted that officers are yet to source quotations to undertake the design work.

Subject to the investigation and design of stormwater measures for this area it may be an opportune time to also investigate similar requirements within other locations (eg areas of Edithburgh) where stormwater control solutions are also challenging.

The remaining wages and plant hire (internal costs) of \$22,731 and \$8,575 respectively can be reconciled within the employee wages budget and plant hire costs.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Strategic Plan

Key Theme: Sustainable Communities
1. Sustainable Infrastructure

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

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Council's 2014/15 capital budget for construction of kerbing is \$70,306, comprised of a \$39,000 contractual component, \$22,731 for wages and \$8,575 for plant hire. The design would be accommodated from the contractual component.

Sound planning by a qualified engineer will minimise any future risk resulting from installation of inappropriate stormwater infrastructure.

DIRECTOR ASSETS & INFRASTRUCTURE SERVICES

DA/ITEM 6.3

2. PARK TERRACE/SPENCER HIGHWAY INTERSECTION

(File Ref:9.24.1.1)

INTRODUCTION

The purpose of this report is to seek a resolution from Council on appropriate traffic control device infrastructure within the Park Terrace/Spencer Highway intersection in Maitland.

RECOMMENDATION A

That Council consider further traffic control device installation within the Park Terrace/Spencer Highway intersection in Maitland.

Or

RECOMMENDATION B

That Council not consider further traffic control device installation within the Park Terrace/Spencer Highway intersection in Maitland, as responsibility for this road is vested with the Department for Planning Transport & Infrastructure (DPTI).

COMMENT

In November 2013 staff received a Customer Service Request (CSR) from a concerned ratepayer, reporting an alleged incident at the aforementioned intersection, seeking Council assessment at intersection level.

As Park Terrace (Council Road) intersects Spencer Highway (DPTI Road) all traffic control design principles are the responsibility of the State authority and therefore advice was sought from regional staff of DPTI on the need for improvements to the intersection to guide/control manoeuvring activities.

Initial advice from DPTI was that the layout and traffic control devices currently in place at this intersection were appropriate. This outcome was relayed to the resident.

This said, DPTI did install additional white posts upon Spencer Highway to deter motorists from exiting Spencer Highway at speed onto and across Park Terrace to enter the service road.

Notwithstanding this approach, a further report by another ratepayer was relayed in relation to intersection activity. As a consequence it was agreed that an inspection of the area by staff and Elected Members was warranted and this occurred in July 2014. It was also the consensus that an assessment by an independent engineer be commissioned to provide a report and options for consideration.

If Council were to consider any amendments to traffic control devices within this area, any changes would need to be endorsed by DPTI as the relevant authority, however if the outcome is to refresh existing traffic control devices such as linemarking then DPTI would be responsible for such works.

This responsibility is captured within DPTI's Internal Operational Manual 20.1 identifying envelopes of Local Government Roads intersecting State roads which they maintain.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Strategic Plan

Key Theme: Sustainable Communities
1. Sustainable Infrastructure

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

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

All maintenance matters are vested with DPTI as captured within DPTI Operational Manual 20.1.

DIRECTOR ASSETS & INFRASTRUCTURE SERVICES

DA/ITEM 6.3

3. FUNDING APPLICATIONS – HARDWICKE BAY PROGRESS (File Ref:9.24.1.1)

INTRODUCTION

The purpose of this report is to seek a direction from Council on a request from the Hardwicke Bay Progress Association to apply for funding for upgrades/improvements to road infrastructure owned by the Department for Planning Transport & Infrastructure (DPTI).

RECOMMENDATION

That Council:

1. advise the Hardwicke Bay Progress Association Inc that Council are not in a position to apply for funding of upgrades/improvements to roads owned by DPTI.

and

2. support the Hardwicke Bay Progress Association in lobbying the State Government and DPTI for an upgrade of the intersections detailed in this report in an effort to improve safety.

COMMENT

Council have received two (2) items of correspondence from the Hardwicke Bay Progress Association (copies attached). The first item requests that Council to make application via the Black Spot funding program for a slip lane at the intersection of the Yorke Highway and Harry Butlers Road. The second item requests that Council applies for funding via the Residents Win grant program for a turn off lane into Hardwicke Bay from the Yorke Highway.

Funding for the State Black Spot Program is allocated in DPTI's annual budget and subject to eligibility criteria for projects. Two thirds of the funding is allocated to State Government nominated projects and 100% funded. The remaining one third is for Local Government nominated projects, which have a project limit of \$1 million. 50% of that fund is directed towards rural roads.

It should be noted that projects on State roads will be allocated 100% of the funding to retain projects with a record of casualty crashes with 20% of that possibly allocated to preventative projects.

Projects on local roads, initiated by Local Government, on either State or local roads will require a minimum one third contribution, preferably 50% of the project cost. Project nominations are sought in August/September for the following financial year.

The 'Residents Win Grants Program' is a funding avenue offering \$2million over four (4) years (\$500,000/year across the State). The fund covers applications that identify solutions to road safety issues and infrastructure enhancements and requires residents to partner with Council and contribute 50% of the project costs.

I advise that all roads mentioned are State (DPTI) roads and while the suggested models have merit I believe DPTI should be the responsible authority and, as such, better placed to lodge funding applications, either independently or in partnership with the Hardwicke Bay Progress Association.

Understandably Council are aware of challenging criteria complementing specific funding avenues which deems many potential applicants ineligible. This is often not clearly relayed when parties are promoting funding opportunities to communities which may in turn give some false hope to residents.

Council could assist the Hardwicke Bay Progress Association by directing them to the most appropriate personnel within DPTI who may be better suited to assist in the application process.

Council should also provide assistance to Progress Associations, where possible, in lodging applications and lobbying Government Ministers and Departments for upgrades of dangerous DPTI roads and intersections.

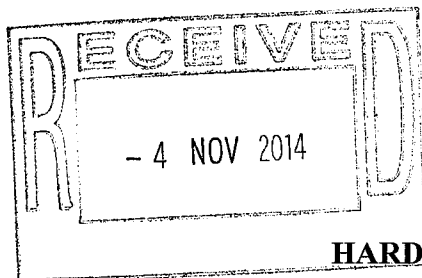
Please find attached a copy of the Black Spot Funding and Residents Win Grant Program application criteria which identify the applicant's funding contribution associated with such grants.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Not applicable.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Council have no budget allocation to support such applications for road upgrades on State owned roads.



HARDWICKE BAY PROGRESS ASSOCIATION INC.



PO Box 33, Hardwicke Bay SA 5575
Email: progress@hardwickebay.org
ABN: 28 217 892 181

Item Number
6773-2014-2
GDS Number
7.41.8.1
Distribution
CC to CEO

2nd November 2014

Mr Trevor Graham
Yorke Peninsula Council
PO Box 88
MINLATON
SA 5575

Dear Mr Graham

You would be aware that there is a Residents Win Grant Program through Honourable Tony Piccolo's office.

The Hardwicke Bay Progress Association raised safety concerns about the right hand turn into Hardwicke Bay as you approach from the north. Mr Piccolo's office conducted a safety audit over several days and then we met with him when he visited the Yorke Peninsula earlier this year.

Council obviously have a copy of this audit as you have already authorised removal of vegetation and rocks as you approach and between the two turn offs into Hardwicke Bay.

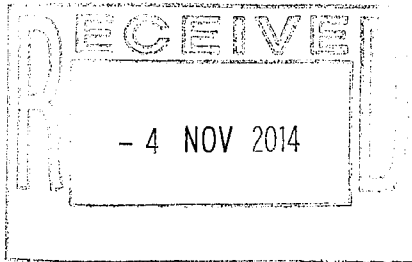
For us to apply for this money, which should be enough to make a turn off lane into Hardwicke Bay and place guard rails on the western side where we have already had one car come over the bank and onto Progress Road, we would request that we work in partnership with your section of the Council.

Janet Firth, our President, will contact you shortly regarding this collaborative project as I will have left the committee due to relocating.

Yours sincerely

Jill Huntley
Secretary

Cc Mr Andrew Cameron, CEO of YP Council



Item Number
6774-2014-2
GDS Number
7.41.8.1
Distribution

HARDWICKE BAY PROGRESS ASSOCIATION INC.



PO Box 33, Hardwicke Bay SA 5575
Email: progress@hardwickebay.org
ABN: 28 217 892 181

4th November 2014

Mr Trevor Graham
YP Council
PO Box 88
MINLATON
SA 5575

Dear Mr Graham

At our last meeting it was suggested by one of the councillor elects that we write to you raising the issue of the need for a slipway as you come into Minlaton on the Yorke Highway. That corner as you come in from Hardwicke Bay and meet the road from Yorketown is particularly dangerous. It is better since Council removed vegetation however given the volume of traffic it is only a matter of time until there is a fatal accident.

Apparently there is black spot funding through Rowan Ramsey, MP which we request you apply for, if indeed you haven't already.

Yours sincerely

Jill Huntley
Secretary



DEPARTMENT OF PLANNING, TRANSPORT AND INFRASTRUCTURE

STATE BLACK SPOT PROGRAM GUIDELINES

Issue Date
August 2014



Government of South Australia
Department of Planning,
Transport and Infrastructure

DOCUMENT CONTROL

DOCUMENT STATUS

Document Owner: Executive Director, Road Safety Registration and Licensing			
Action	Name and Position	Doc. KNet Reference	Version
<u>Prepared By:</u>	Eugene Rogalewicz Strategist, Road Transport Planning	<u>#6881398</u>	V8
<u>Reviewed by:</u>	Gabby O'Neill Principal Policy Officer, Road Safety Registration and Licensing	<u>#6881398</u>	V8
<u>Approved by:</u>			
Document ReviewSchedule: As required			

TABLE OF CONTENTS

1	PURPOSE.....	1
2	BACKGROUND.....	1
3	SAFE SYSTEM APPROACH	1
4	ROLES	2
5	FUNDING	3
	5.1 Funding Allocations	3
	5.1.1 Road Safety Improvements.....	5
	5.1.2 Projects on State Roads	5
	5.1.3 Projects on Local Roads	6
	5.1.4 Cycling Safety Improvements.....	7
6	ELIGIBLE ROAD SAFETY WORKS.....	7
	6.1 General.....	7
	6.2 Eligibility Criteria	8
	6.2.1 Location and Extent	12
	6.2.2 Crash and Safety Considerations.....	12
	6.2.3 Benefit Cost Ratios	12
	6.3 Safe System Principles Considerations	13
	6.4 Staged Construction	13
	6.5 Costs	13
	6.6 Performance	14
7	PROJECT NOMINATIONS	14
	7.1 Nominations.....	14
	7.2 Call for Nominations	15
	7.3 Closing Date for Nominations.....	15
8	APPROVAL PROCESS – ROAD SAFETY PROJECTS	16
	8.1 Assessment of Nominations	16
	8.1.1 Nation Building Black Spot Program	16
	8.1.2 State Black Spot Program.....	16
9	INFORMATION AND RECOGNITION.....	16
	9.1 Funding Deed	16
	9.2 Reporting	16
	9.3 Payments to Councils	17
	9.4 Signs.....	17
	9.5 Information Contact	17
10	CYCLING PROJECTS.....	18
	10.1 Eligible Projects	18
	10.2 Basis of Funding	18
	10.3 Costs	18
	10.4 Project Submissions	18
	10.5 Approval Process.....	19
	10.6 Project Delivery.....	19
	10.7 Funding Deed	20
	10.8 Reporting	20
	10.9 Payments to Councils	20
	10.10 Media and Promotion.....	20
	10.11 Information Contact	20
	APPENDIX A SIGNS	21
	APPENDIX B STATE BLACK SPOT PROGRAM DEVELOPMENT	22

1 PURPOSE

These guidelines provide information on the administration and operation of the State Black Spot Program that is funded by the South Australian Government through Department of Planning, Transport and Infrastructure (DPTI). The guidelines provide guidance on project eligibility, the project nomination, assessment and prioritisation process and project reporting requirements.

2 BACKGROUND

The State Black Spot Program was introduced by the SA State Government in 2002/03 to complement the Australian Government funded Black Spot Program. Together, these programs are directed at bringing about significant reductions in crashes and fatalities by the identification and treatment of locations and sections of road that have a poor casualty crash record or that have a significant crash potential identified by safety audits.

3 SAFE SYSTEM APPROACH

The Safe System approach is the framework used for improving road safety and to understand the human tolerance to physical force by

- Recognising that human error is inevitable
- Informing and educating road users on their responsibilities for using the road transport system and taking action when those responsibilities are not met
- Making allowances for human error in the design and management of roads and vehicles, and in setting speed limits

The investment under the program will be focussed on the most effective treatments that can be applied to the key crash types, consistent with Safe System principles. The Safe System approach to road safety is built on several key principles:

Human Factors

- No matter how well we are trained and educated about responsible road use, people make mistakes, and the road transport system needs to accommodate this

Human Frailty

- The finite capacity of the human body to withstand physical force before a serious injury or fatality can be expected is a core system design consideration

Forgiving Systems

- Roads that we travel on, vehicles we travel in, speeds we travel at, and communities we live in, need to be more forgiving of human error

Shared Responsibility

- Everyone has a responsibility to use the road safely and organisations, businesses and communities have a responsibility to design, manage and encourage safe use of the road transport system

4 ROLES

The State Black Spot Program consists of funding for road infrastructure Black Spot improvements.

The Road Safety Registration and Licensing Directorate of the Transport Services Division of DPTI is responsible for

- setting broad road safety policy and strategy for the State Black Spot Program
- seeking the necessary program approvals

The Road Asset Policy and Programs Section of the Infrastructure Division of DPTI is responsible for

- Coordinating the development of the annual program for road safety improvements including the seeking of nominations
- Checking of submissions, and
- Prioritisation of projects in line with these guidelines

The Cycling and Walking Unit of the Infrastructure Division manages the development of the program for cycling safety projects. Guidelines relating to the cycling projects are contained solely within Section 10 of this document.

It is the responsibility of Councils, DPTI, organisations and individuals to submit Black Spot project nominations in line with these guidelines.

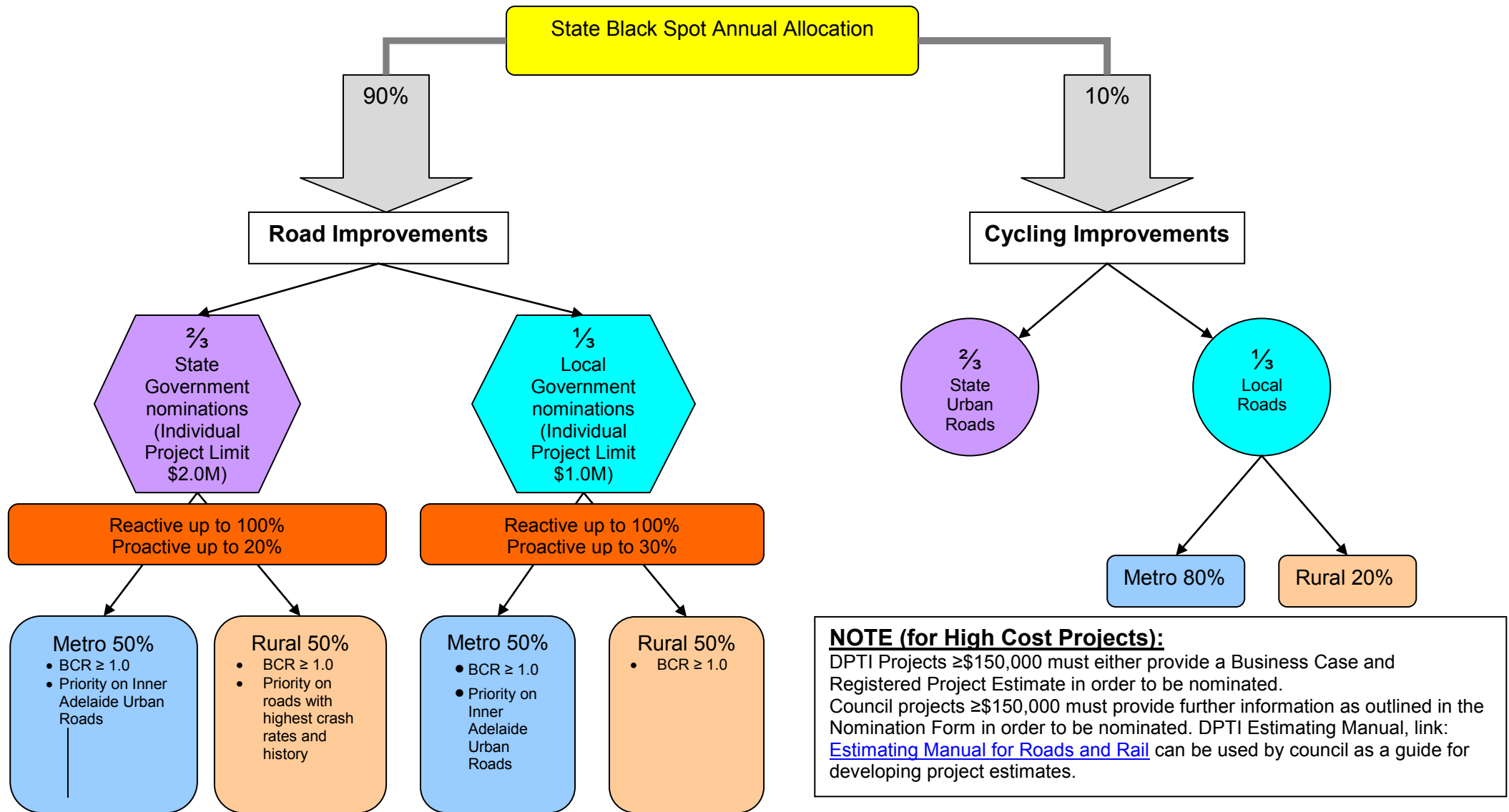
The annual State Black Spot Program will be subject to the approval by the Minister for Road Safety. Annual cycling projects will be subject to the approval by the Minister for Infrastructure and Transport.

5 FUNDING

5.1 Funding Allocations

Funding for the State Black Spot Program will be allocated in DPTI's annual budget. The guideline in Figure 1 below outlines the broad funding distribution and eligibility criteria for projects. The final program distribution may differ each year subject to eligible projects.

Figure 1 - DISTRIBUTION OF STATE BLACK SPOT and CYCLING PROJECTS FUNDING



5.1.1 Road Safety Improvements

The State Black Spot Program is targeting Road Safety Improvements (90% of funding) and Cycling Improvements (10% of funding). Approximately two thirds of funding is allocated to State roads and one third to Council roads under the “Safer Local Roads Program”, subject to eligible nominations received. This split is based on the proportions of casualty crashes that occur on arterial roads and local roads.

The criteria for the State Black Spot Program have been updated to reflect crash trends in recent years. Analysis of crash data trends in the last 5 years indicates that the proportion of fatalities and serious injuries in the Adelaide Metropolitan Area is slightly higher in comparison to the rest of South Australia. This is reflected in the funding distribution guidelines for projects on State roads.

Geographic Definitions

This program distinguishes between inner and outer urban Adelaide roads. The whole Adelaide Metropolitan Area is based on the Adelaide Statistical Division boundary.

The Inner Urban Adelaide is defined as the inner most part of the metropolitan Adelaide with boundaries at Waterloo Corner Road/ The Grove Way in the north and Majors Road/ Black Road in the south. Outer Metropolitan Adelaide is the remaining area within the Adelaide Statistical Division boundary. Rural is defined as being outside of the Adelaide Statistical Division.

A map is provided on the Black Spot website.

5.1.2 Projects on State Roads

Maximum funding limit for individual projects nominated by DPTI on state roads is \$2.0 million. This recognises the increasingly complex nature of arterial road projects in urban areas.

State projects on state roads that are greater than or equal to \$150,000 are required to submit a registered cost estimate (i.e. registered with DPTI Project Office) and additional information (to be included in the nomination form).

Reactive/proactive projects

Up to 100% is allocated to reactive projects with a record of casualty crashes - with priority given to Inner Urban Adelaide roads and rural roads with the highest crash rates and history.

Up to 20% may be allocated to proactive projects where a significant crash risk potential is determined from Road Safety Audits. These projects are assessed using the Road Safety Risk Manager assessment software tool.

The suitable standard for completion of Road Safety Audits is described in the Austroads Publication Part 6 – Road Safety Audit. Proposed treatment(s) for proactive projects need to ensure they are related to safety issues or hazards identified in the Road Safety Audit.

Urban/Rural Split

Approximately 50% is allocated to projects in the Adelaide Metropolitan Area - with priority to inner urban Adelaide arterial roads (both intersections and mid-blocks) where feasible. The remaining 50% is allocated to projects in non-metropolitan areas.

Other considerations

Project nominations on strategically important DPTI arterial roads or on signalised intersections, will also take traffic efficiency impacts into consideration. This is to ensure that projects do not create significant traffic flow or congestion problems, or create potential for other safety issues or additional road infrastructure.

5.1.3 Projects on Local Roads

The Safer Local Roads Program is a component of the State Black Spot Program. For projects on local roads under the Safer Local Roads Program, Councils are required to contribute a minimum of one third of the total project cost. Councils are encouraged to contribute up to 50% of the project cost where a project is considered a particular local priority. A higher Council contribution may assist in the funding of additional projects.

The maximum project cost for individual Council projects on local and state roads is \$1.0 million.

Approximately 50% is allocated to projects in the Adelaide Metropolitan Area and the remaining 50% is allocated to projects in non metropolitan areas.

Up to 30% may be allocated to proactive projects where a significant crash risk potential is determined from Road Safety Audits and the remaining 70% or more is allocated to reactive projects with a record of casualty crashes.

Local Government nominated projects on either state or local roads that are greater than or equal to \$150,000 are required to provide more detailed information (as outlined in the nomination form). DPTI Estimating Manual, link: [Estimating Manual for Roads and Rail](#) can be used by council as a guide for developing project estimates.

Project nominations by Council on state roads shall be supported by the relevant DPTI region, as well as all concept plans and estimates developed in accordance with DPTI standards and estimating manual, prior to the project nomination.

5.1.4 Cycling Safety Improvements

Cycling safety projects are funded in a separate sub-program under this State Black Spot Program. The cycling projects have a key safety focus - which reflects the fact that in South Australia about ten percent of those seriously injured in road crashes are cyclists (based on hospital injury surveillance data).

Approximately two thirds of this funding is allocated for works on state arterial roads and one third for works on local roads. Councils must contribute one third of the cost of projects conducted on local roads and council off road paths.

The maximum total project cost for individual cycling projects on local roads is \$100,000.

6 ELIGIBLE ROAD SAFETY WORKS

6.1 General

The State Black Spot Program and Australian Government Black Spot Program have consistent criteria for eligibility (in terms of crash history). Both the State Black Spot Program and Australian Government Black Spot Program are available for safety improvement works on the state arterial roads and council roads.

Under the Australian Government Black Spot Program, eligible nominations on national highways can be submitted. These must not duplicate projects submitted or funded under other Australian Government National Roads programs.

Eligible road safety works are those designed to treat sites with a recorded history of casualty crashes in accordance with the eligibility criteria. Eligible cycling improvements are those designed to treat cycling safety issues and also to improve the cycling network.

Sites which do not meet the crash history criteria but have been the subject of an official road safety audit are eligible.

Eligible works include:

- Safety improvement works and traffic control devices including traffic signals
- Work on adjacent road environments –e.g. hazard protection works
- Safety improvement works that may include speed reduction treatments as part of the treatment

Ineligible works are:

- Purchase of road building plant and equipment
- Purchase of law enforcing equipment such as speed and red light cameras
- Maintenance activities
- Area, network or route based speed treatments

6.2 Eligibility Criteria

The following table summarises Program Criteria between the different programs, and is explained in more detail in this chapter.

