































































19 Treasurer's Instruction 15 – Council must comply with the requirements of Treasurer's Instruction No.15 (as per Attachment 1).

<b>Schedule 1</b>	
<u>Coast Protection Board Grant:</u>	<b>\$20,000</b> (excluding GST)
<u>Minimum Council Contribution:</u>	<b>\$5,000</b> (excluding GST)
<u>Project Scope:</u>	<b>Preparation of a flood protection strategy for Coobowie.</b> Engage a consultant to review the existing levee at Coobowie and prepare a flood protection strategy. Consultancy brief to be agreed with DEWNR Contact prior to invitation of tenders.
<u>Latest Completion Date:</u>	<b>31 May 2015</b>
<u>Final Invoice and Final Report by:</u>	<b>19 June 2015</b>
<u>DEWNR Contact:</u>	<b>James Guy</b> , Team Leader Coastal Programmes Phone: (08) 8124 4907 Email: <a href="mailto:james.guy@sa.gov.au">james.guy@sa.gov.au</a>
<u>Council Contact:</u>	<b>Stephen Goldsworthy</b> , Operations Manager Phone: (08) 8832 0000 Email: <a href="mailto:stephen.goldsworthy@yorke.sa.gov.au">stephen.goldsworthy@yorke.sa.gov.au</a>

**Please sign both copies of this agreement and return one to the Coast Protection Board as quickly as practicable, retaining the other for your files.**

The Board appreciates your Council's involvement in this important project and looks forward to a beneficial partnership. For further information, please contact James Guy as indicated above.

Yours sincerely



Dr Murray Townsend  
Manager, Coast and River Murray Unit  
**Department of Environment, Water and Natural Resources**  
Date: 11 September 2014

SIGNED for and on behalf of  
the Council :

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Organisation: \_\_\_\_\_

Date: \_\_\_\_\_

## **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 October 2014 meeting of Council.

##### **RECOMMENDATION**

That the report be received.

##### **COMMENT**

- Roadside vegetation activities have been undertaken within the Hundred of Warrenben (Marion Bay Road), Hundred of Coonarie (Coonarie East Road) and Hundred of Tiparra (Tea Tree Glen Road, Barnes Road and Ferguson Road).
- Footpath maintenance has been applied to streets within Warooka, Port Vincent and Port Victoria.
- Approximately forty five (45) Customer Service Requests have been addressed throughout September with activities including:
  - Driveway installations;
  - Repairing vandalism;
  - Maintenance to public buildings;
  - Sealed and Unsealed road maintenance;
  - Tree trimming;
  - Sign maintenance and installation;
  - Stormwater infrastructure maintenance;
  - CWMS maintenance; and
  - Maintenance to coastal infrastructure.
- Servicing to Parks, Gardens and Reserves is ongoing throughout the district inline with resource availability.
- Road construction and/or maintenance activities have been applied to the following roads in accordance with 2014/15 Budget allocations:
  - South Coast Road – ongoing;
  - Daly Head Road – patch work;
  - Rocky Waterhole Road – re-sheeting commenced;
  - Gulfview and Dalrymple Terrace – construction commenced;
  - Price Wharf Road – patch work;
  - Clasohm Road – re-sheeted;
  - Gap Road – re-sheeted;
  - Nalyappa Road – re-sheeting commenced;
  - Crowell Road – patch work; and
  - Melton South Road – patch work.
- Patrol Grading is ongoing throughout the district consistent with the required technique and schedule.

- Council have replaced coastal access stairs at Rogues Point with the assistance of external stimulus funding. The team involved need to be commended on the extremely high standard and quality of workmanship.
- Walk the Yorke – Markers and Bollards have been installed between Port Clinton and Ardrossan. Overall, more than 60% of the 100 kilometres of total trail has been laid. The past month has seen trail laid in the following sections:
  - Coobowie;
  - Wool Bay to Coobowie;
  - Stansbury to Wool Bay – 50% complete;
  - Port Vincent to Stansbury – 