BLACK SPOT PROGRAM CRITERIA

	Australian Government Infrastructure Investment Black Spot	State Black Spot State Government Nominations	State Black Spot Local Government Nominations	State Black Spot Cycling Projects
Eligible Roads	Up to 25% of funding on National Highways. State and Local Roads	State and Local Roads		
Endorsement of Recommended Projects	SA Consultative Black Spot Panel – Australian Government representative	DPTI	DPTI	State Black Spot Cycling Projects Selection Committee
Funding & Project Cost Criteria				
Program Funding Overall Funding Split	Australian Government 100% \$4.8m and additional \$8m annually for 2015/16 and 2016/17	State Government 60% of the State Black Spot Program	State and Local Government Up to 30% of the State Black Spot Program	State and Local Government 10% of the State Black Spot Program
Contributions to Project Cost	Yes – encouraged	N/A	Yes 1/3 of Total Project Cost Mandatory from Councils, Up to 50% optional	Yes - 1/3 Total Project Cost Mandatory from Councils
Funding Distribution • Metro / Rural	Up to 50% - minimum 50%	50% - 50%	50% - 50%	80% - 20%
Reactive Projects Proactive Projects	Up to 100% Up to 40%	Up to 100% Up to 20%	Up to 100% Up to 30%	N/A
Maximum Project Cost	\$2,000,000 (DPTI Nominations) \$1,000,000 (Council Nominations)		\$1,000,000	\$100,000 (Council Nominations)
Minimum Project Cost	\$20,000			N/A
Cost Estimate requirements	Registered DPTI estimate required for DPTI projects >=\$ 150,000 Detailed cost estimate required for Local Government projects >= \$ 150,000 – refer nomination form and DPTI Estimating Manual.			N/A
Eligible Costs	All direct costs including capital and design costs			
Ineligible Costs	Purchase of road-building plant or equipment / Costs involved in the preparation of Road Safety Audits / Maintenance costs; and Costs incurred after installation			

BLACK SPOT PROGRAM CRITERIA

	Australian Government Infrastructure Investment Black Spot	State Black Spot State Government Nominations	State Black Spot Local Government Nominations	State Black Spot Cycling Projects
Crash Criteria				
Intersection or Mid Block (< 3km)	2 casualty crashes in the last 5 years	3 casualty crashes in the last 5 years		N/A
Road Length (≥ 3km)	0.13 crashes/km/year over last 5 years	0.2 crashes/km/year over last 5 years		N/A
Crash Period	Recent 5 years (i.e. From 2009 to 2013 for 2015-2016 program)			N/A
Benefit Cost Ratio (BCR)	≥ 1.0	≥ 1.0	≥ 1.0	N/A
Discount Rate	7%			N/A
Crash Reduction Factors	From Australian Government Black Spot Notes on Administration and DPTI BCR calculation spreadsheet			N/A
Prioritisation (Reactive Projects)	Based on BCRs (using BITRE mythology)			N/A
Prioritisation (Proactive Projects)	Based on ARRB Risk Reduction Cost Ratio			N/A
Proactive projects	Require Road Safety Audit			N/A

BLACK SPOT PROGRAM CRITERIA

	Australian Government Infrastructure Investment Black Spot	State Black Spot State Government Nominations	State Black Spot Local Government Nominations	State Black Spot Cycling Projects
Project Delivery				
Funding Deed needed between Council and DPTI	Yes	Yes	Yes	Yes
Time Frame	Project to be completed within the financial year unless approved as specified in Funding Deed			
Approvals	Design and technical approvals from DPTI for works on National and State Roads Environment, Heritage and Aboriginal clearances where required			
Signs	Yes for projects value ≤ \$100,000 during construction ≥ \$100,000 for 1 year	Yes During the construction and one year after construction		N/A
Reporting	<ul style="list-style-type: none">• Status reporting as specified• Variation Form - in case of variations to scope and /or cost• Project Completion Report, and• As specified in Deed or other			
Recognition	All media releases to acknowledge that funding is from Australian Government. Australian Government approves media releases	All media releases to acknowledge that funding is from State Government.		

6.2.1 Location and Extent

For discrete sites (e.g. an intersection, mid-block or short road section less than 3 km), the minimum eligibility criterion will be a history of at least three (3) under State Black Spot Program and two (2) under Australian Government Black Spot Program, reported casualty crashes in the last five years at the site.

For road lengths ≥ 3 kms, the minimum eligibility criterion is an average of 0.2 under State Black Spot Program and 0.13 under Australian Government Black Spot Programme, casualty crashes per kilometre per annum over the length in question measured over five years or the length must be amongst the top 10% of sites identified in the State which have an identified higher crash rate than other roads.

6.2.2 Crash and Safety Considerations

Measures of casualty crashes should be provided from the most recently available five year period.

For works recommended by an official Road Safety Audit Report, the report must have been undertaken by an Accredited Road Safety Auditor.

6.2.3 Benefit Cost Ratios

For the Australian Government Black Spot Programme, projects must demonstrate the following:

- Benefit Cost Ratio shall be greater than or equal to 1.0

For the State Black Spot Program, projects must demonstrate the following:

- For metropolitan Adelaide arterial roads
 - Benefit Cost Ratio shall be greater than or equal to 1.0
 - Priority will be given to roads within the Inner Urban Area
- For rural arterial road sections
 - Benefit Cost Ratio shall be greater than or equal to 1.0
 - Priority will be given to roads with highest crash rates and history
- For local roads,
 - Benefit Cost Ratio shall be greater than or equal to 1.0
 - Priority will be given to roads within the Inner Urban Area

A discount rate of 7% shall be applied in the calculation of the BCR. Additional guidance on BCR calculations and crash reduction factors are available on the DPTI Black Spot website.

6.3 Safe System Principles Considerations

During 2014/15, the development of a Safe System Assessment Framework will continue to be developed by DPTI to translate Safe System principles into practice. The objective will be to enable practitioners to identify and assess projects to ensure that Safe System principles are embedded in planning, design, construction, operation and maintenance processes – including black spot projects.

In the meantime, the concept development and scoping of the nomination should consider Safe System principles - including issues such as different road users, vulnerable users, creating a more forgiving road treatment or environment and safer speed environments.

The key is that Safe System principles should be considered where feasible in the project scope prior to nomination.

6.4 Staged Construction

Complex projects should be submitted on the basis of delivery and funding over a two year period. Eligibility criteria apply to the project as a whole.

These are projects where a detailed design needs approval of an authority or where land acquisition, service relocations or availability of contractors necessitate longer project duration.

In such cases, the nomination should detail the staging and the required funding and scope of works for each year must be stipulated.

Projects that have not commenced in the first year of funding will be reviewed to determine if the project is still feasible or recommended for withdrawal or deferral.

6.5 Costs

All costs directly associated with a project are eligible for funding. The following costs cannot be claimed as part of project costs:-

- Administrative overheads and other indirect costs
- Cost incurred after installation i.e. operating and running costs
- Purchase of road building plant and equipment
- Purchase of law enforcement equipment such as speed and red light cameras
- Costs involved in undertaking Road Safety Audits
- Costs involved in preparation of nominations

6.6 Performance

Recent years have seen increased interest in the Black Spot programs. However, risk of annual under-expenditure for new road projects through project withdrawals or under-expenditure remains a concern. Previous performance in management, communication and delivery of projects to budget and timeline will be an assessment criterion.

7 PROJECT NOMINATIONS

7.1 Nominations

DPTI shall invite nominations for projects from:-

- Local Councils
- DPTI Regions
- Various other organisations or the public having an interest in road safety

Nominations must be forwarded, with the relevant supporting documentation, to DPTI by the closing date. Current nomination forms shall be used.

Nominations from Councils and DPTI must be endorsed by the Chief Executive Officer (Councils) or Regional Manager (DPTI) and include:

- Details of the crash history – (to be included in the BCR calculation spreadsheet)
- The proposed treatment including sufficient details and drawings for accurate cost estimating and to clearly show what is proposed
- An accurate cost estimate, including clear identification of risk/contingency factors and time schedule
- DPTI project nominations greater than or equal to \$150,000 must provide copy of registered estimate.
- Local Government project nominations greater than or equal to \$150,000 must provide copy of formal estimate or the DPTI Estimating Manual can be used as a guide for developing project estimates, as well as any additional information (as per the nomination form)
- The Benefit to Cost Ratio calculation for reactive projects
- A copy of the Road Safety Audit Report for proactive project nominations
- Any other information that contributes to the details and justification of a project
- If works impact DPTI's roads, Councils must contact DPTI's relevant regional office to obtain approval in principle and attach supporting correspondence to the nomination
- Project nominations by Council on state roads shall be supported by the relevant DPTI region, as well as all concept plans and estimates developed in accordance with DPTI standards and estimating manual, prior to the project nomination

- For any nominations involving speed reduction as part of a treatment, Councils shall contact the DPTI Metropolitan Region (Traffic Solutions Unit) to obtain approval in principle and attach supporting correspondence to the nomination. Such proposals will need to demonstrate compliance with DPTI speed limit standards and guidelines.

Any nomination that is not from a Council or DPTI shall be assessed to ensure it meets program criteria and then referred to the relevant Council or DPTI region to endorse the nomination, if applicable.

7.2 Call for Nominations

Project nominations will be sought in August - September for both the Australian Government and the State Black Spot programs for the following financial year.

At the time of call, DPTI will provide supporting documentation on the Road Safety website in the form of nomination forms, BCR pro-formas and crash reduction factors to be applied in assessment of projects. Supporting information including crash maps will also be available from the DPTI internet at the following link -

http://www.dpti.sa.gov.au/roadsafety/safer_roads/black_spot_program_2

Black Spot programs are fully allocated programs with little allowance for cost or scope variations. Any cost variation must be contained within the overall project and program budget. Project estimates must therefore be accurate to ensure delivery of the program without having to defer projects.

Nominations are to be forwarded to:

Manager, Road Asset Policy and Programs
Infrastructure Division
Department of Planning, Transport and Infrastructure (DPTI)
GPO Box 1533,
Adelaide SA 5001

Copies of nominations with supporting documents can also be forwarded by email to:
DPTI.SABlackspots@sa.gov.au

7.3 Closing Date for Nominations

The closing date for nominations will be as specified in the letter calling for nominations and as published on the DPTI internet weblink.

Late or incomplete nominations will not be accepted.

8 APPROVAL PROCESS – ROAD SAFETY PROJECTS

8.1 Assessment of Nominations

DPTI will assess nominations for completeness and accuracy in accordance with these guidelines. Where necessary, DPTI shall consult with the nominees directly. Nominations that fail to meet the eligibility criteria or are not supported by an official Road Safety Audit Report or have insufficient information provided will not be considered.

Upon completion of the assessment, projects nominated based on crash criteria are ranked by their BCR. Proactive projects supported by an official Road Safety Audit Report are ranked by their Risk Reduction Cost Ratio from ARRB's Road Safety Risk Manager.

8.1.1 Australian Government Black Spot Programme

The South Australian Black Spot Consultative Panel meets to make recommendation to the Minister for Infrastructure and Regional Development for approval of the Australian Government Black Spot Program, equal to the funding available, from the list of the eligible ranked projects.

8.1.2 State Black Spot Program

DPTI will assess remaining ranked and eligible projects equal to the indicative State funding available, and recommend to the Minister for Road Safety for approval. The approved program will be announced by the Minister. A shortlist of eligible proposals (both local and arterial) that missed being recommended will also be prepared as a reserve list and be submitted for pre-approval of the Minister. The proponents of these projects will be advised that these projects may be brought forward should funds become available as a result of other approved projects being cancelled.

9 INFORMATION AND RECOGNITION

9.1 Funding Deed

Councils successful in obtaining funded projects are required to enter into a funding deed with DPTI. This deed outlines funding arrangements, project details, conditions and reporting requirements.

9.2 Reporting

Councils and DPTI are required to provide DPTI with regular progress reports on approved projects including advice of the commencement and completion dates. These reports are required to be submitted to DPTI in accordance with a reporting schedule which will be advised within the funding deed upon project approval.

9.3 Payments to Councils

Payments to Councils will be made on the basis of progress claims submitted to DPTI for completed stages of projects or as otherwise specified in the funding deed. Council payments are to be submitted to the relevant DPTI regional office for processing, as outlined in the funding deed.

9.4 Signs

The road authority for the approved State Black Spot project shall erect signs on each road approach at the site of the project. The signs shall conform to the design shown in the Appendix A and shall remain in place for one year after the completion of works. The initial cost of the signs can be charged to the cost of the project.

Signs for Australian Government funded Black Spot projects shall comply with the Notes on Administration requirements.

9.5 Information Contact

Enquiries about the Black Spot programs should be directed to:

Strategist, Road Asset Policy and Programs
Phone: 08 8204 8806
E-mail: **DPTI.SABlackspots@sa.gov.au**

10 CYCLING PROJECTS

10.1 Eligible Projects

All cycling infrastructure projects designed to improve cyclists' safety and improve the connectivity and extent of cycling networks, are eligible for funding. Suitable projects include:

- construction of on road bicycle lanes
- construction of off road shared use paths
- construction or modification of median refuges or road crossings that improve safety and the connectivity of the network for cyclists

The maximum project cost for individual projects on local roads is \$100,000.

10.2 Basis of Funding

Approved projects must be completed within the financial year. Whilst projects may be divided into stages, each stage will be considered as a discrete project and compete with other projects submitted for funding in that particular year.

10.3 Costs

All costs directly associated with a project are eligible for funding. The following costs cannot be claimed as part of project costs:

- Administrative overheads and other indirect costs
- Cost incurred after installation i.e. operating and running costs
- Purchase of road building plant and equipment
- Purchase of law enforcement equipment such as speed and red light cameras
- Costs involved in the preparation of Road Safety Audits

For local road projects, Councils are required to contribute one third of the total project cost.

10.4 Project Submissions

The Cycling and Walking Unit (DPTI) shall invite nominations for projects from Local Councils and DPTI. Councils will be invited in writing to submit nominations and the close of nominations will occur approximately three months after this.

The call of nominations will coincide with nominations for the State Bicycle Fund. Councils can apply for funding from both the State Black Spot Program Cycling Projects and the State Bicycle Fund using a single application form.

Councils are required to provide the details as requested in the above mentioned application form.

Late applications will not be accepted.

Nominations are to be submitted to:

Manager, Cycling and Walking Unit
Infrastructure Division
Department of Planning, Transport and Infrastructure (DPTI)
GPO Box 1533,
Adelaide SA 5001

10.5 Approval Process

The Cycling and Walking Unit will assess cycling projects according to specific safety and strategic planning criteria.

The safety criteria consider the safety of the surrounding road environment for cyclists in regard to:

- speed
- traffic volumes (AADT)
- commercial vehicle numbers and
- the history of cyclists crashes over a five year period

The strategic planning criteria consider:

- The contribution of the project to enhancing the safety and convenience of cycling networks
- Whether the project contributes to the connectivity of the cycling network
- The extent of strategic planning that has led to the emergence of the project

A list of prioritised projects will be presented to the State Black Spot Program Cycling Projects Selection Committee who will make recommendations to the Minister for Infrastructure and Transport regarding projects to be approved for funding. The Minister for Infrastructure and Transport will approve a prioritised list of projects to be allocated funding and a reserve list of projects that may be brought forward should funding become available.

10.6 Project Delivery

The project must be carried out as described in the application, or as amended by written agreement between Council and the Cycling and Walking Unit (DPTI). Bicycle facilities must be planned, designed constructed and maintained in accordance with Austroads guidelines including:

- AUSTROADS, Cycling Aspects of Austroads Guidelines (2011)
- AUSTROADS, Guide To Road Design, Part 6A: Pedestrian and Cyclist Paths (2009) and

- AS 1742.9.2000 – Manual of Uniform Traffic control devices - Part 9: Bicycle Facilities
- Installation of Traffic Control Devices must comply with the requirements outlined in the “Manual of Legal Responsibilities and Technical Requirements for Traffic Control Devices” Transport SA, February 2012

10.7 Funding Deed

Councils successful in obtaining funded projects valued \$100, 000 or higher, are required to enter into a funding Deed with DPTI. A Funding Agreement will be established for funded Council projects valued less than \$100,000. These Deed and Funding Agreement outlines funding arrangements, project details, conditions and reporting requirements.

10.8 Reporting

Councils and DPTI are required to provide DPTI with regular progress reports on approved projects including advice of the commencement and completion dates. These reports are required to be submitted to DPTI in accordance with a reporting schedule which will be advised within the funding deed upon project approval.

10.9 Payments to Councils

Subject to the successful completion of the Acknowledgement & Acceptance of Offer of Grant, the Minister will pay Council the grant by one lump sum upon receipt of a valid Tax Invoice from Council.

10.10 Media and Promotion

When facilities are publicised, the contribution from the Department of Planning, Transport and Infrastructure is to be acknowledged.

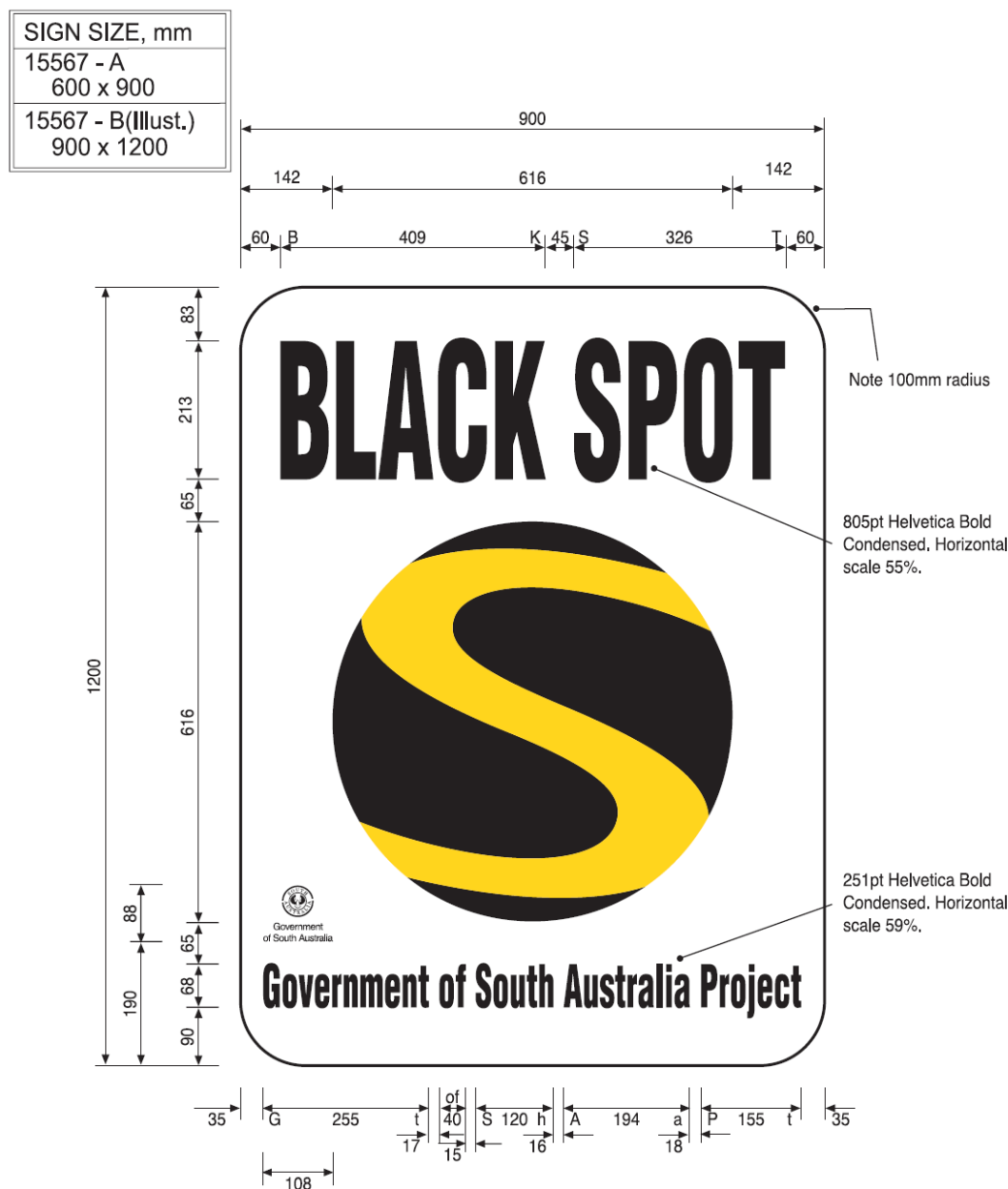
When completed facilities are officially launched or opened, DPTI are to be advised in advance and the contribution from the Department of Planning, Transport and Infrastructure is to be acknowledged. Other requirements are outlined in the funding deed.

10.11 Information Contact

Manager, Cycling and Walking Unit
Infrastructure Division
Department of Planning, Transport and Infrastructure (DPTI)
GPO Box 1533,
Adelaide SA 5001

APPENDIX A SIGNS

Signs erected at approved State Black Spot Sites must conform to the following wording and layout:



NOTES:

Colour: Black legend on white class 1 background.

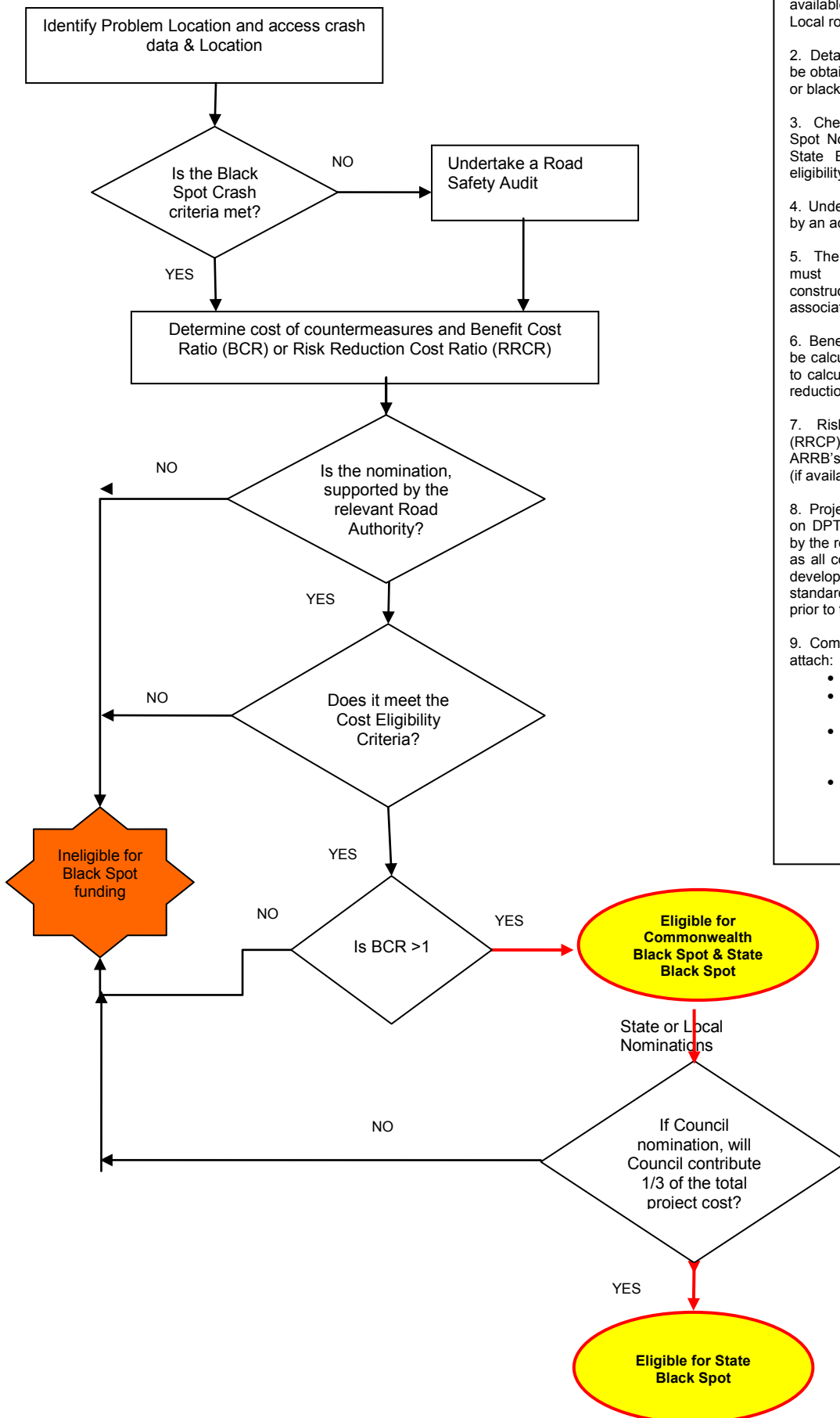
Yellow class 1 symbol.

Logo: Government of South Aust. Logo

Signs erected at approved Australian Government Black Spot sites must comply with Australian Government Black Spot Signage Guidelines, available in Section 8 and Appendix C of the Australian Government 'Notes of Administration' for Black Spot Projects. This document is available on the Australian Government Black Spot website;

<http://investment.infrastructure.gov.au/publications/administration/>

APPENDIX B SOUTH AUSTRALIA ROAD BLACK SPOT PROGRAMS DEVELOPMENT



1. State Black Spot funding is available only for State roads and Local roads.

2. Detailed crash information can be obtained from DPTI's Crash Unit or black spot website.

3. Check Nation Building Black Spot Notes on Administration and State Black Spot Guidelines for eligibility criteria.

4. Undertake a Road Safety Audit by an accredited auditor.

5. The cost of countermeasure must include all design, construction, project management associated costs.

6. Benefit Cost Ratio (BCR) must be calculated as per the guidelines to calculate BCRs and using crash reduction matrix.

7. Risk Reduction Cost Ratio (RRCR) must be calculated using ARRB's Road Safety Risk Manager (if available).

8. Project nominations by Council on DPTI roads shall be supported by the relevant DPTI region, as well as all concept plans and estimates developed in accordance with DPTI standards and estimating manual, prior to the project nomination.

9. Complete nomination form and attach:

- Crash Data
- Proposed concept scheme
- Road safety audit and RRCR or BCR Calculation
- Other supporting documentation

NOTE: REGISTERED ESTIMATE REQUIREMENTS IN LINE WITH DPTI ESTIMATING MANUAL

	Australian Government Infrastructure Investment Black Spot	State Black Spot State Government Nominations	State Black Spot Local Government Nominations	State Black Spot Cycling Projects
Eligible Roads	Up to 25% of funding on National Highways. State and Local Roads	State and Local Roads		
Endorsement of Recommended Projects	SA Consultative Black Spot Panel – Chaired by Australian Government Representative	DPTI	DPTI	State Black Spot Cycling Projects Selection Committee
Funding & Project Cost Criteria				
Program Funding	Australian Government	State Government	State and Local Government	State and Local Government
Overall Funding Split	100% \$4.8m and additional \$8m annually for 2015/16 and 2016/17	60% of the State Black Spot Program	Up to 30% of the State Black Spot Program	10% of the State Black Spot Program
Contributions to Project Cost	Yes – encouraged	N/A	Yes 1/3 Total Project Cost Mandatory from Councils, Up to 50% optional	Yes 1/3 Total Project Cost Mandatory from Councils
Funding Distribution • Metro / Rural	50% - 50%	50% - 50%	50% - 50%	80% - 20%
Reactive Projects Proactive Projects	Up to 100% Up to 40%	Up to 100% Up to 20%	Up to 100% Up to 30%	N/A
Maximum Project Cost	\$2,000,000 (DPTI Nomination) \$1,000,000 (Council Nomination)		\$1,000,000	\$100,000
Minimum Project Cost	\$20,000			N/A
Cost Estimate requirements	Registered DPTI estimate required for DPTI projects >=\$ 150,000 Detailed cost estimate required for Local Government projects >= \$ 150,000 – refer nomination form and DPTI Estimating Manual.			N/A
Eligible Costs	All direct costs including capital and design costs			
Ineligible Costs	Purchase of road-building plant or equipment / Costs involved in the preparation of Road Safety Audits / Maintenance costs; and Costs incurred after installation			

	Australian Government Infrastructure Investment Black Spot	State Black Spot State Government Nominations	State Black Spot Local Government Nominations	State Black Spot Cycling Projects
Crash Criteria				
Intersection or Mid Block (< 3km)	2 casualty crashes in the last 5 years	3 casualty crashes in the last 5 years		N/A
Road Length (≥ 3km)	0.13 crashes/km/year over last 5 years	0.2 crashes/km/year over last 5 years		N/A
Crash Period	Recent 5 years (i.e. From 2009 to 2013 for 2015-2016 program)			N/A
Benefit – Cost Ratio (BCR)	≥ 1.0	≥ 1.0	≥ 1.0	N/A
Discount Rate	7%			N/A
Crash Reduction Factors	From Australian Government Black Spot Notes on Administration			N/A
Prioritisation (Reactive Projects)	Based on BCRs (using BITRE methodology)			N/A
Prioritisation (Proactive Projects)	Based on ARRB Risk Reduction Cost Ratio and DPTI BCR calculation spreadsheet			N/A
Proactive projects	Require Road Safety Audit			N/A

	Australian Government Infrastructure Investment Black Spot	State Black Spot State Government Nominations	State Black Spot Local Government Nominations	State Black Spot Cycling Projects
Project Delivery				
Funding Deed needed between Council and DPTI	Yes	Yes	Yes	Yes
Time Frame	Project to be completed within the financial year unless approved as specified in Funding Deed			
Approvals	Design and technical approvals from DPTI for works on National and State Roads Environment, Heritage and Aboriginal clearances where required			
Signs	Yes for projects value of ≤ \$100,000 during construction ≥ \$100,000 for 1 year	Yes During the construction and one year after construction		N/A
Reporting	<ul style="list-style-type: none">• Status reporting as specified• Variation Form - in case of variations to scope and /or cost• Project Completion Report, and• As specified in Deed or other			
Recognition	All media releases to acknowledge that funding is from Australian Government. Australian Government approves media releases	All media releases to acknowledge that funding is from State Government.		



**ROAD SAFETY,
REGISTRATION AND
LICENSING**

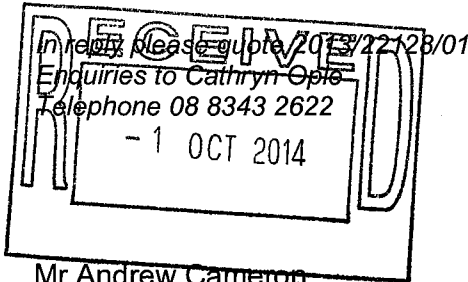
77 Grenfell Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

Telephone: 08 8343 2222
Facsimile: 08 8343 2768

ABN 92 366 288 135

Icon Number	6063-2014-3
GDS Number	7.3.3.1
Distribution	Copy to Jackie brochures to Kylie



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

Dear Mr Cameron

RESIDENTS WIN GRANTS PROGRAM

On 13 June 2014, the State Government announced it was delivering on an election commitment by establishing the \$2 million Residents Win grants program, over four years, to support local road safety projects. The Department of Planning, Transport and Infrastructure (DPTI) will commence taking submissions for Residents Win grants from 29 September 2014.

The Residents Win program provides an opportunity to target three core elements of the South Australian Road Safety Strategy (safer roads, safer speeds and safer people) by supporting local projects that encourage better road safety decisions and deliver infrastructure enhancements where appropriate.

Applications will be via a simple online Expression of Interest to identify an issue of concern. The program will then adopt a partnership approach to developing solutions to identified issues.

Residents Win will require residents to partner with local organisations, such as schools, resident groups and councils, and provide preferably 50 percent of the project costs, either in funding or in kind to see a solution become a reality. These solutions could include small-scale projects to address specific behaviours, or larger projects that could also include infrastructure improvements.

Grant applicants will also be offered support and tools to help them engage their wider community and investigate their particular solutions and they will receive help with collecting data to monitor the progress of their project. A panel of service providers is currently being established to support applicants in managing the process for seeking input from the community on the preferred solution. This will include seeking advice from Council on the project as obtaining the necessary Council and DPTI approvals and developing the final project concept/plan.

It is envisaged the Residents Win program will have a direct link to other complimentary programs. This includes the recently launched Living Neighbourhoods (www.livingneighbourhoods.sa.gov.au), which offers information and resources for

residents wanting to create people friendly streets and benefit from improved road safety on their local streets.

DPTI is interested in working with your Council to promote the Residents Win grants program to your local communities and relevant organisations. If you or any Council staff have further questions relating to this new program, please contact Cathryn Opie, Team Leader, Local Government Partnerships, DPTI on (08) 8343 2622.

Please find attached a sample of the promotional materials for the Residents Win grants program. Packages of these will be forwarded to your council public areas (such as library, community centre, customer service office) separately and your support in assisting us with the promotion of the Residents Win program to your communities would be appreciated.

Application details and further information about the Residents Win, can be found at www.residentswin.sa.gov.au.

Yours sincerely



Belinda Halling
A/Manager
Community Programs

26 September 2014

DIRECTOR ASSETS & INFRASTRUCTURE SERVICES

DA/ITEM 6.3

4. JETTY MAINTENANCE BUDGET

(File Ref: 9.24.1.1)

INTRODUCTION

The purpose of this report is to seek endorsement from Council for the adjustment of contractual funds within the jetty maintenance budget of \$120,000 to the bitumen reseals budget line, as a consequence of the Department of Planning, Transport & Infrastructure's inability to provide materials for pylon replacement requirements.

RECOMMENDATION

That Council:

1. endorse the budget adjustment of \$120,000 from the 'Jetty Maintenance – Contractual' budget line to the 'Reseal Allocation – Contractual' budget line;

and

2. grant an exemption for the use of a tender process for bitumen and blue metal material supply pursuant to the Purchasing & Procurement Policy in this instance only.

COMMENT

Council have been divested responsibility for maintenance and specific works to 12 jetties within the Council boundaries under a lease agreement with Department of Planning, Transport & Infrastructure (DPTI). Captured within these agreements are responsibilities for specific upgrades and replacement works to jetties aligned to needs or schedules.

Five-yearly joint inspections of these jetties by DPTI and Council staff form an integral part of these agreements with reports containing findings and recommendations furnished to Council following these joint inspections.

Notwithstanding these joint inspections, Council commissioned an independent assessment/inspection from a suitably qualified maritime engineer on the integrity of superstructure components in particular the percentage of wear upon pylons. A matrix of component replacement to these jetties was reported to a workshop with indicative estimates for the required works (refer attachment). This information was also provided to DPTI seeking a partnership arrangement moving forward.

DPTI advice at the time of report was that the Department would not be in a position to financially assist in future upgrades to the jetties, however would be in a position to supply materials for specific works.

On the basis of understandings of material supply by DPTI, budget lines were secured to commence pylon replacement to jetties on a staged approach. Therefore \$120,000 within

the 2014/15 budget was allocated for contractors to install (approximately 20) pylons commencing with the Ardrossan jetty.

Recent advice from DPTI has identified that unfortunately DPTI are now unable to supply the required pylons for this financial year and possibly even next financial due to stocks required for metropolitan jetties. This advice is again disappointing to say the least.

Council could proceed with pylon requirements, however I am of the opinion that it would be unfair for Council to assume all costs for the required works and further suggest the procurement of pylons and undertaking the works within this (2014/15) financial year would be somewhat challenging.

There will be a need to again discuss sound arrangements in relation to future required works to jetties with DPTI hierarchy for the benefit of all stakeholders, this financial year.

Given the surplus allocation and following consultation with the CEO Council may wish to consider investing the \$120,000 towards its sealed road network, in particular reseals.

This additional allocation would be a welcomed injection and could be accommodated if Council endorsed such an approach.

Additional funding would mean bringing forward selected roads currently being considered within the 2015/16 reseal program (list attached), thus potentially reducing the 2015/16 draft budget allocation from \$250,000 to \$130,000. This approach may ease challenging budget formulation experiences throughout the deliberation process whilst maintaining a level of service for Council's reseal program.

At the March 2015 Council meeting Boral were awarded the Bitumen Services Tender (116/2014) to fulfil bitumen sealing requirements for Council's capital works and reseal program from 2014/15. This bitumen service is scheduled to commence on or about the 9th of April 2015. If Council were to endorse the additional investment into the reseal budget then an opportunity may exist to consider and procure the required goods and services as an addition to the recently awarded tender for bitumen services and complementing quotation for blue metal material supply (awarded to Hanson Construction).

Contact has been made with Boral to gauge their ability to cater for the additional work (if endorsed by Council) and also confirm if additional reseal works would be at the tender rate as awarded. This said, they are unable to undertake any additional works while servicing the initial tender, however can plan for the works to be done closer to the end of the financial year, which will incur a small deployment cost.

This said, in accordance with Council's Purchasing & Procurement Policy Council, by way of resolution, could endorse an exception in this instance and waive the need to administer the tender process. Similarly, Council could also endorse the exemption to allow the procurement of blue metal material from Hanson, as an addition to both contracts.

I seek Council's consideration of this matter.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

PO058 – Purchasing & Procurement Policy

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The operational budget line for jetty general maintenance is \$203,549. The contractual component of this account is \$165,000 with \$45,000 committed expenditure for works upon jetties. This leaves a surplus of \$120,000.

Place Name	Approaches	Access	Guardrails	Kerbing	Deck	Stairways	Girders	Corbels	Cross Bracing	Piles	Ladders	Signs	Lighting	Seats	Shelters	Misc	Total Less Stair / Ladders
Ardrossan	\$2,000	\$500	\$15,000	\$6,000	\$8,000		\$60,000		\$10,000	\$190,000		\$1,000	\$5,000	\$2,000	\$4,000	\$10,000	\$313,500
Edinburgh	\$2,000	\$500	\$12,000	\$3,000	\$5,000		\$75,000		\$10,000	\$380,000		\$500	\$2,000	\$3,000	\$500		\$493,500
Marion Bay	\$3,000		\$15,000	\$3,000	\$10,000		\$30,000		\$10,000	\$90,000		\$1,000	\$3,000	\$4,000	\$500		\$169,500
Point Turton	\$1,000	\$1,000	\$12,000	\$4,000	\$12,000		\$30,000		\$10,000	\$150,000		\$500	\$1,000			\$1,500	\$223,000
Port Julia	\$4,000		\$18,000	\$6,000	\$10,000		\$60,000		\$15,000						\$1,000		\$114,000
Port Rickaby	\$1,000	\$500	\$9,000	\$3,000	\$10,000		\$30,000		\$10,000	\$40,000		\$1,000					\$104,500
Port Victoria	\$1,500	\$1,500	\$10,000	\$2,000	\$15,000		\$75,000		\$15,000	\$170,000		\$1,000	\$1,000	\$3,000	\$4,000		\$299,000
Port Vincent	\$1,000		\$2,000	\$1,000	\$5,000		\$30,000		\$5,000	\$30,000		\$500					\$74,500
Port Vincent Wharf	\$5,000		\$1,000	\$500	\$1,000		\$30,000		\$5,000	\$130,000		\$1,000					\$173,500
Stansbury	\$500		\$6,000	\$4,000	\$15,000		\$30,000		\$10,000	\$100,000		\$1,000		\$5,000	\$5,000		\$176,500
Wool Bay	\$2,000	\$1,000	\$5,000	\$3,000	\$5,000		\$45,000		\$15,000	\$100,000			\$5,000				\$181,000
																	\$2,322,500

Asset ID	Road Name	From	To	Town / Grid	Area (m)	Cost	Asset Type	Overall Condition	Inspection By
7642	Tiddy Widdy Beach Rd	Murray Rd	Angas Rd	Tiddy Widdy	2134	\$ 8,856.10	Township Spray Seal Surface	Fair Condition	ARRB
7694	Fifth St (Curramulka)	High St	Main St	Curramulka	375.8	\$ 1,559.57	Township Spray Seal Surface	Fair Condition	ARRB
7690	Victoria Tce	Main St	Edwards Tce	Port Victoria	1511.9	\$ 6,274.39	Township Spray Seal Surface	Fair Condition	ARRB
7774	Marmoo St	Waterloo Bay Rd	William St	Yorketown	1984.6	\$ 8,236.09	Township Spray Seal Surface	Fair Condition	ARRB
8168	Artherton Rd	12.6km N of Kalkabury Rd	13.6km N of Kalkabury Rd		6158.6	\$ 25,558.19	Rural Spray Seal High Use Surface	Minor Deterioration	ARRB
8166	Agery Rd	5.0km S of Pedler Rd	6.0km S of Pedler Rd		5487.7	\$ 22,773.96	Rural Spray Seal High Use Surface	Minor Deterioration	ARRB
7768	Acacia Ct	Templetonia Cres	Cul de sac	Marion Bay	1141	\$ 4,735.15	Township Spray Seal Surface	Fair Condition	ARRB
8169	Cemetery Rd (Minlaton)	1.0km W of Yorke Hwy	2.0km W of Yorke Hwy		5601.4	\$ 23,245.81	Rural Spray Seal Normal Use Surface	Minor Deterioration	ARRB
7673	Juno Ct (Stansbury)	Warrawee Rd	Cul de sac	Stansbury	625.5	\$ 2,595.83	Township Spray Seal Surface	Fair Condition	ARRB
7683	Daly Tce	Royston Rd	Royston Rd	Hardwicke Bay	1809	\$ 7,507.35	Township Spray Seal Surface	Fair Condition	ARRB
7757	Weaver St (Stansbury)	Anzac Pde	Towler St	Stansbury	1916.1	\$ 7,951.82	Township Spray Seal Surface	Fair Condition	ARRB
7764	High St (Balgowan)	Moody Rd	South Tce	Balgowan	676.2	\$ 2,806.23	Township Spray Seal Surface	Fair Condition	ARRB
7765	Dotterel St	Osprey Dr	Gannett Cres	Marion Bay	1394.8	\$ 5,788.42	Township Spray Seal Surface	Fair Condition	ARRB
7766	Diosma Dr	0.45km N of South Coast Rd	South Coast Rd	Foul Bay	1325.8	\$ 5,502.07	Township Spray Seal Surface	Fair Condition	ARRB
7958	West Tce (Ardrossan)	Second St	First St	Ardrossan	1189.9	\$ 4,938.09	Township Spray Seal Surface	Fair Condition	ARRB
8122	Artherton Rd	10.6km N of Kalkabury Rd	11.6km N of Kalkabury Rd		6138.3	\$ 25,473.95	Rural Spray Seal High Use Surface	Minor Deterioration	ARRB
8163	Artherton Rd	3.6km N of Kalkabury Rd	4.6km N of Kalkabury Rd		5807.2	\$ 24,099.88	Rural Spray Seal High Use Surface	Minor Deterioration	ARRB
8188	Agery Rd	4.0km S of Pedler Rd	5.0km S of Pedler Rd		5612.9	\$ 23,293.54	Rural Spray Seal High Use Surface	Minor Deterioration	ARRB
8189	Artherton Rd	20.6km N of Kalkabury Rd	Pedler Rd		5980.7	\$ 24,819.91	Rural Spray Seal High Use Surface	Minor Deterioration	ARRB
8183	Agery Rd	6.0km S of Pedler Rd	Artherton Rd		3529.1	\$ 14,646.77	Rural Spray Seal High Use Surface	Minor Deterioration	ARRB
						\$ 250,662.08			

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

1. REVOCATION & RE-DEDICATION OF FORESHORE RESERVE (File Ref:9.24.1.1)

INTRODUCTION

Correspondence dated 8th March 2013 from the Department of Environment, Water and Natural Resources (DEWNR) requested Council to initiate the road closure process for the portion of West Coast Road between Wurlie and Gleasons Road, Corny Point which runs through an area that the Crown proposes to proclaim as a Conservation Park. The intention is to vest ownership of the land to the Crown.

RECOMMENDATION

That Council:

1. grant approval for the Crown to proceed with the revocation of the Crown dedication for Foreshore Reserve Allotment 9 in Deposit Plan 44261, Crown Record Volume 5339 Folio 218 (Gazetted 7 March 1969) and the dedication of the new Allotment 103 in Deposit Plan 95664 as Foreshore Reserve under the care, control and management of Council.
2. grant approval for the Crown to proceed with Crown dedication for the new Allotment 104 in Deposit Plan 95664 as Water Reserve under the care, control and management of Council.
3. authorise the Mayor and Chief Executive Officer to sign and affix Council's seal to any documents associated with the revocation and dedication process.
4. grant approval for the newly created Allotments 103 and 104 to be added to the Community Land Register and identified as a Category 1 Reserve.

COMMENT

Correspondence dated 20th February 2015 from the (DEWNR) notified Council that the road closure process for a portion of West Coast Road is now complete and the plan of division, Deposit Plan 95664 has been lodged with the Lands Title Office. Please refer to Attachment A.

As reported previously, the road closure and Deposit Plan 95664 allows for the creation of:

- Allotments 100 and 102, which is proposed to be proclaimed as Thidna Conservation Park pursuant to the National Parks and Wildlife Act 1972 and includes the land to the Low Water Mark; and
- Allotment 101 into be allocated freehold to Mr Shepley as a result of a land swap between the DEWNR and Mr Shepley; and
- An Easement over Allotment 102 appurtenant to Allotment 101 for Water supply purposes; and
- Allotment 103 as a result of an enlargement of existing Foreshore Reserve Allotment 9 Crown Record Volume 5339 Folio 218; and
- Allotment 104 which will contain a bore and water pump and is proposed to be dedicated as Water Reserve under Council's care, control and management.

It is noted that since DEWNR's previous correspondence, the size of Allotment 103 has been enlarged to include a small roughly triangular area bounded by Armco fencing. Please refer to enlargement E6 on sheet 6 of the attached Deposit Plan.

In accordance with the Crown Land Management Act 2009, the Crown is required to revoke the dedication for the current Foreshore Reserve Allotment 9 and dedicate the new Allotment 103 as Foreshore Reserve, under the care, control and management of Council.

The Crown is also required to dedicate Allotment 104 as a Water Reserve under the care, control and management of Council.

Council's Community Land Register will be updated as follows –

- Details of new Allotments 103 and 104 will be recorded as Category 1 Reserves; and
- The current record of Allotment 9 Category 1 Reserves will be deleted.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Crown Land Management Act 2009 Part 3 Division 2 Section 18 'Dedicated Land'

Strategic Plan

Key Theme:

Sustainable Communities

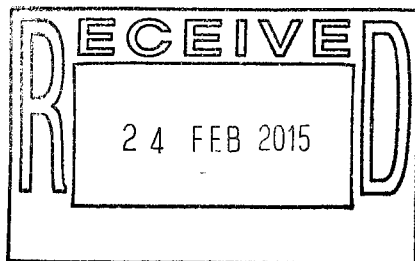
1. Sustainable Infrastructure

Strategic Goal:

1.1 Provide infrastructure assets that are sustainable and safe

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The Department of Environment, Water and Natural Resources will be responsible for the costs associated with the proclamations and the Land Titles Office lodgements and documentations in relation to the Crown revocations and dedication process.



DEWNR 18/1140

20 February 2015

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

Item Number
1247-2015-4
GDS Number
16.16.2.1
Distribution
copy to CEO EA

Government of South Australia

Department of Environment,
Water and Natural Resources

Protected Areas Unit

Level 3
25 Grenfell Street
Adelaide SA 5000

GPO Box 1047
Adelaide SA 5001
Australia
DX138

Ph: +61 8 8303 2997

www.environment.sa.gov.au

Dear Mr Cameron

Re: Plan of division to allow for the proposed Thidna Conservation Park and request for Council approval of associated revocation and dedications

I refer to my letter dated 8 March 2013 and the meeting between Council staff and DEWNR representatives on 22 April 2013 concerning road closure proceedings and a draft plan of division to allow for the proposed Thidna Conservation Park, located at Corny Point.

I am pleased to inform you that the road closure process for Allotments 50 and 51 in DP93687 is now complete. I would also like to take this opportunity to thank you for Council's cooperation and administration of this matter.

The plan of division to allow for the proposed Thidna Conservation Park has now been lodged in the Lands Titles Office. A copy of the plan - not yet approved DP95664 - is also attached.

In summary, the plan allows for creation of :

- Allotments 100 and 102 in DP95664, which are proposed to be proclaimed as Thidna Conservation Park pursuant to the *National Parks and Wildlife Act 1972*. These land parcels also include the land to Low Water Mark.
- Allotment 101 in DP95664 to be allotted freehold to Mr Shepley who currently owns the parent Section 20 Hundred of Carribe (CT 5928/683). This will be the result of a land swap between DEWNR and Mr Shepley. In return, a portion of the parent Section 20 Hundred of Carribe will become part of Allotment 100 in DP95664.
- An easement to be created over Allotment 102 appurtenant to Allotment 101 for water supply purposes.
- Allotment 103 in DP95664 - to enlarge the existing Foreshore Reserve (Allotment 9 in DP 44261 - CR 5339/218). The existing Foreshore Reserve was gazetted on 7 March 1996 and is held under the care, control and management of Council (see

attached copies of the gazette notice and Search of Crown Record. The current Reserve will require revocation and re-dedication of the Foreshore Reserve, requiring Council's formal approval.

Please note that since my last correspondence, the size Allotment 103 has been enlarged to include a small roughly triangular area bounded by Armco fencing. (Please see enlargement E6 on sheet 6).

- Allotment 104 in DP95664, which contains a bore and a water pump, and is proposed to be dedicated as Water Reserve under the care, control and management of Council. This dedication requires Council's formal approval.

Accordingly, could you please request Council's formal approval for:

- (1) the revocation of the Foreshore Reserve – Allotment 9 in DP44261 – CR 5339/218 – (Gazetted 7 March 1996) and dedication of the new Allotment 103 in DP95664 as Foreshore Reserve under care, control and management of Council.
- (2) the dedication of Allotment 104 in DP95664 as Water Reserve under care, control and management of Council.

DEWNR will be responsible for the costs associated with the proclamations, and the Land Titles Office lodgements and documentation.

It would be appreciated if Council's response, as well as any comments on the proposal, could be forwarded by 27 March 2015, if at all possible.

For further information on this matter please contact Richard Thorley on 8303 2297 or richard.thorley@sa.gov.au.

Yours sincerely



Jason Irving
MANAGER, PROTECTED AREAS UNIT

Copies Enclosed:-

Not yet approved Deposited Plan 95664

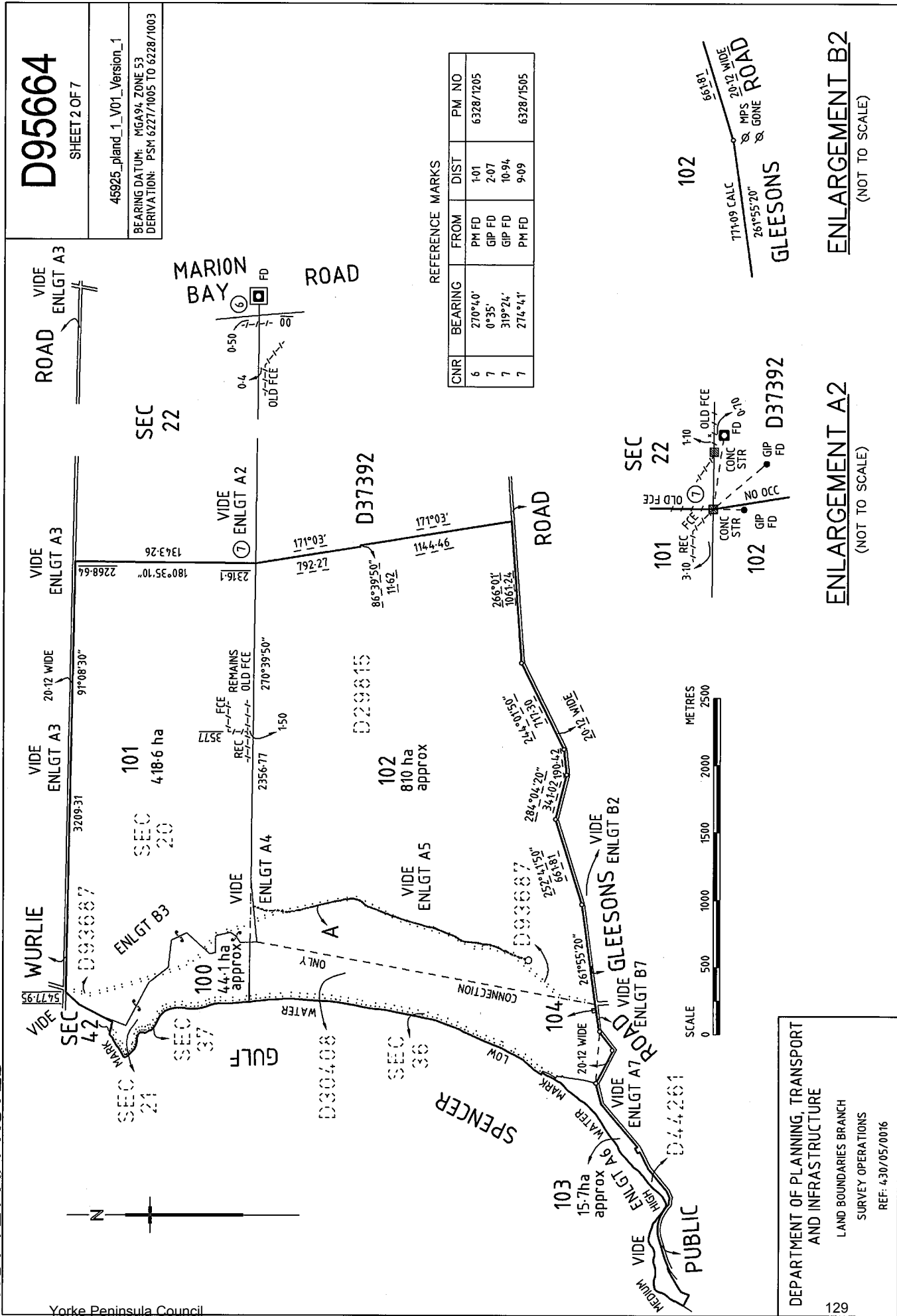
Crown Record Volume 5339 folio 218

Gazette Notice dated 7 March 1996

NOT YET APPROVED

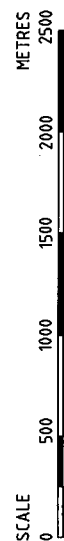
PURPOSE: DIVISION		AREA NAME: CORNY POINT, WHITE HUT		APPROVED:	
MAP REF: 6327/01, 6228/46, 6328/50, 6227/05		COUNCIL: YORKE PENINSULA COUNCIL		DEPOSITED:	
LAST PLAN:		DEVELOPMENT NO:		SHEET 1 OF 7	
AGENT DETAILS: LBB - BRADLEY SLAPE 101 GRENFELL STREET ADELAIDE SA 5000 PH: 82263584 FAX:		SURVEYORS CERTIFICATION: I Bradley James Slape, a licensed surveyor do hereby certify - 1) That this plan has been made from surveys carried out by me or under my personal supervision and in accordance with the Survey Act 1992. 2) That the field work was completed on the 30th day of October 2014 20th day of January 2015 Bradley Slape Licensed Surveyor		45925_text_01_v01_Version_1	
AGENT CODE: SISK		AGENT REFERENCE: 430-05-0016			
SUBJECT TITLE DETAILS:					
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	SECTION(S)
CT	5928	683			
CR	5744	606			
CR	5748	158			
CR	5750	523			
CR	5744	607			
CR	5339	218			
CR	6143	119			
CR	6143	120			
OTHER TITLES AFFECTED:					
EASEMENT DETAILS:					
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE
NEW	102	SHORT	EASEMENT(S)	A	FOR WATER SUPPLY PURPOSES
				IN FAVOUR OF	CREATION
				101	
128					
ANNOTATIONS: MEDIUM HIGH WATER MARK PLOTTED FROM 6227-1 & 6228-2 LOW WATER MARK ADJACENT COMMON BOUNDARY OF ALLOTMENTS 102 & 103 PLOTTED FROM FIELD MEASUREMENTS TAKEN ON 30/10/2014					

NOT YET APPROVED



REFERENCE MARKS

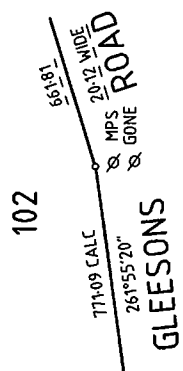
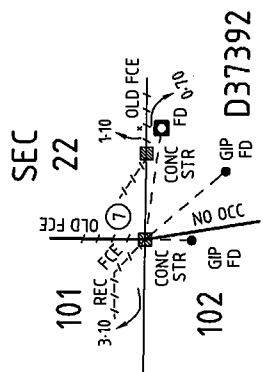
CNR	BEARING	FROM	DIST	PM NO
6	270°40'	PM FD	1-01	6328/1205
7	0°35'	GIP FD	2-07	
7	319°24'	GIP FD	10-94	
7	274°41'	PM FD	9-09	6328/1505



DEPARTMENT OF PLANNING, TRANSPORT
AND INFRASTRUCTURE
LAND BOUNDARIES BRANCH
SURVEY OPERATIONS
REF: 430/05/0016

ENLARGEMENT A2
(NOT TO SCALE)

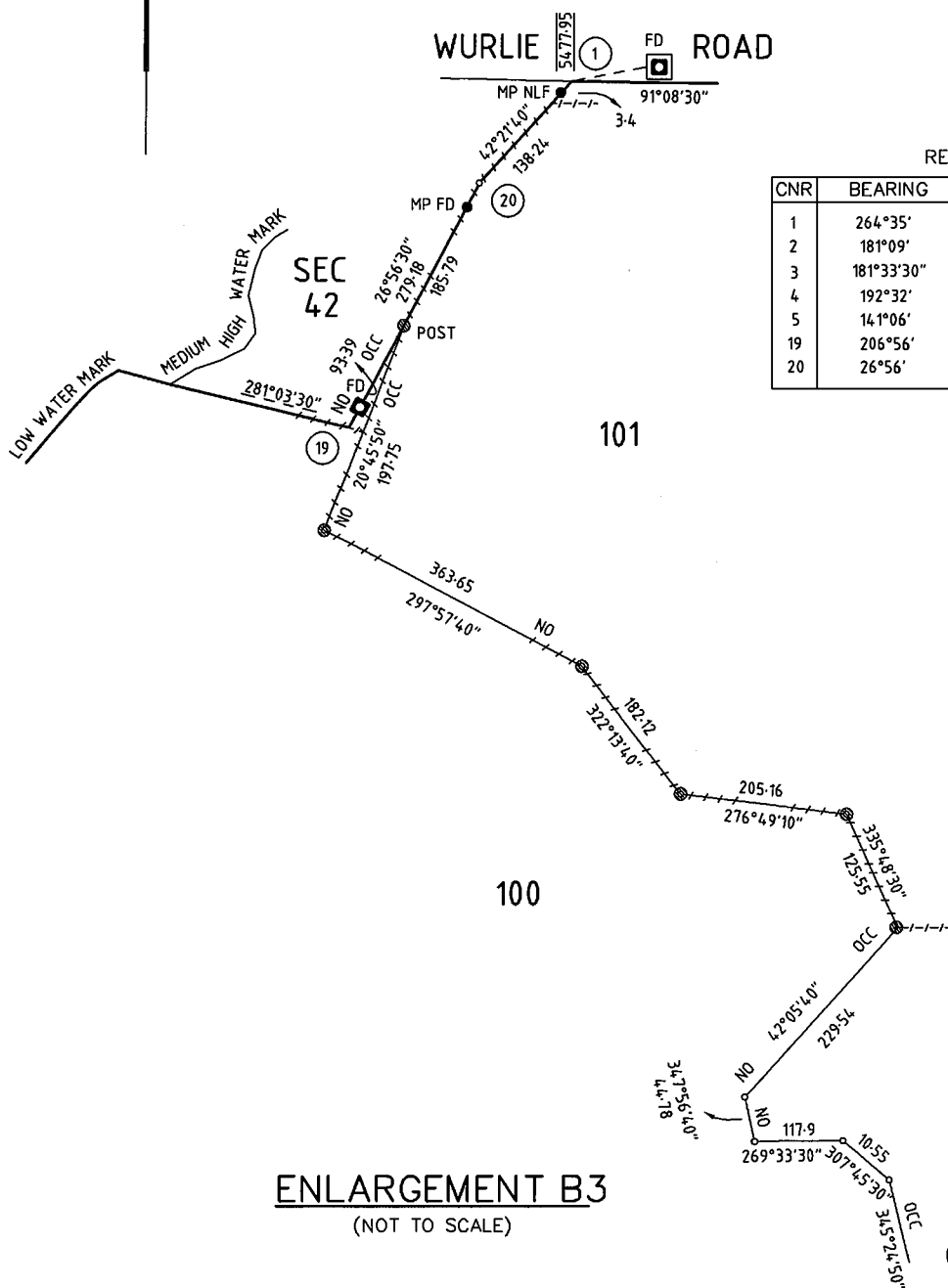
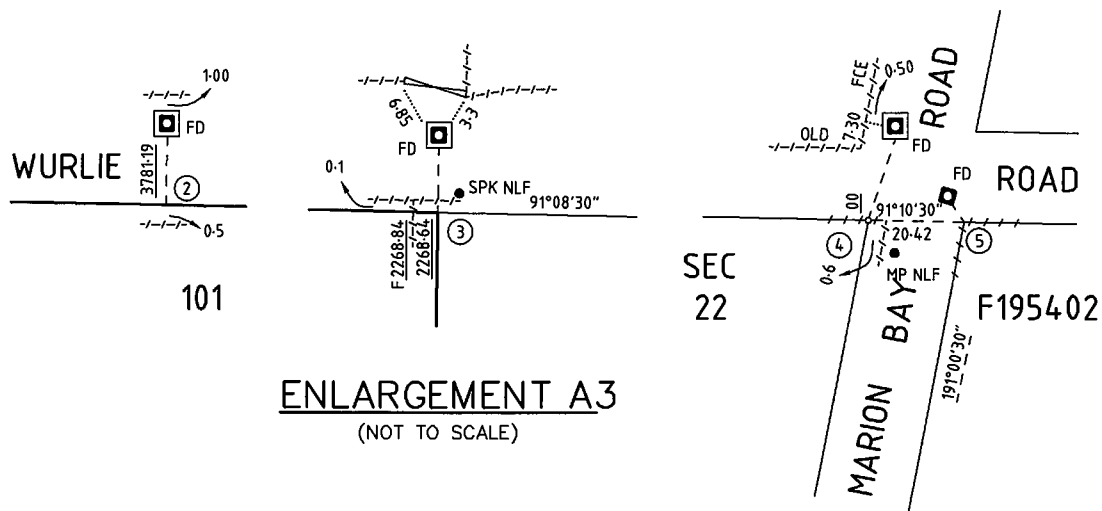
ENLARGEMENT B2
(NOT TO SCALE)



D95664

SHEET 3 OF 7

45925_pland_2_V01_Version_1



REFERENCE MARKS

CNR	BEARING	FROM	DIST	PM NO
1	264°35'	PM FD	4.98	6228/1003
2	181°09'	PM FD	19.06	6228/1061
3	181°33'30"	PM FD	19.01	6328/1318
4	192°32'	PM FD	27.61	6328/1098
5	141°06'	PM FD	1.31	6328/1203
19	206°56'	PM FD	1.50	6228/1002
20	26°56'	MP FD	1	

NOT YET APPROVED

D95664

SHEET 6 OF 7

45925_pland_5_V01_Version 1

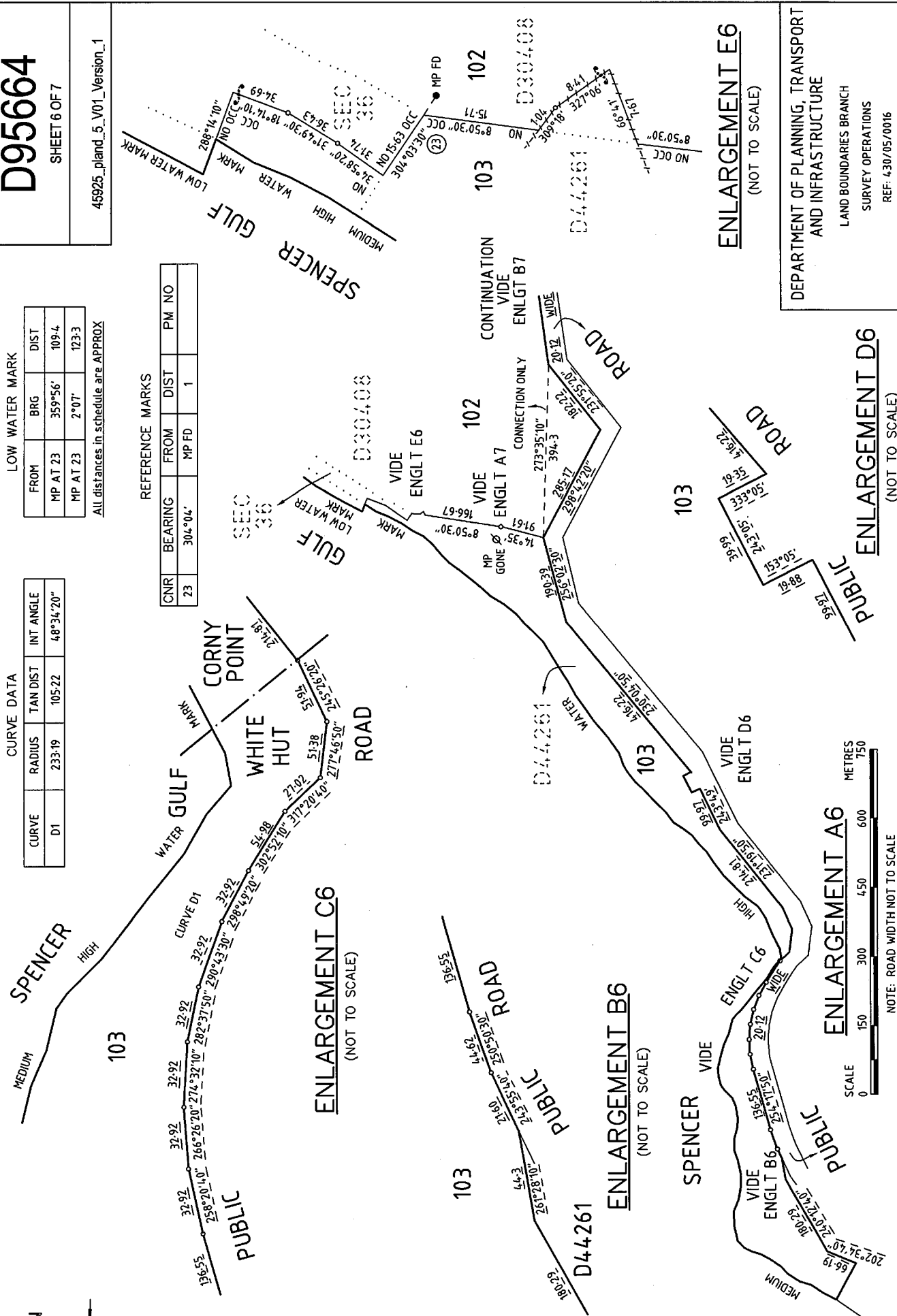
LOW WATER MARK		
FROM	BRG	DIST
MP AT 23	359°56'	109.4
MP AT 23	2°07'	123.3

All distances in schedule are APPROX

CURVE DATA			
CURVE	RADIUS	TAN DIST	INT ANGLE
D1	233.19	105.22	48°34'20"

REFERENCE MARKS

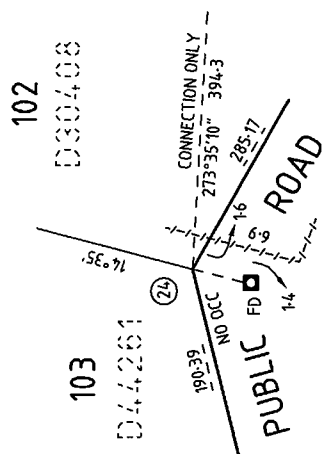
CNIR	BEARING	FROM	DIST	PM NO
23	304°04'	MP FD	1	



D95664

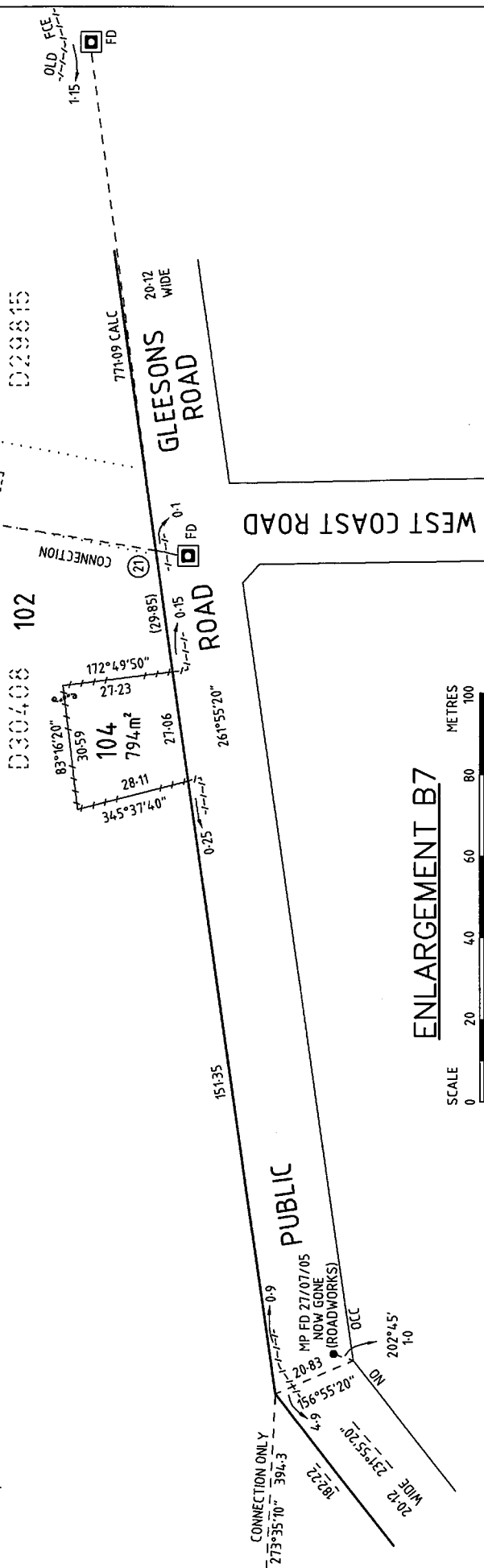
SHEET 7 OF 7

45925_pland_6_V01_Version_1



ENLARGEMENT A7

(NOT TO SCALE)



ENLARGEMENT B7



REFERENCE MARKS

CNR	BEARING	FROM	DIST	PM NO
21	11°19'	PM FD	2-7	6227/1004
21	262°42'10"	PM FD	1710-22	6227/1005
24	7°24'	PM FD	1	6227/1003

DEPARTMENT OF PLANNING, TRANSPORT
AND INFRASTRUCTURE

LAND BOUNDARIES BRANCH
SURVEY OPERATIONS

REF: 430/05/0016

THE SCHEDULE

Allotment 17 of FP 119535 and allotment 19 of FP 119537, Hundred of Yatala, County of Adelaide, exclusive of all necessary roads, being the whole of the land comprised in Crown Records Volume 5321, Folios 259 and 260 respectively.

Dated 4 March 1996.

P. M. KENTISH, Surveyor-General

DENR 7263/1994

CROWN LANDS ACT, 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act, 1929, I, PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by DAVID WOTTON, Minister for the Environment and Natural Resources, Minister of the Crown to whom the administration of the Crown Lands Act, 1929, is committed DO HEREBY resume the land defined in The Schedule.

THE SCHEDULE

Drainage Reserve, section 646 and allotment 3 of DP 26769, Hundred of Port Adelaide, County of Adelaide, the notice of which was published in the *Government Gazette* of 28 September 1989 at page 966, being the whole of the land comprised in Crown Record Volume 5316, Folio 913.

Dated 4 March 1996.

P. M. KENTISH, Surveyor-General

DENR 9843/1995

CROWN LANDS ACT, 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act, 1929, I, PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by DAVID WOTTON, Minister for the Environment and Natural Resources, Minister of the Crown to whom the administration of the Crown Lands Act, 1929, is committed DO HEREBY:

1. Resume the land defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as a Drainage Reserve and declare that such land shall be under the care, control and management of the Corporation of the City of Enfield.
3. Dedicate the Crown Land defined in The Third Schedule as a Public Road.

THE FIRST SCHEDULE

Drainage Reserve, allotment 39 of DP 29121, Hundred of Port Adelaide, County of Adelaide, the notice of which was published in the *Government Gazette* of 25 October 1990 at page 1311, The Fifth Schedule, being the whole of the land comprised in Crown Record Volume 5316, Folio 915.

THE SECOND SCHEDULE

Allotment 502 of DP 34439, Hundred of Port Adelaide, County of Adelaide, exclusive of all necessary roads, being portion of the land comprised in Crown Record Volume 5316, Folio 915, subject nevertheless to the Right of Way and Easement to the South Australian Water Corporation for sewerage purposes more particularly described and set forth in Land Grant Volume 4365, Folio 520 over that portion of allotment 502 marked "B" on DP 34439.

THE THIRD SCHEDULE

Allotment 501 of DP 34439, Hundred of Port Adelaide, County of Adelaide, being portion of the land comprised in Crown Record Volume 5316, Folio 915 and being within the Corporation of the City of Enfield.

Dated 4 March 1996.

P. M. KENTISH, Surveyor-General

DENR 9985/1995

CROWN LANDS ACT, 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act, 1929, I, PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by DAVID WOTTON, Minister for the Environment and Natural Resources, Minister of the Crown to whom the administration of the Crown Lands Act, 1929, is committed DO HEREBY dedicate the Crown Land defined in The Schedule as a Reserve for Telecommunication Purposes and declare that such land shall be under the care, control and management of Telstra Corporation Limited.

THE SCHEDULE

Allotment 1 of DP 41446, Hundred of Younghusband, County of Russell, exclusive of all necessary roads, being the whole of the land comprised in Crown Record Volume 5309, Folio 966.

Dated 4 March 1996.

P. M. KENTISH, Surveyor-General

DENR 3676/1994

CROWN LANDS ACT, 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act, 1929, I, PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by DAVID WOTTON, Minister for the Environment and Natural Resources, Minister of the Crown to whom the administration of the Crown Lands Act, 1929, is committed DO HEREBY:

1. Resume the land defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as a Public Road.
3. Dedicate the Crown Land defined in The Third Schedule as a Foreshore Reserve and declare that such land shall be under the care, control and management of the District Council of Warooka.

THE FIRST SCHEDULE

Foreshore Reserve, pieces 100 and 101 of DP 22933 and section 203, Hundred of Carribee, County of Fergusson, the notice of which was published in the *Government Gazette* of 22 April 1993 at page 1440, being the whole of the land comprised in Crown Record Volume 5299, Folio 413.

THE SECOND SCHEDULE

Allotments 12 and 14 of DP 44261, Hundred of Carribee, County of Fergusson, being portion of the land comprised in Crown Record Volume 5299, Folio 413 and being within the District Council District of Warooka.

THE THIRD SCHEDULE

Allotments 9 and 11 of DP 44261, Hundred of Carribee, County of Fergusson, exclusive of all necessary roads, being portion of the land comprised in Crown Record Volume 5299, Folio 413.

Dated 4 March 1996.

P. M. KENTISH, Surveyor-General

DL 4174/1986

CROWN LANDS ACT, 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act, 1929, I, PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by DAVID WOTTON, Minister for the Environment and Natural Resources, Minister of the Crown to whom the administration of the Crown Lands Act, 1929, is committed DO HEREBY dedicate the Crown Land defined in The Schedule as an Information Bay and declare that such land shall be under the care, control and management of the District Council of Coober Pedy.

SEARCH OF CROWN RECORD

* VOLUME 5339 FOLIO 218 *

COST : \$26.50 (GST exempt)
REGION : EMAIL
AGENT : BERR BOX NO : 000
SEARCHED ON : 11/02/2015 AT : 15:42:20
CLIENT REF PAE

PARENT TITLE : CR 5299/413
AUTHORITY : RTD 8010404
DATE OF ISSUE : 08/05/1996
REGISTRATION : 2

OWNER

THE CROWN

CUSTODIAN

YORKE PENINSULA COUNCIL OF PO BOX 88 MINLATON SA 5575

DESCRIPTION OF LAND

ALLOTMENT 9 DEPOSITED PLAN 44261
IN THE AREAS NAMED CORNY POINT AND WHITE HUT
HUNDRED OF CARRIBIE

TOTAL AREA: 15.6 HECTARES APPROXIMATE

EASEMENTS

NIL

SCHEDULE OF INTERESTS

LAND DEDICATED FOR FORESHORE PURPOSES PURSUANT TO THE CROWN LANDS ACT,
1929 BY GAZETTE 7.3.1996

NOTATIONS

DOCUMENTS AFFECTING THIS TITLE

RDA 12263677 UNREGISTERED

REGISTRAR-GENERAL'S NOTES

PLAN LODGED FOR APPROVAL OF DATA D95664

CONT.

SEARCH OF CROWN RECORD

* VOLUME 5339 FOLIO 218 *

REGION : EMAIL	PARENT TITLE : CR 5299/413
AGENT : BERR BOX NO : 000	AUTHORITY : RTD 8010404
SEARCHED ON : 11/02/2015 AT : 15:42:20	DATE OF ISSUE : 08/05/1996
	REGISTRATION : 2

ADMINISTRATIVE INTERESTS AND CROWN NOTES

NIL

END OF TEXT.

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

2. BUSH CAMPING RECOMMENDATIONS

(File Ref:9.24.1.1)

INTRODUCTION

In 2014 the Corporate Management team requested an Internal Audit/review of Yorke Peninsula Council's 'Bush Camping' processes. As a result, the Internal Audit made a number of recommendations to improve both the financial sustainability of the service and visitor satisfaction.

RECOMMENDATION

That Council endorse the proposed bush camping recommendations as presented.

COMMENT

The objective of the internal audit was to assess the key bush camping permit controls to determine areas for improvement. The review was limited to reviewing the current processes for Council staff and the local businesses that issue permits and collect fees on behalf of Council. The areas included in the scope were:

- Process for issuing bush camping permits
- Charging, receipting, banking and reconciliation of monies
- Issuing of infringement notices
- Review of Ranger responsibilities

Key findings of the audit included:

- Council is consistently operating at a loss to provide the bush camping service.
- The culture of camper's is to wait for the Council Ranger to visit the camping site rather than obtain a permit prior to camping.
- Inadequate and inconsistent processes for the collection, reconciliation and banking of permit fees.
- Limited information and limited ways for visitors to obtain camping permits.
- Inconsistent signage.

All of the internal audit recommendations are outlined below including completion dates and where required, budget implications.

Recommendation		Due Date	Budget
1.	A Bush Camping Policy is developed and widely communicated to the local community and visitors. The document should be simple and easy for the community to understand.	31/07/15	No additional Budget required

2.	Consider the current signage requirements, ideally an upgrade to signage to ensure consistent branding, correct location of signs and quality of information provided on the signage.	Ongoing as identified	\$5,000 in 2015/16 Budget
3.	Consider additional signage in key areas such as Port Wakefield or Federation Park informing the public of permit requirements.	Ongoing as identified	Unknown at this stage
4.	Identify additional businesses as campers enter Yorke Peninsula to issue and receipt permits.	30/06/15	No additional Budget required
5.	Council consider additional ways to access and obtain bush camping permits e.g. an on-line system via Council's website or Installing self-service kiosks.	30/6/15	No additional Budget required
6.	Once new processes are considered and implemented ensure that the Ranger educates and makes the bush camping public aware of new processes and change to culture.	1/1/16	No additional Budget required
7.	Develop a Bush Camping Permit procedure to reflect current expectations and communicated to staff, Rangers, and local business who are issuing permits on behalf of Council. At a minimum the document should outline the: <ul style="list-style-type: none"> ▪ Timeliness of collection and banking processes ▪ Standard receipting procedures, including reconciliation ▪ Security considerations when collecting and counting money ▪ Supporting documentation requirements ▪ Process for notifying Council when the identified businesses change ownership. 	30/06/15	No additional Budget required
8.	If it is considered too onerous for businesses to deposit fees in a timely manner, it should be added to the Ranger's responsibilities to collect shop permit fees, including reconciliation and issuing receipts at the premises.	31/07/15	No additional Budget required
9.	Consider bush camping fees as part of the 2016 annual review of fees and charges.	31/12/15	No additional Budget required
10.	Review the camp site space allocations, with the aim to clearly delineate all camp sites with permanent markings	31/12/15	No additional Budget required
11.	Consider suitable technology (e.g. hand held palm pilot, tablets) for the Rangers to document and issue bush camping permits. This should incorporate a camera to allow photos to be taken as part of the process (should an infringement need to be issued).	30/06/15	No additional Budget required

12.	Update information on Council's and the Visitor Information Centre websites to correctly reflect all locations where permits can be obtained.	30/06/15	No additional Budget required
13.	Review the role of the Rangers so that standardised duties are undertaken and work is allocated by geographic area. Furthermore, the Corporate Management Team should consider resource requirements of Rangers, particularly for weekend and peak times.	31/12/15	No additional Budget required
14.	Review the requirement of nominating a specific site and consider changing to a permit being applicable for any of the bush camping sites.	30/06/15	No additional Budget required
15.	Review the rationale of non-fee and fee payable sites and if appropriate, set fees (via gazettal) for all fifteen sites.	31/12/15	No additional Budget required

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Strategic Plan

Key Theme: Sustainable Communities

Strategic Goal: 3. Our Economy
3.1. Sustainable economic growth

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The total expected cost of implementing the proposed bush camping recommendations is \$5,000 from the 2015/2016 budget with any additional funds being drawn from existing budget allocations.

However, it is expected that these recommendations will ensure an increase in bush camping revenue collected.

YORKE PENINSULA COUNCIL CAMPING LOCATIONS



DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

3. LAND FOR THE PORT MOOROWIE COMMUNITY CLUB

(File Ref: 9.24.1.1)

INTRODUCTION

This report is to establish whether Council is supportive of taking over the care, control and management of (Lot 10) 65 Moorowie Tce, Port Moorowie to allow for the erection of a Community Centre on the site.

RECOMMENDATION A

That Council advise the Friends of Port Moorowie that it is not prepared to accept the care, control and management of Lot 10 Moorowie Tce, Port Moorowie (CR 5323/554).

Or

RECOMMENDATION B

That Council advise the Friends of Port Moorowie that it is prepared to accept the care, control and management of Lot 10 Moorowie Tce, Port Moorowie (CR 5323/554).

COMMENT

The Friends of Port Moorowie (FOPM) have requested that Council relinquish the care, control and management over Section 232, Hundred of Moorowie (Point Gilbert) and take on responsibility for the care, control and management of Lot 10 Moorowie Tce Port Moorowie, subject to the FOPM obtaining development approval for a proposed community centre on the site (Appendix 1).

The proposal suggests the inclusion of a 'sunset clause' which requires the site to revert to its former state should the FOPM not be able to maintain/sustain the Community Centre.

BACKGROUND

The Friends of Port Moorowie obtained Planning Consent in July 2013 for a 'Community and Sports Centre' to be erected on Section 232 Mozzie Flat Road, Port Moorowie. This approval is currently the subject of a third party appeal through the Environment, Resources and Development Court.

As an alternate option, the FOPM have sought out a different piece of land for this proposal which is more central to the built up area of Port Moorowie and which they consider may be more acceptable to the broader community. Initially the FOPM thought Lot 2 Moorowie Tce would be the ideal site for the development of the Community Centre and lodged a Development Application for this site. The application was dealt with as a Category 2 proposal and underwent the required public notification as required under the Development Act. Council received one representation against the proposal during the public notification period and a second representation after the closure of the public notification period.

The land which is proposed to be used for the development is Crown Land under the control of the Department of Environment, Water and Natural Resources. The Department will not lease the land to the FOPM however will permit Council to lease the land to the FOPM if Council takes on the care, control and management of the land.

A report presented to the March 2014 meeting of Council recommended that Council not take up the lease of Lot 2. This matter was not considered as the FOPM requested that the matter be removed from the agenda.

After meeting with Council staff to discuss options for moving forward with the application; at the suggestion of Council staff, the FOPM prepared a business plan (Appendix 2) to support their proposal. In consideration of the objections from neighbours in the locality, the FOPM also considered alternate sites and eventually came up with (Lot 10) 65 Moorowie Tce as the preferred site (Appendix 3).

As per Lot 2, Lot 10 is also under the control of the Department of Environment, Water and Natural Resources on behalf of the Crown, however, may relinquish such control if Council was to request to take over the care, control and management.

If Council has the care, control and management of the land it may then lease the site to another body for a use such as considered appropriate by Council e.g. to the Friends of Port Moorowie for the establishment of a Community Centre.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Section 192 of the Local Government Act, 1999

Strategic Plan

Key Theme: Community Engagement

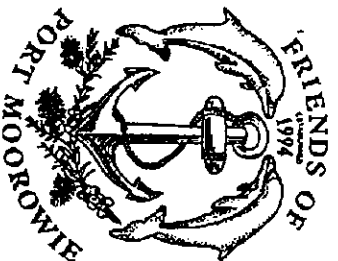
1. Vitality and Connection

Strategic Goal: 1.1 Develop and facilitate ongoing partnerships and relationships with Progress Associations, Tidy Towns and other key community groups.

1.3 Encourage and support our community in artistic, cultural and creative pursuit.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Should the FOPM be wound up/cease to exist, the Community Centre would become the responsibility of Council, as Council will have the care, control and management of the land. Whilst a sunset clause requiring the site to be returned to its former state appears to be a reasonable method to avoid responsibility/risk, it may well be difficult to enforce on a body which has been dissolved.



Friends of Port Moorowie Inc

PO Box 189 Yorketown SA 5576

Email address: thefopm@gmail.com

14 January 2015

Mr Michael Cartwright
Development Services
Yorke Peninsula Council
MINLATON SA 5575

Dear Michael

RE: Community Centre – Proposed for Lot 2/10 Moorowie Terrace Port Moorowie

Thank you again for the opportunity to meet and speak with you on Thursday, 4 December. Our main purpose in meeting was to express our concerns regarding the lack of availability of suitable land for a Community Centre, Council's reluctance to take over the care and control of Lot 2 and the on-going ERD Court process.

During the meeting I had the opportunity to make some requests which you asked for in writing and also you requested a Business Plan. Since that time I wrote to you requesting that we look at a different parcel of land ie Lot 10 Moorowie Terrace and gave our reasons as to why we thought this would have less impact on the neighbours.

Important factors borne out of the discussion include:

1. That the ERD Court process needs to be brought to a conclusion. It has been a long and drawn out process to date mainly due to attempting to find a compromise with the appellants. Lot 2 Moorowie Terrace was suggested as a more suitable site than Section 232 Part, Hundred of Moorowie at Point Gilbert and in fact was originally supported by Council at the ERD Court Conference.

2. The alternative site – Lot 2 Moorowie Terrace is a better site in terms of central location, better access for the community and has much stronger planning support based on the Development Plan provisions. It does appear that Council has reservations concerning the attitude of an adjacent resident who lodged a representation during the Category 2 notification to which we responded. However, we are prepared to concede that Lot 2 (whilst a better site) could be exchanged for Lot 10 Moorowie Terrace (a smaller block) which also has a non-existent road on the western side and would result in less objections.

3. We are aware that neighbours to both Lot 2 and Lot 10 do not have any appeal rights to the ERD Court and because it is a Category 2 development it is based on merit. We submitted our Development Plans for Lot 2 Moorowie Terrace as requested by Council but then withdrew them from the DAP meeting due to late information we received that they were not likely to be passed.

4. We now seem to be in a dilemma – not being able to demonstrate that we have an ‘interest’ or ‘potential interest’ in either Lot 2 or Lot 10 and therefore not able to get a decision on the ‘planning merits’ of the current proposal for Lot 2.

145

5. Recent correspondence from the Minister for Sustainability, Environment & Conservation advises that Council must take the responsibility for ‘care and control’ of such land.

Therefore, to bring this matter to a conclusion, we suggest the following:

1. Council considers the potential lease of Lot 10 (previously Lot 2) to the Friends of Port Moorowie with a ‘sunset’ clause which requires the site revert to its former state should the Friends of Port Moorowie not be able to maintain/sustain the Community Centre.
2. That the Minister for Sustainability, Environment & Conservation be advised that Council is willing to relinquish the ‘care and control’ of Section 232 Part, Hundred of Moorowie (Point Gilbert) and take on the responsibility for the ‘care and control’ of Lot 10 Moorowie Terrace subject to the Friends of Port Moorowie obtaining development approval for a proposed Community Centre on the site.
3. Firstly, that Council work with and advise the Friends of Port Moorowie of necessary changes, if needed, to the current Development Application submitted last year. Secondly, that Council work with the Friends of Port Moorowie so that the plans are submitted promptly to the DAP for determination.
4. That the Yorke Peninsula Council & the Friends of Port Moorowie advise the ERD Court (next meeting 16 February) that they will not be pursuing the current appeal (withdrawing their application) and that Council will be vesting Section 232 Part, Hundred of Moorowie back to the Minister for Sustainability, Environment & Conservation. Withdrawing the appeal is a sign of ‘good faith’ in order to bring this matter to a conclusion not only for the Friends of Port Moorowie, but also Council and the local community but we expect that this action will mean that Council commits to assisting the Friends of Port Moorowie in achieving an acceptable solution to finding a suitable location for a community centre.

We ask that Council give due consideration to all of the above proposals and the process be lessened so that we can achieve our goal.

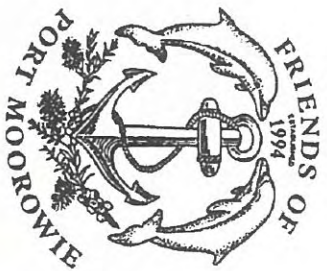
As suggested and discussed at the meeting would you please send me the report to Council in relation to Lot 2. Please find attached our Business Plan and we look forward to hearing from you very soon.

Yours sincerely

Jo Daniels-Wilson

Jo DANIELS-WILSON
Chairperson

cc Mayor Ray Agnew, CEO Andrew Cameron, Roger Brooks, Allan Cotton



BUSINESS PLAN 2015

Friends of Port Moorowie Inc
PO Box 189 Yorketown SA 5576

Email address: thefopm@gmail.com

Prepared:
14 January 2015
Jo DANIELS-WILSON

Yorke Peninsula Council
Council Agenda
Wednesday 8th April 2015

INTRODUCTION

147

The Friends of Port Moorowie Inc was incorporated as an association in September 1994 (Registration No A0022037X) and has just celebrated its 20th anniversary. As an association our objectives are mainly involved in:

- promoting an active interest in the welfare of the district and town of Port Moorowie,
- assisting and co-operating with the District Council of Yorke Peninsula to achieve these objectives,
- nurturing and enhancing the natural environment of Port Moorowie,
- encouraging the protection of the sand-dune areas of Port Moorowie on both public and private land,
- caring for the native flora and fauna and the marine environment in the area of Port Moorowie

Over the past 20 years and with various chairpersons and changing committees many important additions and improvements have been made to the township. Some of these include:

- 2 sets of beach steps at McEachens Beach and 1 set at each of the following: Point Reef, the Boat Ramp, Periwinkle Reef, Point Gilbert and Mozzie Flat
- Toilet block, BBQ & BBQ shelter at Periwinkle Reef car park
- Establishment of Native Coastal Display Garden
- Establishment of Recycling Depot

Whilst we have been fortunate enough to receive many grants for materials and also received some outside assistance by Coastcare volunteers, the bulk of the work was courtesy of a great band of volunteer workers who have always been willing to devote their time and energy to keeping Port Moorowie clean, neat and functional.

Other work completed by the Friends of Port Moorowie, volunteers and/or residents includes:

- Restoration of the sand dune due to a blow-out
- Re-vegetation of Coastcare land at Point Gilbert
- Installation of memorial benches along the foreshore/garden
- Establishment of walking trails
- Amenity pruning
- Weed control
- Mowing of reserves

○ Since 2008 it has been the desire of the Friends of Port Moorowie to erect a Community Centre for the whole township because presently there is no functional meeting place and we believe there would be untold benefits, namely:

- A hub in the town where various residents, landowners and visitors could interact with each other to promote a more cohesive township
- A central place for holding meetings regarding fire control, bushfire planning, Neighbourhood Watch, Keep Australia Beautiful, etc
- A centre for social activities during the day for either separate gender groups eg men's shed, women's craft or for combined social groups
- A centre to celebrate significant days eg Australia Day
- A centre to hold fund-raisers, bingo nights, happy hours, etc
- A meeting place for the committee of the Friends of Port Moorowie (meetings are held once a month for 11 months of the year)
- A centre to hold the AGM of the Friends of Port Moorowie
- A centre to hold social BBQs, morning teas or other such activities.
- A centre for significant birthday parties eg 60th, 70th
- A centre to hold lifestyle activities or other classes of interest

PORT MOOROWIE

149

The township of Port Moorowie approximately 14kms from Yorketown and situated on McLeod's Harbour was once a busy shipping port but is now a small holiday settlement.

Whilst predominately made up of holiday homes there are approximately 60 full time residents with the breakdown as follows:

- 2 children
- 3 teenagers
- 2 young adults
- 12 employed or self-employed persons
- 41 retirees

As an association we are focussed on the whole community but it would be mainly retirees who would make use of the centre during the day/weeknights and then incorporating the whole town on weekends and during holiday times.

As retirees make up the largest group within the confines of Port Moorowie it is important that we provide somewhere for them to meet and become involved in lifestyle activities. There are various people with health problems, including arthritis, heart problems, mental disorders and limited capacity to use walking trails so a centre to provide some lifestyle activities would be advantageous. Unfortunately, we are socially isolated due to the fact that there are no other provisions in the township, residents are reluctant to venture too far at night to neighbouring towns due to the increased cost of petrol, animal danger on the road and the distance. Unless travelling for specialist appointments, most residents only travel to Yorketown for shopping or doctor's appointments. Therefore to have a centre with a wide range of activities planned would reduce the social isolation that many encounter.

COMMUNITY FACILITIES

150

At present there are no adequate community facilities available to provide a meeting place for our association or for any social activities.

Over the past 20 years meetings have been held at members' premises until we moved permanently into the Craigard Building on Camperdown Terrace. Unfortunately this building has no toilets, no running water and no electricity and would not pass Occupational Health & Safety Regulations.

We have made several approaches to purchase or gain a long-term lease on this building with the desire to restore it and make it habitable for meetings, etc but these attempts have been fruitless. It is in the most desirable area of town, being central, but sadly the Craigard Proprietors will not accept any offers.

Over the past year and a half we have moved out of the Craigard Building to hold meetings at the home of the chairperson. Although this is more ideal in terms of comfort and amenities and it has encouraged members of the committee and visitors to stay around and chat with one another after the meeting, whilst enjoying refreshments, it is however an imposition.

Our town is devoid of many facilities available in other towns on southern Yorke Peninsula and whilst many landowners do not wish to change the uniqueness of the town they agree that a Community Centre is needed.

It is not our aim to duplicate other services or facilities in Yorketown but rather to have a congenial meeting place for our township.

COMMUNITY CENTRE

151

It is the intention of the Friends of Port Moorowie to provide an eco-friendly building which would blend in with the surrounding houses and countryside.

It is our aim that the building would comply with the statutory requirements as required by Council but would specifically include:

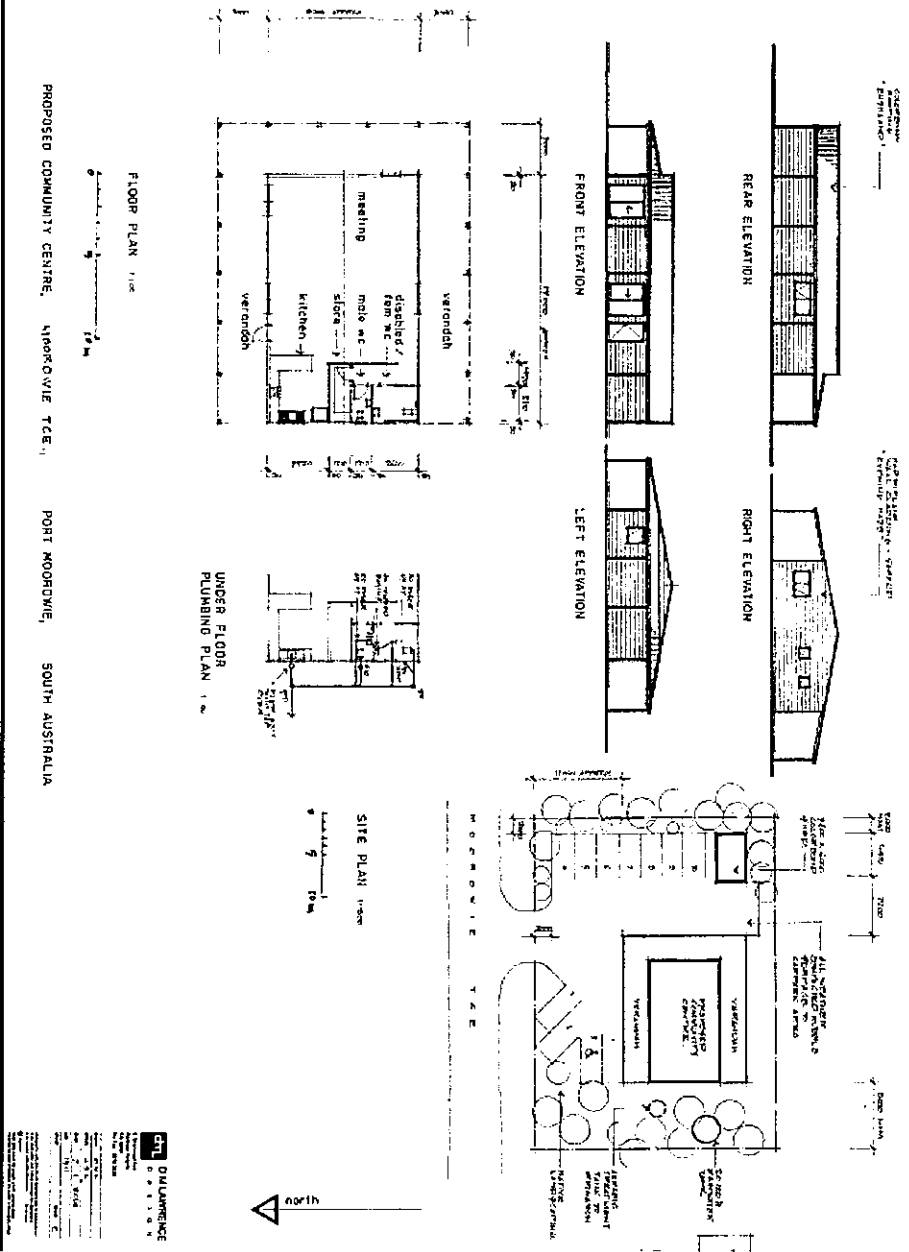
- Meeting area
- Kitchen
- Toilets (with access for the disabled)
- Storeroom
- Verandas
- Car parking (including a disabled car park)
- Ramp (for the elderly or disabled)
- Tanks (sufficient for kitchen and toilets)
- Sewerage and underground plumbing

If not included initially, it is intended that the following would be installed at some stage:

- Solar panels
- Security lighting
- Alarm system
- Storage shed (for ride-on-mower, caged trailer, garden tools, etc)

The land already has a buffer of trees on each side and the building would have appropriate insulation to prevent any noise and also assist with temperature control. Landscaping, with native trees, shrubs or plants would be an added feature to both enhance the centre and to blend in with surrounding homes.

Architectural Plan



Research

In 2010 some of the committee members visited The Pines and spoke at length with Wayne Wilson in relation to their new community centre, costs involved, processes followed, activities undertaken and to some extent we would model our Community Centre on theirs. Recently some of the committee looked at the Hardwicke Bay Community Centre to get further ideas of how theirs is situated, how it has allowed for disability access (if the building is raised) and the structure of the building.

Given that we have two members of the committee involved in the Building Industry and have access to a Planning Consultant, Engineer and Architect who are all willing to donate their time, we feel sure that all the right decisions will be made to provide the most eco-friendly and functional Community Centre.

Material – Community Centre

There are two (2) main types of structures which could be considered in the erection of the Community Centre:

1. Colour bond sheeting – Bushland Colour

- would blend in with the surrounding homes and vegetation
- not necessarily as weather friendly due to southerly winds
- major maintenance may be required over time

2. Hardiplank/sheet – painted cream or green

- the preferred choice but the cost may be prohibitive
- would blend in with surrounding homes
- would require painting from time to time
- more cost-effective over time as rust would not be an issue
- termite prevention would be necessary

Structure

There are three (3) types of methods of construction which we could consider:

- Transportable structure – Colour bond or Hardiplank

- whole building to be erected by supplier
- more expensive to our association (Hardiplank)
- council approvals would be completed by builder
- 2nd fixings would be done by FoPM – ie hook-up services
- would achieve our aim sooner

COST: **\$35,000 (Colour bond)**
\$74,000 + \$7,500 delivery (Hardiplank)

- Kit Home – Colour bond

- cheaper option – can be erected by volunteers
- Council approval would be needed by FoPM
- would take longer to achieve our aim

COST: **\$15,000-\$20,000 (Colour bond)**

- Second-Hand Transportable Building

- cheapest option
- new buildings available from Roxby Downs
- need to be approved by Council
- must meet all Building Codes & Regulations
- transported direct to location
- deposited on site but some work needed by volunteers
- toilets would need to be adjusted for disabled facilities

COST: **\$15,000 + \$7,000 delivery (approx)**

Personnel Involved

The following is a preliminary list of people who have agreed to donate time or work at reduced costs to enable this facility to be planned for, erected and completed.

<u>ROLE</u>	<u>NAME</u>	<u>SKILLS & RELEVANT EXPERIENCE</u>
Chairperson/Treasurer	Jo DANIELS-WILSON	Accounting, Fundraising, sound organisational skills
Vice-chairperson	Mike ARCHER	Electrical advisor
<u>Committee</u>	Mick HINCKS	Project Manager – Rigging, Construction
	Trent SICKERDICK	Construction
	Allan BAKER	Construction
	Greg KEMPSON	Surveying, Construction
	Cathie JOSEPH Ian RADFORD Veronika KEMPSON Helen SHEPHERD Andy DENNARD Tony DUNN	Landscaping
<u>ex-Officio</u>		
<u>Professional</u>	Leo NOICOS	Project Advisor, Engineer
	Brenton BURMAN	Planning Consultant
	David LAWRENCE	Architect
<u>Volunteers</u>	Barry WILLIAMS	Plumbing - advisor
	Paul SARA	Plumbing
<u>Employee</u>	Gary HART	Sewerage

Management

156

It would be imperative that we appoint a Steering Committee to manage the everyday running of the Community Centre together with the funds of the association so that the associated costs do not become a drain on our overall finances nor cause us to become insolvent.

The Steering Committee would be responsible for the overall management of:

- Opening days and times
- Fees to be charged – token coin or fixed cost involved
- Functions to be held – types and how often
- • Food preparation – obtain Council regulations regarding food handling
 - Noise pollution
 - Traffic pollution
 - Security
 - Management of water and electricity
 - Accounts payable – present in timely manner to be paid
 - Cleaning – kept up to high standard
 - General maintenance of building
 - Safety including behaviour of patrons
- • Landscaping care – pruning, watering
 - Locking-up

Given that there are a number of permanent residents in Port Moorowie it should be possible to find a group of workers who would be responsible for these tasks because without this committee the Community Centre cannot function adequately. They would be responsible for preparing a set of rules and regulations in terms of the running of the Community Centre and these would need to go to the committee of the Friends of Port Moorowie for ratification.

FINANCE

157

Since 2010, and with a great deal of work by the Committee and the generosity of landowners and visitors, we have increased our bank balance from \$6,878.15 to \$38,591.21 at 31 December 2014. In 2015 this balance will swell to over \$40,000.

(See Appendix for our financials)

Past fundraising has included:

- Subscriptions
- Donations
- Property Checks
- Community Lottery
- Raffles & Trading Tables
- Port Moorowie Stubby Holders, Magnets & Calendars
- Advertising

If we have the facility of a Community Centre we would be able to have Bingo Nights, Theme nights eg pizza nights, classes and other activities that would enable us to raise the necessary funds to keep the centre functional.

There are already two sizeable donations being offered once we gain approval for the facility and we are also hoping that we can sell sponsorship to some local businesses and landowners to raise extra capital. We envisage, for example, Gold (\$500), Silver (\$250) or Bronze (\$100) sponsorship with a plaque inside the building for Gold sponsors and the names on an honour board for the others. We hope that this might encourage people to assist in their local community.

It is also our intention to apply for a number of grants that will enable us to furnish and/or provide sporting equipment eg dart boards, billiard table, table tennis tables, etc and we are aware that they are readily available to encourage people (particularly seniors) to be more active.

MARKETING

158

It is not our desire to market our Community Centre to the wider community. Whilst it would be our aim to encourage visitors from outside the area to special events, classes, etc it is not our intention to hire out the Community Centre for parties which could disturb the peace and serenity of neighbours and/or the town as a whole as this could have long term ramifications.

However, we will be marketing the Community Centre to our landowners and to the wider community for planned activities and special events and the strategies we could employ to achieve this would include:

Port Moorowie Whaler

This publication goes out to our landowners three times a year (April, August and December) and we could publish planned activities in advance.

Email

We have access to a number of email addresses of landowners and we could provide a schedule of activities on a more regular basis through this medium.

Country Times Newspaper

If we wish to purchase advertising this is a relatively cheap way of getting the message across to the community.

Friends of Port Moorowie Website

Our website has the availability of providing information regarding activities planned and then photos and reports after the event. With further marketing of this website we could ensure that more use is made of it.

'What's on Yorke Peninsula' Website/DCSI Website

Both of these websites have the availability to list activities to promote our community.

Signage

We have window boxes and a sandwich board sign that have been employed in the past to advertise our activities.

PROJECT IMPLEMENTATION

159

Once the provision of land is made available, the lease is signed, our Development Application and our Planning Application is approved then the only other legal matter that we believe we have to consider is the ILUA agreement between the Narungga people and the Yorke Peninsula Council.

It is our aim to have the bulk of the structure erected within 9-12 months depending on whether it is through volunteer labour or whether it is being purchased as a whole. As shown in our 'Personnel Involved' we have a number of skilled residents and landowners but of course there are some things where we will have to employ the services of paid personnel but we are aware of these and have already contacted some firms.

CONCLUSION

With the suggestion to the Yorke Peninsula Council that a 'sunset' clause be included in the lease of Lot 10 should the Friends of Port Moorowie not be able to maintain/sustain the building we believe that we are being most responsible in our approach and not expecting the Yorke Peninsula Council to fund our centre nor contribute to its ongoing existence.

APPENDIX

1. 2014 Receipts & Payments Statement
2. 2014 Income & Expenditure Statement

FRIENDS OF PORT MOOROWIE INC - STATEMENT OF RECEIPTS & PAYMENTS FOR TI

RECEIPTS			
Date	Particulars	Balance	Date
1/01/2014	Balance	1926.80	31/12/2014
31/12/2014	Advertising	132.00	
	ATO BAS Refund	16.00	
	<u>Community Lottery</u>		
	People's Choice	1010.00	
	less payment to People's Choice	500.00	
	Donations	223.00	
	add 2015 Donation	50.00	
	<u>Fundraising</u>		
	Calendars (inc \$35 from 2013)	226.00	
	Christmas Raffle (inc \$20 from 2013)	900.00	
	Stubby Holders, Magnets, Books	59.00	
	Trading Tables	1553.55	
	Interest	2.99	
	Property Checks	880.00	
	add 2015 Property Checks	220.00	
	Recycling	876.10	
	Subscriptions	1055.00	
	add 2015 Subscriptions	170.00	
		8800.44	
1/01/2015	Balance as per Chq Alc cr	3301.89	
	Balance - Business Access cr	896.08	
	Balance - Incentive Saver cr	34298.59	
	Balance - Petty Cash Book	94.65	
		38591.21	

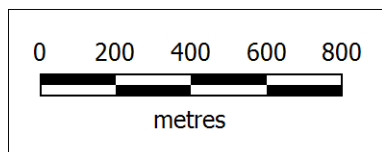
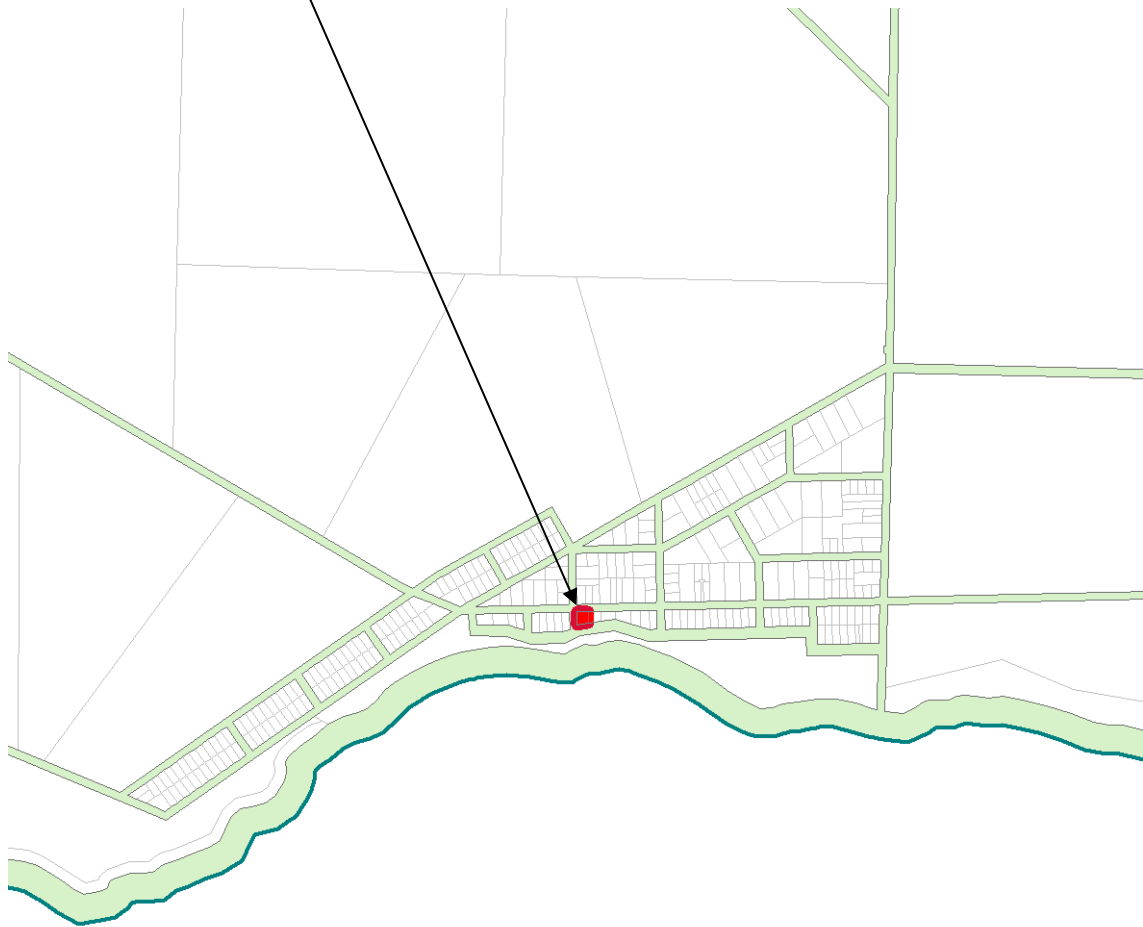
FRIENDS OF PORT MOOROWIE INC - STATEMENT OF INCOME & EXPENSE

EXPENDITURE

<u>Date</u>	<u>Particulars</u>	<u>Amount</u>
31/12/2014	ATO - BAS Statement	71.00
	DCYP - Development Application	318.00
	ERD Court - Planning Consultant	300.00
	Donations	100.00
	<u>Fundraising</u>	
	Garden Cart - Xmas Raffle	100.00
	Maintenance & Repairs	84.05
	Plants - NCGD	130.50
	Post Office Box	25.00
	Registration - trailers	150.00
	Stamps	400.00
	Surplus for year	7388.31
		9066.86

Subject Land

Lot 10 Moorowie Tce.



Lot no: 10 Moorowie Tce
suburb: PORT MOOROWIE
Owner Name1: Minister for Sustainability Environment & Conservation

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

4. MINING LEASE PROPOSAL KLEIN POINT LIMESTONE DEPOSIT, STANSBURY (File Ref: 9.24.1.1)

INTRODUCTION

Council has been provided with an opportunity to comment on a proposed mining lease for Adelaide Brighton Cement Pty Ltd, Klein Point Limestone Deposit, Stansbury.

RECOMMENDATION

That Council does not wish to make a formal submission in relation to Adelaide Brighton Cement Pty Ltd mining lease application regarding the Klein Point Lime Deposit, Retention Lease 28.

COMMENT

The Klein Point Lime Deposit Mine is situated between Stansbury and Wool Bay on the eastern side of the Peninsula. The mining operation is well established and has operated successfully since 1913.

The applicant is seeking a Mineral Lease over Retention Lease 28 to continue current operations into the future. It is anticipated that the lease will secure the viability of the mine for approximately 50 years commencing in 2030.

The location of the mine site is 5 km south of Stansbury and covers an area of 157.51ha.

Current mining operation will not change as a result of changes to the lease area. Overburden is removed to expose the underlying limestone and is then used to backfill the mined area. Top soil is then brought in and shaped to enable a continuation of farming practices.

Public consultation is via the Department of State Development website. www.minerals.statedevelopment.sa.gov.au. The last major public consultation took place in 1995 and according to the mining lease application, issues raised by the community have been addressed.

Given the established nature of the mining operation at Klein Point and its past history with the local community, the extension of the mine site will have little impact on the amenity of the area. There isn't any increase in activity levels, traffic movement or blasting activities and there does not appear to be reason for Council to object to this extension. Therefore it is recommended that Council does not offer any comment regarding the mining licence application.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Strategic Plan

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

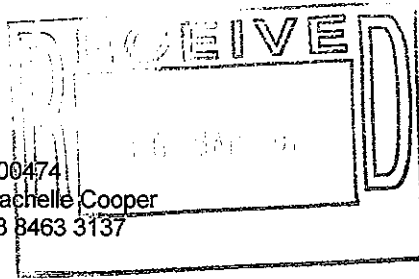
Strategic Plan


Key Theme: Economical Growth through Sustainable Development
Strategic Goal: 4. Economical Growth through Sustainable Industrial Development
4.1 Manage the impact of mining and other major industry growth on Council Assets and Infrastructure.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not applicable

Our Ref: T00474
Contact: Rachelle Cooper
Telephone: 08 8463 3137



Item Number
1768-2015-4
GDS Number
16.51.1.6
Distribution




Government
of South Australia

Department of
State Development

11 March 2015

District Council of Yorke Peninsula
PO Box 88
MINLATON SA 5575

Dear Sir/Madam

Mining Program Submission for Mining Lease Application

Further to my letter of 14 January 2015, I now enclose the final version of the Mining Lease Proposal (MLP) document to support the mining lease application received from Adelaide Brighton Cement Pty Ltd over Retention Lease 28, which describes the existing environment, type of operations proposed, an assessment of the environmental impacts of the proposal and a mine rehabilitation and closure plan.

An electronic copy of the Mining Lease Proposal is now available on the Department of State Development website:

http://www.minerals.statedevelopment.sa.gov.au/public_notices/mining_proposals_open_for_public_comment

As previously advised, the Minister for Mineral Resources and Energy is required to have regard to any representations received in determining the application or in fixing the conditions to be attached to the lease if granted.

You are invited to send written comments to Paul Thompson, Mining Assessments, Department of State Development, Mineral Resources Division, Level 7, 101 Grenfell Street, Adelaide SA 5000 or GPO Box 320 Adelaide SA 5001 by the due date of **14 April 2015**.

If you require more time to respond or you have any queries regarding this application, please contact Andrew Querzoli, Manager on 08 8226 1928. Please note that your response will be referred to the proponent for consideration and may be made public. If you do not wish your submission to be made public, please clearly indicate this in your response.


Information regarding *Making a Submission on a Mining Proposal* can also be found on the Department's website at:

http://www.minerals.dmitre.sa.gov.au/public_notices/making_a_submission_on_a_mining_proposal

It would be appreciated if you could provide the details of the proposal to any interested person within your council area upon request.

I will assume that no comment is intended if contact has not been made by the due date.

Yours sincerely



Rachelle Cooper

TENEMENTS OFFICER

MINERAL PRODUCTION TENEMENTS

2. DESCRIPTION OF THE EXISTING ENVIRONMENT

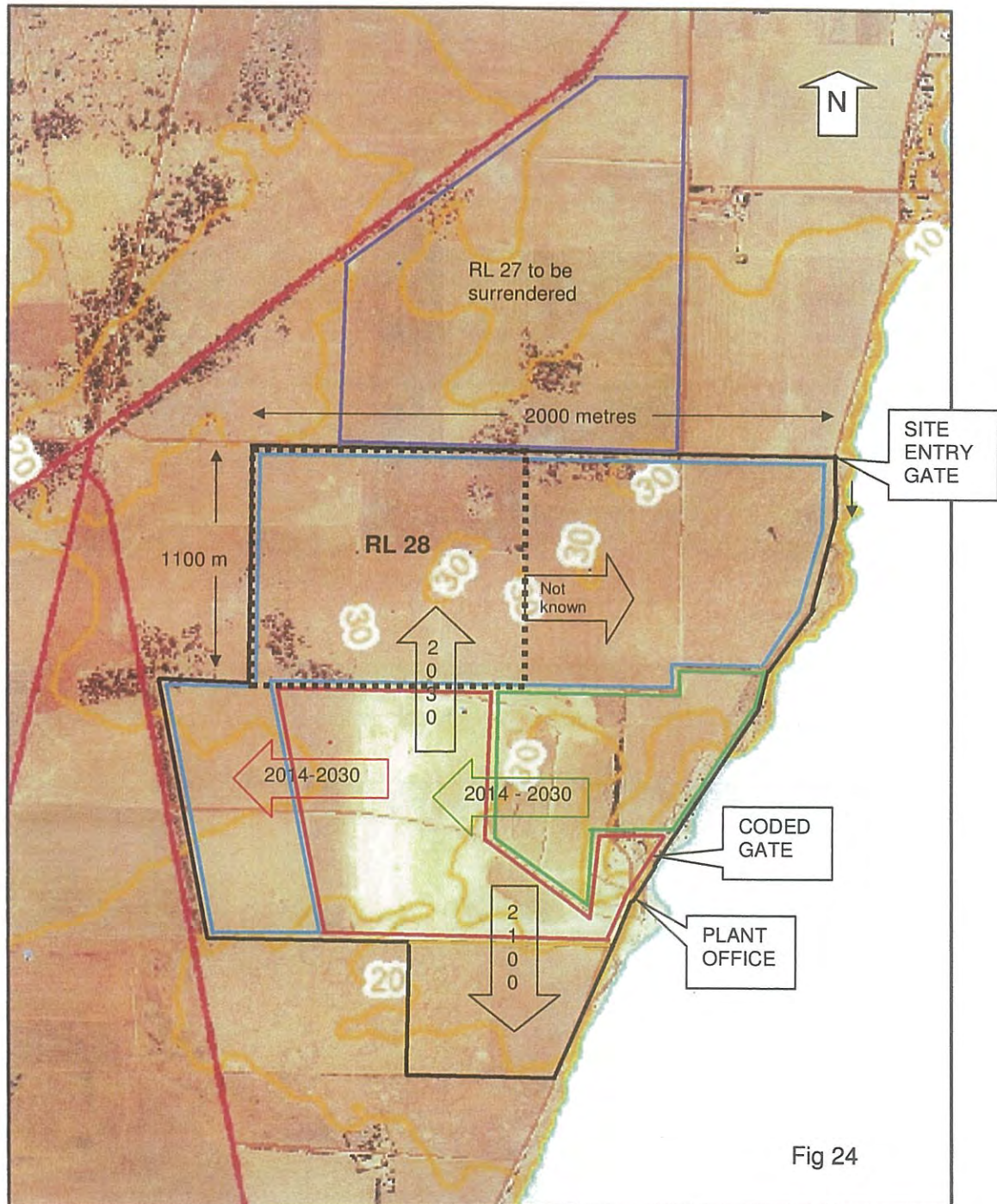
2.1 Local community

The site is located in a rural setting half way between the small townships of Stansbury and Wool Bay on Yorke Peninsula, about 200 km by road from Adelaide. Stansbury and Wool Bay have a combined population of around 800 and a varying tourism industry. The economy and employment for the area is dependant on mining and tourism. Retention Lease 28 lies south of Rocky Waterhole Road and is bordered by other current operating Adelaide Brighton Cement Ltd mining leases. The Klein Point Mine has been in operation since 1913 and provides raw materials for the Birkenhead plant in Port Adelaide. The site is within the District Council of Yorke Peninsula.

Figure 1: Surrounding features are as indicated on the map below:



**SITE PLAN SHOWING CURRENT OPEN MINE AREA, REHABILITATED AREA,
FUTURE MINE AREA, DIRECTION OF MINING AND MILESTONES**



LEGEND TO AREAS:

Black = Limits on Klein Point operations
 Blue = Areas to be mined over next 100 years
 Red = Open and working area and direction of mining
 Green = Rehabilitated area Note: Green arrow follows red arrow

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

5. AUTHORISATION LAND MANAGEMENT AGREEMENT

(File Ref: 9.24.1.1)

INTRODUCTION

This report is to seek authorisation from Council for the Mayor and Chief Executive Officer to execute a Land Management Agreement relating to development at Section 383 Hundred of Para Wurlie, commonly known as 94 North Coast Road, Point Turton.

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 Section 383 Hundred of Para Wurlie in the area named Point Turton, as contained in Certificate of Title Volume 5431 Folio 782.

COMMENT

Diana Pilkington, Herta Trivanovic, Michael Trivanovic, Alexander Trivanovic, Christopher John Pilkington, Kaila Brooke Pilkington and Jason Daniel Pilkington ("the Owners") have requested Council to execute documents to permit a Land Management Agreement (LMA) to be registered on the Title of Section 383 in the Hundred of Para Wurlie ("the Land"), commonly known as 94 North Coast Road, Point Turton.

The LMA was offered as part of development application 544/1197/2014 for the demolition of an existing dwelling and construction of a new dwelling upon the Land.

The Land is within the Coastal Settlement Zone in the Yorke Peninsula Council Development Plan and within 100 metres of the high water mark. Due to the proximity of the Land to the coast, the allotment is considered not suitable for on-site effluent disposal.

The current Point Turton Community Wastewater Management Scheme (CWMS) does not extend to the locality, nor does it have sufficient capacity to permit further connections to the system.

The Owners propose to enter into the LMA committing to the installation of an on-site holding tank with future connection to the CWMS when there is sufficient capacity to accept additional connections.

The LMA also provides for the Owners to contribute four thousand eight hundred dollars (\$4,800) to a Council Reserve Fund for the future expansion of the CWMS in the locality.

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

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

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

Strategic Plan

Key theme: Sustainable Communities

2. Progressive & Sustainable Development

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

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

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

**LAND MANAGEMENT AGREEMENT
BY DEED**

BETWEEN:

YORKE PENINSULA COUNCIL
("the Council")

AND

**DIANA PILKINGTON and HERTA TRIVANOVIC and
MICHAEL TRIVANOVIC and ALEXANDER TRIVANOVIC and
CHRISTOPHER JOHN PILKINGTON and KAILA BROOKE PILKINGTON
and JASON DANIEL PILKINGTON**
("the Owner")

THIS DEED is made the day of 2015

BETWEEN:

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

And

DIANA PILKINGTON of 35 Harrow Terrace KINGSWOOD SA 5062 and
HERTA TRIVANOVIC and **MICHAEL TRIVANOVIC** both of 2 Egerton
Avenue ROSTREVOR SA 5073 and **ALEXANDER TRIVANOVIC** of Care PO
DENMARK WA 6333 and **CHRISTOPHER JOHN PILKINGTON** of 35 Harrow
Terrace KINGSWOOD SA 5062 and **KAILA BROOKE PILKINGTON** of 167
Young Street PARKSIDE SA 5063 and **JASON DANIEL PILKINGTON** of 35
Harrow Terrace KINGSWOOD SA 5062 ("the Owner")

BACKGROUND:

RECITALS:

- A. The Owner is a proprietor of the whole of the land comprised and described in Certificate of Title Register Book Volume 5431 Folio 782 otherwise referred to as Section 383 Hundred of Para Wurlie in the area named Point Turton ("the Land").
- B. By a Development Application numbered 544/1197/2014 ("the Application") the Owner has sought development approval from the Council for the demolition of an existing dwelling and the construction of a new dwelling on the Land.
- C. The Owner wishes to enter into this Deed as part of the said application to provide for the installation of a temporary containment (holding tank) with a future connection to a Community Wastewater Management Scheme ("the CWMS") and which is to be constructed by the Council at some appropriate future time.

- D. Pursuant to the provisions of section 57(2) of the Development Act 1993 the Owner has agreed with the Council to enter into this Deed relating to the development, management, preservation and conservation of the Land, subject to the terms and conditions hereinafter mentioned.

OPERATIVE PART

IT IS AGREED:

1. INTERPRETATION

- 1.1. The Owner and the Council acknowledge the accuracy of the matters referred to in the Background which shall comprise and form a part of this Deed.
- 1.2. In the construction of this Deed unless inconsistent with or repugnant to the context:
- 1.2.1. "the Code" means the Government of South Australia Department for Health and Ageing On-Site Wastewater Systems Code;
- 1.2.2. "the Owner" shall if the Owner be a company include its successors, assigns and transferees and when the Owner is a person includes his or her heirs, executors, administrators and transferees and when the Owner consists of more than one person or company all and every two or such persons or companies jointly and each of them severally and their respective successors, assigns, heirs, executors, administrators and transferees of the companies or persons being registered or entitled to be registered as the proprietor of an estate in fee simple to the land and subject however to such encumbrances, liens and interests as are registered and notified by memoranda lodged with the Register General and proper for entry upon a Certificate of Title appearing in a Register Book and includes the present Owner;
- 1.2.3. "the Reserve Fund" means the fund entitled Point Turton Effluent Scheme Extension established by the Council into which money is paid and held by the Council towards the

- cost of construction of the CWMS;
- 1.2.4. Words and phrases used in this Deed which are defined in the Development Act 1993 or in the Regulations made under the Act shall have the meanings ascribed to them by the Act or the Regulations as the case may be;
 - 1.2.5. Words and phrases used in this Deed which are defined in the South Australian Public Health Act 2011 or in the Regulations made under the Act shall have the meanings ascribed to them by the Act or the Regulations as the case may be;
 - 1.2.6. Reference to any statute or subordinate legislation shall include all statutes and subordinate legislation amending, consolidating or replacing the statute or subordinate legislation referred to;
 - 1.2.7. Words importing any gender include both genders;
 - 1.2.8. The expression "person" includes a corporate body;
 - 1.2.9. Any term which is defined in the statement of names and description of the parties or in the Background shall have the meaning therein defined.
- 1.3 Where two or more persons are bound hereunder to observe or perform any obligation or agreement whether express or implied they are bound jointly and each of them severally.
 - 1.4 Clause headings are provided for reference purposes only and are not to be resorted to in the interpretation of the Deed.
 - 1.5 The requirements of the Deed are at all times to be construed as additional to the requirements of the Act and any other legislation affecting the Land.
 - 1.6 If any provision of the Deed shall be found by a court of competent jurisdiction to be invalid or unenforceable in law then and in such cases the parties hereby request and direct such court to sever such provision from the Deed.

2. THE OWNER'S OBLIGATIONS

- 2.1 The Owner shall notify the Council in writing of any change of ownership of the Land.
- 2.2 The Owner shall give to any intending purchaser of the Land written notice of this Deed.
- 2.3 The Owner shall lodge a separate application under the South Australian Public Health Act 2011 and the South Australian Public Health (Wastewater) Regulations 2013 ("the On-Site Wastewater Application") for the installation of a septic tank and temporary containment (holding tank).
- 2.4 The On-Site Wastewater Application must be approved by the Council in writing prior to the grant of Development Plan Consent in relation to the Development Application.
- 2.5 The On-Site Wastewater Application shall provide for the installation of a four thousand five hundred (4,500) litre RI Treat waste holding tank (or similar) and alarm system and shall comply with the Code.
- 2.6 At the time the On-Site Wastewater Application is lodged the Owner shall pay to the Council a contribution to the Reserve Fund in the sum of FOUR THOUSAND EIGHT HUNDRED DOLLARS (\$4,800) for a future connection to the common pressure line of the CWMS which will transport effluent to the treatment plant ("the Connection Contribution") which amount is acknowledged by the parties to be a genuine pre-estimate of the cost to be incurred by the Council to establish the connection to the CWMS.
- 2.7 The Connection Contribution amount will be identified in the Council's fees and charges register.
- 2.8 Any approval granted by the Council in respect to an On-Site Wastewater Application may be subject to condition(s) as the Council deems fit to impose.
- 2.9 The Owner shall ensure the temporary containment (holding tank) is emptied and its contents disposed of in accordance with the provisions of the Code.
- 2.10 The Owner agrees to take full responsibility for the disposal of accumulated waste from the temporary containment (holding tank).

- 2.11 Within six (6) months of the completion of the CWMS and connection and the establishment of the Connection Point to the Land by the Council, the Owner must make an application to connect to the CWMS.
- 2.12 Following the establishment of the Connection Point the Owner agrees to pay a yearly service charge to the Council in an amount determined by the Council pursuant to its then current rates and charges policy to maintain the connection.
- 2.13 All costs associated with the installation of the holding tank including the costs of construction, installation and operation shall be the responsibility of the Owner.

3. THE COUNCIL'S OBLIGATIONS

The Council shall use its best endeavours but shall be under no legal obligation to provide a connection point to the Owner's Land for a connection to the CWMS ("the Connection Point").

- 3.1. The Connection Point will be established when sufficient funds in the opinion of the Council have been accumulated in the Reserve Fund to enable an upgrade of the existing sewerage treatment plant and the supply and installation of the CWMS rising main to service the Land.

4. ADJUSTMENT OF THE CONNECTION CONTRIBUTION

- 4.1 If the actual cost incurred by the Council to establish the connection to the CWMS is either greater or less than the sum specified in Clause 2.6 then the Owner must pay to the Council an amount equivalent to any additional cost or the Council must refund to the Owner equivalent to the reduction of the cost (as the case may be).

5. THE COUNCIL'S POWER OF ENTRY ETC

- 5.1 The requirements of this Deed are to be at all times construed as additional to the requirements of the Act and any other legislation affecting development on the Land AND the consent of the Council pursuant to this Deed shall be obtained prior to the Owner seeking

any consent under the Act. Nothing contained in the Deed shall fetter the Council in the exercise of its discretion as the Relevant Authority under the Act.

5.2 The Council or any employee or authorised officer of the Council may at any reasonable time upon giving twenty-four hours written or verbal notice to the Owner or any occupier enter into and upon the Land for purposes of:

5.2.1 inspecting the Land and any building or structure thereupon;

5.2.2 exercising any other powers of Council under this Deed or pursuant to law;

PROVIDED HOWEVER the Council or any employee or authorised officer shall not be required to give such notice if in the reasonable opinion of the Council or such employee or authorised officer urgent entry is required.

5.3 If the Owner is in breach of the terms of the Deed the Council may by notice in writing served on the Owner require the Owner to remedy the breach within such time as is nominated by the Council in the notice (being not less than twenty-eight (28) days of the date of service of the notice) and if the Owner fails to remedy the breach the Council or its servants or agents may carry out necessary works upon the Land and recover any costs thereby incurred from the Owner.

5.4 The Council may delegate any of its powers under this Deed to any person.

6. RESTRICTION ON LEASING AND OTHER DEALINGS

6.1 The Owner shall not grant any lease, license, easement or other right of any nature whatsoever which may give any person the right to possession or control of or entry onto the Land upon any terms whatsoever unless such a grant:

6.1.1 is expressed in writing; and

6.1.2 is made with the previous written consent of the Council; and

6.1.3 contains as an essential term of covenant by the grantee not to do or omit to do (or suffer or permit any other person to do or omit to do) any act, matter or thing which would constitute

a breach by the Owner of the Owner's obligation under this Deed.

7. REGISTRATION OF THIS DEED

- 7.1 Each party hereto, insofar as they may achieve the same, shall do all things necessary to ensure that this Deed is registered and a memorial thereof entered on the Certificate of Title for the Land in priority to any other instrument pursuant to the provisions of section 57(5) of the Act.
- 7.2 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 development of the Land.

8. VARIATION AND WAIVER

- 8.1 This Deed may not be varied except by a Supplementary Deed signed by the Council and the Owner.
- 8.2 The Council may waive compliance by the Owner with the whole or part of the obligations on the Owner's part herein contained provided that no such waiver shall be effective unless expressed in writing and signed by the Council.

9. COSTS

The Owner shall bear all legal costs of an incidental nature to the preparation (including drafts), negotiation, settling, lodging for stamping and noting and the obtaining by the Council of advice in relation to this Deed including all stamp duty and registration fees. Such costs shall be payable forthwith on the registration of the Deed at the Land Titles Office.

10. NOTICES

- 10.1 Notice shall be for the purpose of this Deed to be properly served on the Owners if it is:-
- 10.1.1 posted to the Owner's last address known to Council; and
- 10.1.2 affixed in a prominent position on the Land.

11. GOVERNING LAW

11.1 The law governing the interpretation and implementation of this Deed shall be the law of South Australia.

11.2 This Deed contains the whole agreement between the parties in respect of the matters referred to herein.

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

SIGNED by the said **DIANA PILKINGTON**)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **HERTA TRIVANOVIC**)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **MICHAEL TRIVANOVIC**)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **ALEXANDER**)
TRIVANOVIC)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **CHRISTOPHER JOHN**)
PILKINGTON)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **KAILA BROOKE**)
PILKINGTON)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **JASON DANIEL**)
PILKINGTON)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

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

THE COMMON SEAL of the **YORKE**)

PENINSULA COUNCIL was hereto affixed)

In the presence of:

.....
Signature of Mayor

.....
Print Full Name of Mayor (BLOCK LETTERS)

.....
Signature of Chief Executive Officer

.....
Print Full Name of Chief Executive Officer (BLOCK LETTERS)

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 Owner entering into this deed.

THE COMMON SEAL of the person)
described in **ITEM 3 of the SCHEDULE**, if) *Not Applicable*
any, was hereunto affixed in the presence of:

Not Applicable

.....

THE OWNER HEREBY CERTIFIES pursuant to Section 57(4) of the Act that no other person has a legal interest in the land.

SIGNED by the said **DIANA PILKINGTON**)
In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **HERTA TRIVANOVIC**)
In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **MICHAEL TRIVANOVIC**)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **ALEXANDER**)

TRIVANOVIC)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **CHRISTOPHER JOHN**)

PILKINGTON)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **KAILA BROOKE**)
PILKINGTON)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SIGNED by the said **JASON DANIEL**)
PILKINGTON)

In the presence of:

.....
Signature of WITNESS

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

.....
Address of Witness

SCHEDULE

ITEM 1

Full Name and Address of Owner:

DIANA PILKINGTON OF 35 HARROW TERRACE
KINGSWOOD SA 5062 AND HERTA TRIVANOVIC AND
MICHAEL TRIVANOVIC BOTH OF 2 EGERTON AVENUE
ROSTREVOR SA 5073 AND ALEXANDER TRIVANOVIC OF
CARE PO DENMARK WA 6333 AND CHRISTOPHER JOHN
PILKINGTON OF 35 HARROW TERRACE KINGSWOOD SA
5062 AND KAILA BROOKE PILKINGTON OF 167 YOUNG
STREET PARKSIDE SA 5063 AND JASON DANIEL
PILKINGTON OF 35 HARROW TERRACE KINGSWOOD SA
5062 AS JOINT TENANTS

ITEM 2

Land Description:

THE WHOLE OF THE LAND COMPRISED WITHIN
CERTIFICATE OF TITLE VOLUME REGISTER BOOK
VOLUME 5431 FOLIO 782 BEING SECTION 383 HUNDRED
OF PARA WURLIE IN THE AREA NAMED POINT TURTON

ITEM 3

Full Name of person with legal interest in the Land (if any) and details of interest in the Land:

NOT APPLICABLE

ITEM 4

Plans of the Proposed Development:

ATTACHED HERETO

BUILDING NOTES

WC DOORS TO HAVE LIFT OFF HINGES IN ACCORDANCE WITH SOUTH AUSTRALIAN HOUSING CODE APPENDIX G1

THIS HOUSE TO BE CONSTRUCTED IN ACCORDANCE WITH THE HOUSING CODE SOUTH AUSTRALIA

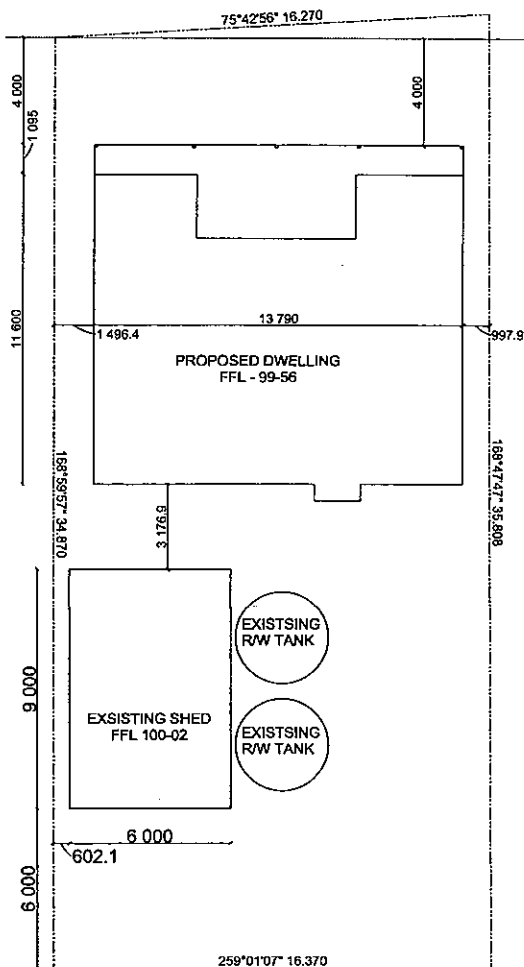
WINDOW SIZES HEIGHT X WIDTH ALL WINDOWS SET TO BRICKSOND

WEATHER SEALS TO ALL EXTERNAL DOORS

TERMITE PROTECTION IN ACCORDANCE WITH AS 3680.1/2000 PERIMETER: VISUAL BARRIER USING EDGE EXPOSURE 75mm FROM DAMPROOF COURSE TO TOP OF PAVING

HARD WIRED SMOKE ALARMS WITH 9V BATTERY BACK-UP

R2.0 INSULATION TO EXTERNAL WALLS
R4.0 INSULATION TO CEILINGS



North Coast Road

Yorke Peninsula Council
AMENDED PLAN

5/1/15
AUTHORISED OFFICER

COPYRIGHT
THE DRAWING AND THE DESIGN DEPICTED ON
REMAIN THE PROPERTY OF THE AUTHOR.
REPRODUCTION IN ANY FORM WITHOUT THE
PROHIBITED UNLESS WRITTEN PERMISSION
IS OBTAINED FROM THE AUTHOR.
PLANS ARE FOR USE ONLY ON THE 10s
SPECIFIED IN THE TITLE BOX

Diana & Christopher Pilkington
94 North Coast Rd
Point Turton
SA 5575

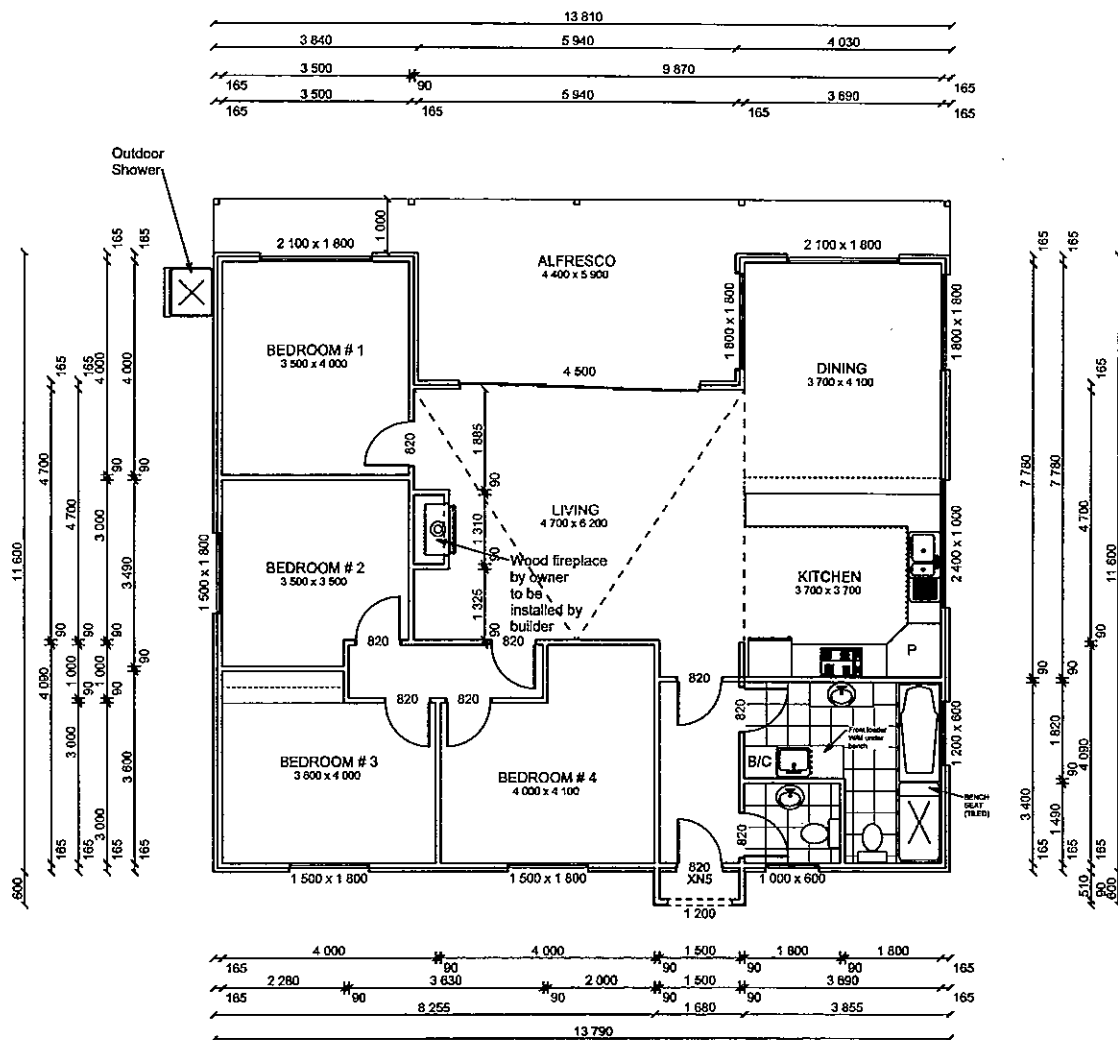
Coast to Coast
HOMES
PTY. LTD.

Coast to Coast Homes Pty Ltd
57B George St Moonla SA 189 5558
PHONE: 08 8825 2481 FAX: 08 8825 1155
david@c2ch.com.au

SCALE @ A3:1:200

DATE: Tuesday, 23 December 2014

DRAWN BY: Nils



Yorke Peninsula Council
AMENDED PLAN

DATE: 5/1/15
AUTHORISED OFFICER

BUILDING NOTES
 - ALL DOORS TO HAVE LIFT OFF HINGES IN ACCORDANCE WITH SOUTH AUSTRALIAN HOUSING CODE. (SECTION 10)
 - THIS HOUSE TO BE CONSTRUCTED IN ACCORDANCE WITH THE HOUSING CODE SOUTH AUSTRALIA
 - WINDOW SIZES TO BE 1/2 OF THE WALL AREA
 - WEATHER SEALS TO ALL EXTERIOR DOORS
 - TYPICAL PROTECTION ACCORDANCE WITH AS 3601.2000/2001
 - VISUAL BARRIER (LANDSCAPE) TO BE PROVIDED
 - COUNCIL TO TOP OF PAVING
 - HARD WIRE BACKUP ALONG WITH AN BATTERY BACKUP

Diana & Christopher Pilkington
 94 North Coast Rd
 Point Turton
 SA 5575

Living 149.69 Sq. m.
 Alfresco 36.83 Sq. m.
 Total 186.51 Sq. m.

Coast to Coast HOMES PTY. LTD.

Coast to Coast Homes Pty Ltd
 57B George St Moonta SA 5558
 PHONE: 08 8825 2481 FAX: 08 8825 1155
 david@c2ch.com.au

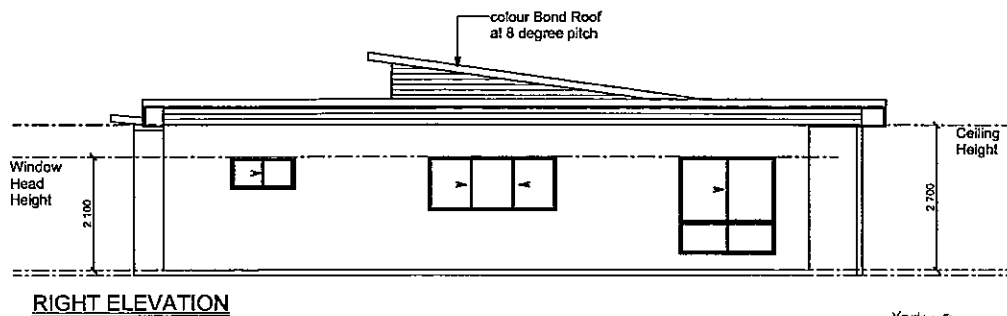
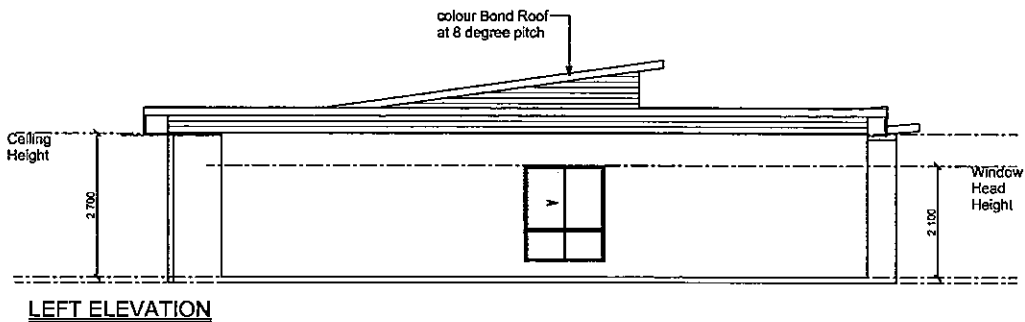
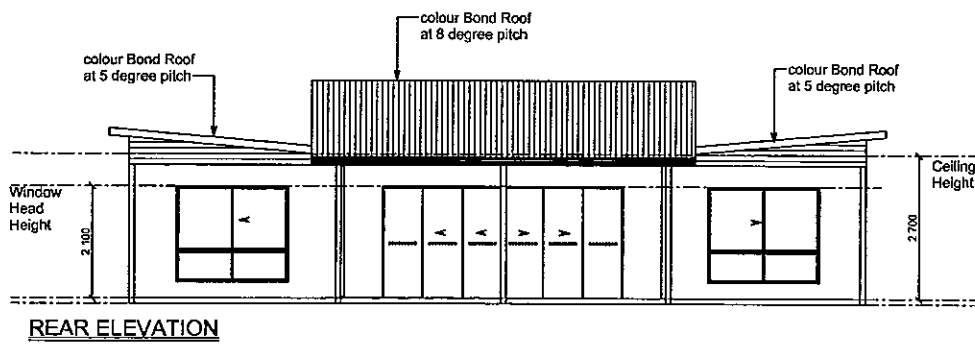
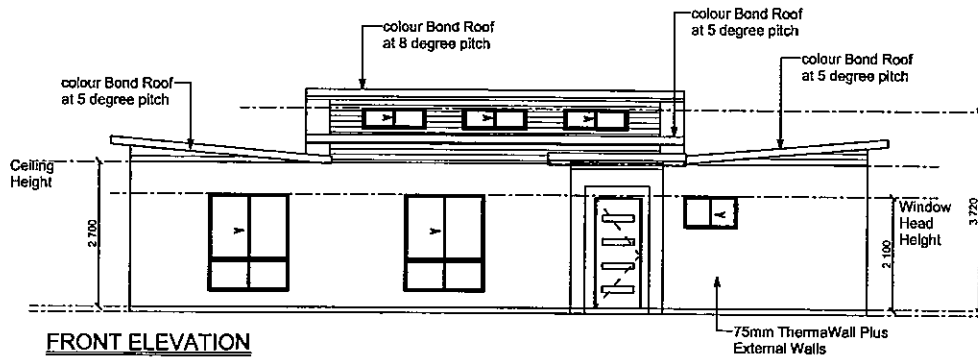
SCALE @ A3: 1:100

Date Printed
 Tuesday, 23 December 2014

DRAWN
 BY: Nita

Yorke Peninsula Council
 Council Agenda
 Wednesday 8th April 2015

DESIGN:



Yorke Peninsula Council
AMENDED PLAN

SIGNED *[Signature]* 5/1/15
AUTHORISED OFFICER

BUILDING NOTES
- ALL DOORS TO HAVE LEFT OFF HANDLES IN ACCORDANCE WITH SOUTH AUSTRALIAN HOUSING CODE (APPROX 01)
- THIS HOUSE TO BE CONSTRUCTED IN ACCORDANCE WITH THE HOUSING CODE SOUTH AUSTRALIA
- WINDOW SIZES HEIGHT & WIDTH ALL TO BE AS SHOWN
- WEATHER SEALS TO ALL EXTERNAL DOORS
- TERNATE PROTECTION IN ACCORDANCE WITH AS 3602 UNDERPANCHMENT
- VISUAL BARRIER LINDS FOR EXPOSED BATTERY BACK-UP
- HARD WOOD SHOCK ALUMINUM WITH BATTERY BACK-UP

Yorke Peninsula Council
Council Agenda
Wednesday 8th April 2015

Diana & Christopher Pilkington
94 North Coast Rd
Point Turton
SA 5575
DESIGN :

Coast to Coast HOMES
PTY. LTD.

SCALE @ A3: 1:100

Coast to Coast Homes Pty Ltd
57B George St Moonta SA 5558
PHONE: 08 8825 2481 FAX: 08 8825 1155
david@c2ch.com.au

Date Printed
Tuesday, 23 December 2014

DRAWN
BY: Nita

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

6. PROPOSED SEAWALL FOR ROUGES POINT

(File Ref:9.24.1.1)

INTRODUCTION

This report is to establish whether Council is supportive of upgrading the rock revetment at the end of Davies Tce, Rouges Point to a standard consistent with that being undertaken by the land owners in the locality.

RECOMMENDATION A

That Council commit to fund the construction of a sea wall at the end of Davies Tce, Rouges Point as per the plans prepared by Magryn Engineering Consultants (Drawing No. 14847-1 Revision B) and the quotation provided by MA Skinner (\$94,029.37).

Or

RECOMMENDATION B

That Council not commit to the construction of a sea wall at the end of Davies Tce, Rouges Point.

COMMENT

Property owners at Rouges Point have received consent to construct a seawall adjacent their properties to mitigate the erosion of the beach. Portion of the proposed seawall is at the end of the cul-de-sac on Davey Road and Council has been requested to contribute towards the cost of installation.

The beach in front of Rouges Point is eroding, particularly at the southern end of the beach. The area of concern is a group of 22 dwellings along the beach front, with sites 27 to 31 being impacted most (Appendix 1).

The sites were previously protected by a low vegetated frontal dune. High tides occasionally flooded the area behind this dune in front of the sites. This frontal dune and vegetation has now eroded away and the erosion scarp at the top of the beach is now the property boundary. Photos of the locality prior 2008 show the extent of erosion and the proximity to the dwellings on the adjacent sites (Appendix 2).

In November 2008 temporary sand bagging was installed at the southern end of the beach as an emergency measure to protect the adjacent properties (Appendix 3).

The sand bagging was always intended as a temporary measure to provide some form of protection to the sites whilst a more permanent solution was devised. The sand bags have helped to mitigate erosion in the locality however they are not considered a long term solution or sufficient to prevent coastal inundation of adjacent properties (Appendix 4).

A report undertaken by Magryn & Associates in 2008 recommended that work be undertaken in two areas. Firstly a 'soft option' to conserve existing sand and vegetation along the beach, so as to slow erosion and recession of the top of the beach. Secondly, a 'hard option' to provide a stop against ongoing erosion and recession of the beach, which will ultimately undermine and destroy the shacks.

1. Soft Option

- Installation of sand bag groynes at 4 locations along the beach.
- Backfilling behind groynes with beach sand.
- Installation of sand drift fencing along the beach.
- Vegetation of sand dune areas near the top of the beach.

The soft option should be viewed as temporary, and depending upon storm events over time, may need to be reinstated or rebuilt at intervals. The aim of the soft option is to hold sand and vegetation along the beach, which will act as a buffer during the time of a storm.

2. Hard Option

- Rock revetment wall

The purpose of the hard option is to provide an end stop to the erosion and to protect the shacks.

The proposed 'seawall' comprises a revetment wall, including rock armour face and steel post/concrete sleeper wall being installed in a phased program along the beach, as needed. A Development Application was lodged for the proposed 'Seawall' in front of allotments 27 – 31 and subsequently approved by the Development Assessment Commission on 17 December 2009 (Appendix 5).

The proposed seawall is to be located on Crown land in front of the allotments, buried into the sand to a large degree and only fully exposed by either ongoing erosion or by severe storm events. The seawall proposes to run from a rocky outcrop to the south of the existing Council constructed rip-rap at the end of Davey Road to, and including, allotment 31 to the north. Plans of the proposed works have been prepared (Appendix 6) and quotes obtained for the construction.

The rip-rap in front of the Council road has been identified as poorly constructed without geotextile backing or secondary rock armour. Concern has been raised over the adequacy of this construction to effectively thwart future erosion in the locality and possible issues with the seawall in front of the properties if the area is flooded from behind through the Council part of the seawall (Appendix 7).

It has been recommended that Council take the opportunity to upgrade the existing rip-rap to the same construction proposed with the new sea wall. There should be cost savings to have Council's portion of the seawall upgraded whilst the machinery is on site and doing the work for the property owners. A quote has been obtained for this work which, including a timber walkway over the seawall, comes to a little over \$94,000 (Appendix 8) – none of which has been budgeted for.

Since obtaining Development Approval to construct the seawall the owners of land, being lots 27 – 31, have been liaising with the State Government to obtain tenure over the land in front of their properties. Tenure has recently been granted and the owners are now keen to proceed with the project as soon as possible, hopefully whilst there are still good tides to enable ready access onto the beach and before winter to avoid possible storm events.

Council needs to consider whether it considers it necessary to upgrade the rip-rap at the end of Davey Road to same or similar standard proposed by the property owners and if so, is there a possibility of funding the work to marry in with the work being undertaken by the property owners.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Section 192 of the Local Government Act, 1999

Strategic Plan

Key Theme: Corporate Governance and Leadership
1. Progressive Communities through Strategic Planning

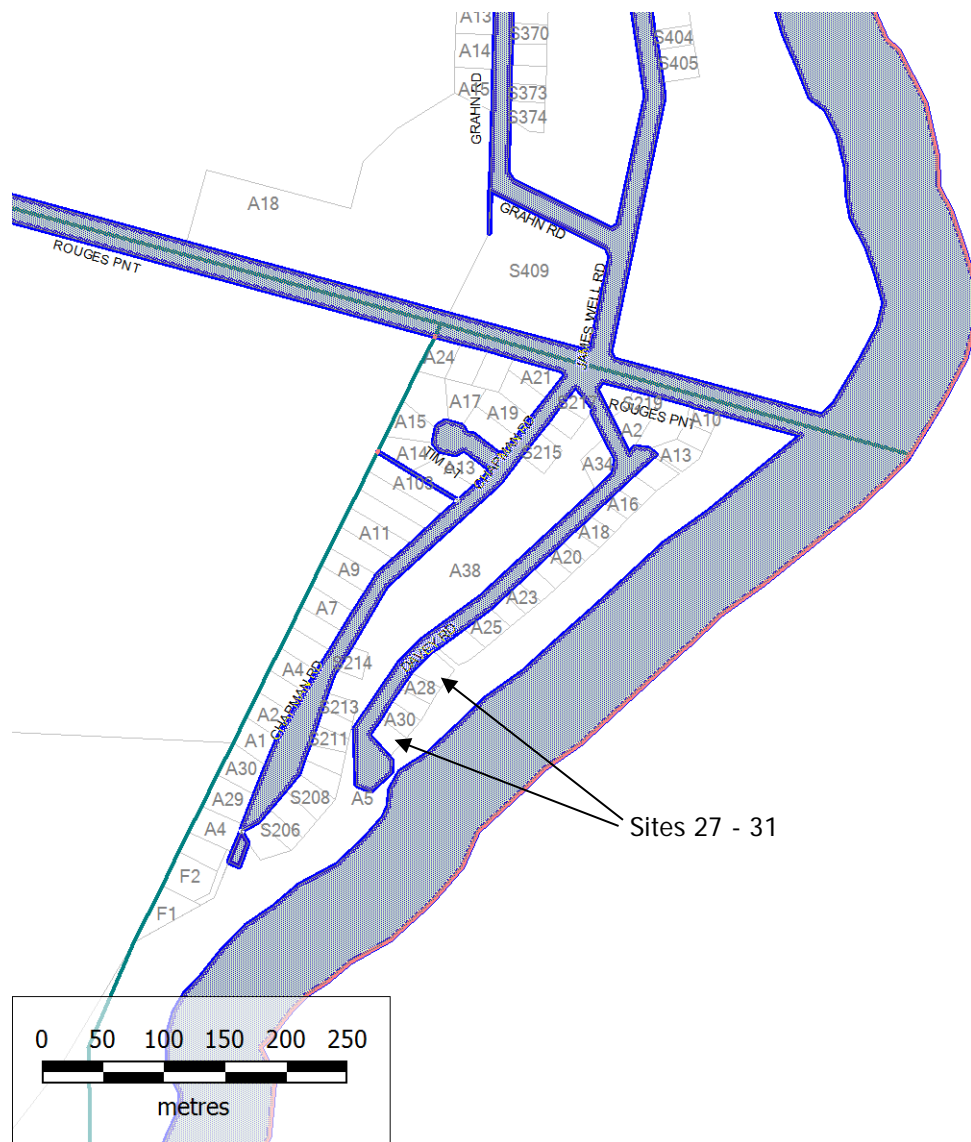
Strategic Goal: 1.1 Strong, proactive leadership

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

If Council does not upgrade the existing rip rap at the end of Davey Road, there is a risk that coastal flooding will come in through the cul-de-sac at the end of Davey and damage property and/or the newly constructed seawall from the rear. The probability of such occurrence is considered high and the impact is also considered high.

Council's liability for damages in such event is however uncertain.

Locality Plan









South Australia - Regulation under the Development Act, 1993 Regulation 42

DECISION NOTIFICATION FORM

Contact Officer: Phil Turvey
Telephone: 84636194

Development Number
 544/2248/09

FOR DEVELOPMENT APPLICATION

DATED: 16 September 2009
REGISTERED ON: 16 September 2009

TO: Mr Terry Magryn
 Magryn and Associates Pty Ltd
 267 Brighton Road
 SOMERTON PARK SA 5044

EMAIL: admin@magryn.com.au

LOCATION OF PROPOSED DEVELOPMENT:

Lot No	Section No.	Street	Suburb	Hundred	Title Reference
Lot 39 DP 57653		Davey Road	Rogues Point	Mulooowurtle	CR Volume 5899 Folio 429

NATURE OF PROPOSED DEVELOPMENT
 Protection Works for Shacks on Allotments 27 to 31 Davey Road

From: DEVELOPMENT ASSESSMENT COMMISSION

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT GRANTED	NO. OF CONDITIONS	CDNSENT REFUSED	NOT APPLICABLE
Development Plan Consent	GRANTED	11		NA
Land Division				NA
Land Division [Strata]				NA
Building Rules Consent	REQUIRED			NA
Public Space				NA
Other				NA
DEVELOPMENT APPROVAL	REQUIRED			

Any conditions imposed are set out on the attached sheet.

51 representations from third parties concerning your category 3 proposal were received. If there were third party representations, any consent/approval or consent/approval with conditions does not operate until the periods specified in the Act (fifteen business days) have expired. If there is an appeal by a third party, any consent or consent with conditions shall not commence until determination of the appeal. On expiry of fifteen business days from the date of the decision on your application you should contact the Environment Resources and Development Court (8204 0300) to find out if there has been an appeal lodged.

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Notification Form, you must not start any site works or building work or change the use of the land until you have also received notification of a Development Approval.



Roger Freeman – Principal Planner
 Development Assessment Commission

Date of Decision: 17 December 2009

Date: 22/12/09

[3] Sheets Attached

Conditions of Approval – 544/2248/09

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development for a seawall, rock revetment, sand bag groyne, sand replenishment and landscaping in front of shacks allotments 27-31 Davey Road shall be established in strict accordance with the details and plans submitted in development application number 544/2248/09 including additional information contained in the Report on Beach Stabilization at Southern End of Rogues Point, Revision A, prepared by Magryn and Associates Pty Ltd dated October 2009.
2. That the permanent pedestrian access point shall form part of the land tenure agreement to ensure maintenance and replacement are the responsibility of the developers.
3. That all construction materials used, including steel posts, concrete sleepers, sand bags and walkway materials, shall be finished in neutral colours which complement the existing beachfront environment.
4. That the construction footprint of the proposed wall shall be as far inland as practicable to allow safe and effective construction and ongoing maintenance. This footprint shall be verified by a qualified surveyor and Mr Terry Magryn and marked out for inspection by the Department of Environment and Heritage prior to any construction commencing.
5. That the applicants shall submit a formal application to the Minister for Environment and Conservation seeking either an extension of the existing freehold boundaries (in which case this land will be subject to a right of way to allow pedestrian access by members of the public) or an easement to facilitate construction and maintenance of the seawall on Crown Land.
6. That no excavation or construction shall commence until the Minister for Environment and Conservation has approved the application for tenure and all requirements related thereto have been completed.
7. That the landscaping shown on the plans forming part of the application shall be established immediately following the construction of the sea wall and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.
8. That there shall be no pedestrian access constructed over the sea wall and rock revetment.

Conditions Directed by the Coast Protection Board

9. That the seawall alignment shall be amended near Allotment 27, to ensure that the seawall directly abuts the private land, to the satisfaction of the Coast Protection Board.
10. That the area between the existing Council Carpark rock protection and the proposed shack 31 rock protection, shall be developed to provide connected and continuous protection, and ownership shall be determined, to ensure the integrity of the proposed protection system is retained.
11. That the seawall design shall be extended for the width of the walkway between shacks 26 and 27 and a permanent pedestrian access point to the beach via a timber walkway shall be installed to enable pedestrians to traverse the seawall.

Advisory Notes

1. The proposed sand bag groyne is located on land administered by the Minister for Transport and agreement must be reached with the Department for Transport, Energy and Infrastructure to ensure tenure rights.
2. State Government Policy is for all costs associated with shack protection to be borne by the shack owner including construction, maintenance and upgrading requirements to meet sea level rise i.e. raising the structure to withstand a further 0.7 metres of sea level rise to the year 2100.
3. The permanent pedestrian access point must form part of any land tenure agreement to ensure maintenance and replacement (if required) responsibilities and costs are defined.
4. Any tenure granted by the Department for Environment and Heritage will entail payment of market value for the Crown land and is a discretionary power of the Minister for Environment and Conservation.
5. A further development application may be required if the existing freehold boundaries are extended to cover the footprint of the seawall.
6. No construction costs nor any tenure costs will be borne by the Minister for Environment and Conservation or the Department for Environment and Heritage.
7. Should the individual shack owners seek tenure and the Minister for Environment and Conservation approve the application, then appropriate indemnities will be required.
8. The Transport Services Division of the Department for Transport, Energy and Infrastructure advises that the applicant may be required to install navigation markers for any permanent structures in the water.
9. The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
10. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.
11. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
12. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
13. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which this notice is received or such longer time as the Court may allow.

14. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).

15. The applicant is advised that it is an offence under the Aboriginal Heritage Act 1988 to damage, disturb or interfere with any Aboriginal site or remains. The land is subject to the Narunga Local Government Indigenous Land Use Agreement. Contact on this issue can be made with the Narunga Nation Aboriginal Corporation (NNAC) through

Lempriere Abbott McLeod
93 Carrington Street
ADELAIDE SA 5000

The NNAC is responsible for arranging heritage surveys in the area affected by this development under the Narunga Local Government Indigenous Land Use Agreement.



Roger Freeman
PRINCIPAL PLANNER, ASSESSMENT DIVISION
As delegate of the
DEVELOPMENT ASSESSMENT COMMISSION
g:\development_assessment\resources\adviser_notional_land_from_lempriere_abbott_mcleod_agreement\UNIL_071110n_agreement_adelaide\56_martin_martinon_notification_form_481.doc

Magryn & Associates Pty Ltd

Consultant Civil, Structural, and Coastal Engineering

20

9th December, 2014

14847

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

Dear Allan,

Re: Rogues Point Seawall at Turnaround Area

The construction of the seawall at the end of the Davey Road turnaround is a necessary upgrade for the following reasons:

- The existing rock revetment is poorly constructed. The waves wash through and cause erosion of the sand behind.
- This has been a problem for several years, requiring frequent reconstruction and addition of rocks by council.
- The construction of the seawall at the end (southern) shack is likely to increase the erosion rate/potential at the turnaround.

As a result of the above points, the long term benefits from constructing the seawall at the end of the turnaround will well outweigh the initial cost of the project.

Yours faithfully,



Will Souter



QUOTE CALCULATION

Contractor: Magryn & Associates
 Project: Seawall Repairs Point, Yorke Peninsula
 Job No: 14_1902a
 Contract No:

Davey Road Turnaround

ITEM	DESCRIPTION	QTY	UNIT	RATE \$	AMOUNT \$
1	ESTABLISHMENT				
	Transport plant to and from site	1	ITEM	\$642.87	\$642.87
				Sub Total 1	\$642.87
2	SITE PREPARATION				
	Preparation of site.	1	ITEM	\$4,465.23	4465.23
				Sub Total 2	\$4,465.23
3	SEAWALL				
	Supply and placement of Geotextile	360	M2	\$14.96	\$5,392.01
	Supply and placement of Secondary Armour Armour, 2 layers, 200-300mm	415	Tonnes	\$48.69	\$20,208.56
	Supply and placement of Main Armour 650-800mm, 2 layers.	424	Tonnes	\$55.82	\$23,661.25
	Supply and placement of Toe Rock, 1000mm dia approx.	88	Tonnes	\$58.35	\$5,153.05
	Supply and placement of retaining well.	32.5	M	\$426.14	\$13,849.43
				Sub Total 3	\$68,264.31
4	SAND BAG GROVNE				
	Supply and placement of Groynes with 73 sandbags Eucrook 2152 RX8	0	ITEM	\$0.00	\$0.00
				Sub Total 4	\$0.00
5	WALK OVER				
	Supply and placement of walk over, to similar specs.	1	ITEM	\$8,521.43	\$8,521.43
				Sub Total 5	\$8,521.43
6	SAND PLACEMENT				
	Supply and placement of 500mm 3 of sand.	0	M3	\$0.00	\$0.00
				Sub Total 6	\$0.00



QUOTE CALCULATION

Contractor: Magryn & Associates
 Project: Seawall Rogues Point, Yorke Peninsula
 Job No: 14_1902b
 Contract No:

Davey Road Turnaround

7 PLANTING			
Supply and placement of vegetation.	0 ITEM	\$0.00	\$0.00
		Sub Total 7	\$0.00
8 Survey			
Survey and as constructed drawings.	1 ITEM	\$2,530.00	\$2,530.00
		Sub Total 8	\$2,530.00

Total Items 1 to 8		\$84,423.84
Provisional Sums:		
Additional Testing		\$0.00
Rock Excavation		\$0.00
Subgrade Replacement		\$0.00
Common Service Work		\$0.00
Dewatering		\$0.00
Site Fencing		\$0.00
Total - Provisional Sums		\$84,423.84
Fuel Levy	1%	\$844.24
Total - Tender (Excluding GST)		\$85,268.07
GST		\$8,526.81
CTB Levy	0.25%	\$234.49
TENDER TOTAL:		\$94,029.37

Hire Rates for Variations

Labour	Normal Time \$/Hr.	Over Time \$/Hr.
Site Manager	\$60.00	\$100.00
Leading Hand	\$55.00	\$90.00
Plant Operator	\$45.00	\$80.00
Pipe Layer	\$45.00	\$80.00
Labourer	\$40.00	\$70.00

Plant & Equipment (including Fuel, Excluding Labour)	Rate \$/Hr.
Backhoe	\$85.00
Excavator 5T	\$85.00
Excavator 25T	\$120.00
Grader	\$120.00
Leg Rammer	\$30.00
Loader	\$120.00
Pad Foot Roller	\$100.00
Smooth Drum Roller	\$100.00
Semi Tipper	\$100.00
Tandem Tipper	\$75.00
Tandem Tipper & Trailer	\$100.00
Water Truck 8000L	\$90.00
Rock Excavation / m3	\$155.00

DIRECTOR DEVELOPMENT SERVICES

DA/ITEM 6.4

7. COMMERCIAL USE OF FOOTPATHS POLICY

(File Ref: 9.24.1.1)

INTRODUCTION

To seek approval from Elected Members for the adoption of the updated Commercial Use of Footpath Policy PO040.

RECOMMENDATION

That Council endorse the updated PO040 Commercial Use of Footpath Policy for inclusion in Council's Policy Manual and on the website.

COMMENT

The Commercial Use of Footpath Policy was introduced in 2012 to safely manage the needs of pedestrians, road users and business owners by allowing the commercial use of footpaths in appropriate circumstances.

It is a legal requirement by business to obtain a permit prior to using a footpath for business purposes. At first, there was some resistance from business owners to obtain a permit but the permit system has been well accepted by the business community.

The original Policy had a review date of two years and after reviewing the policy only minor adjustments have been made to reflect Council's name change from DCYP to YPC as well as general formatting to meet Council's typing standards and template systems. Due to the use of the new template track changes are not available. There have been no changes to the intent of the policy.

As a result of only minor changes being made it is proposed that this policy be reviewed every three (3) years from the current review timeframe of two (2) years.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Sections 221 & 222 Local Government Act 1999

Development Act 1993

Disability Discrimination Act 1992

PO091 Risk Management Policy

Strategic Plan

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

Strategic Goal: 2.3 Meet all legislative and compliance responsibilities

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The purpose of the policy is to mitigate Council's risk in relation to the commercial use of footpaths within the Council district by ensuring that persons using the facilities have the appropriate permit to be doing so. The persons that obtain a valid permit are to adhere to the terms and conditions of that permit at all times.



Agriculturally rich~Naturally beautiful

COUNCIL POLICY

Commercial Use of Footpaths

Policy Number:	PO040		
Strategic Plan Objective	Meet all legislative and compliance responsibilities		
Policy Owner:	Director Development Services	File Number:	20.63.1.1
Responsible Officer:	Senior Compliance Officer	Minute Reference:	
Date Adopted:		Next Review Date:	April 2018

1. POLICY OBJECTIVES

The Yorke Peninsula Council recognises that the commercial use (suitably positioned goods and/or outdoor cafés) on a footpath can enhance shopping enjoyment and provide an economic benefit for traders.

The policy assists Council to safely manage the needs of pedestrians, road users and business owners by allowing the commercial use of footpaths in appropriate circumstance.

2. SCOPE

This policy covers all applications made to Council for the commercial use of footpaths.

3. DEFINITIONS

Nil

4. POLICY STATEMENT

A person must obtain a permit from Council before using a public road (includes footpath) for a commercial use. (It is an offence to use a public road for business purposes unless authorised to do so by a permit).

Council encourages the commercial use of footpaths when all the needs of all the users of the street and public space, including the safety of pedestrians and other users are met. Council will take these factors into consideration, as well as other relevant factors in assessing an application for the commercial use of a footpath.

A permit under this section may be subject to such conditions as the Council sees fit and are included in the permit.

The nominated permit area and operating hours are to be defined by the permit holder and will be shown on the permit.

Applications for the commercial use of a footpath must be made in writing by completing the relevant form and accompanied by additional information that the Council may reasonably require.

A fee as determined by Council for a permit for the commercial use of public road will apply. All permits will expire on 30 June annually.

5. COMPLAINTS

Complaints in relation to this policy can be directed to Council's Senior Compliance Officer and will be managed in accordance with Council's P0147 Complaints Policy.

6. REVIEW

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

7. TRAINING

Training needs will be reviewed as part of Council's Training Plan and as necessary in consideration of performance reviews, changes to legislation and relevant standards, codes and guidelines.

8. RELATED COUNCIL POLICIES AND DOCUMENTS

SF196 Application for Commercial Use of a Footpath
S116 Guidelines to Commercial Use of Footpaths
SF152 Commercial Use of Footpath Checklist

9. REFERENCES AND LEGISLATION

Sections 221 & 222 of the Local Government Act 1999
Development Act 1993
Disability Discrimination Act 1992
PO091 Risk Management Policy

10. COUNCIL DELEGATION

Delegate:	Director Development Services
Sub Delegate:	Senior Compliance Officer

11. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Issuing licences for goods on footpaths & occupying outside cafes	PO040	07/04/2003	08/06/2010
Commercial Use of Footpaths	PO040	08/08/2012	March 2015

CONFIDENTIAL

AGENDA

DIRECTOR ASSETS & INFRASTRUCTURE SERVICES

ITEM 8 – CONFIDENTIAL

1. WALK THE YORKE: CARTAGE AND CONSTRUCTION OF COMPACTED GRAVEL TRAIL AT POINT PEARCE TENDER 118-2015 (File Ref: 9.24.1.1)

INTRODUCTION

The purpose of this report is for Elected Members to consider awarding the tender for cartage and construction of compacted gravel trail at Point Pearce, Section 64 of the Walk the Yorke Leisure Trail (tender 118-2015).

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 Cartage and construction of compacted gravel trail at Point Pearce Tender is confidential information relating to –

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

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

Section 91(7) Order

2. That having considered agenda item 8 Walk the Yorke Cartage and construction of compacted gravel trail at Point Pearce 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 Cartage and construction of compacted gravel trail at Point Pearce Tender be retained in confidence for a period of 12 months.

COMMENT

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*.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN
--

Sections 90 & 91 - Local Government Act 1999

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not applicable.

DIRECTOR ASSETS & INFRASTRUCTURE SERVICES

ITEM 8 – CONFIDENTIAL

2. MATERIAL SUPPLY TENDER 117-2015

(File Ref: 9.24.1.1)

INTRODUCTION

The purpose of this report is for Elected Members to consider awarding the tender for supply and delivery of road construction materials (tender 117-2015).

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 Material Supply Tender is confidential information relating to –

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

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

Section 91(7) Order

2. That having considered agenda item 8 Material Supply 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 Material Supply Tender be retained in confidence for a period of 12 months.

COMMENT

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*.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Sections 90 & 91 - Local Government Act 1999

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Not applicable.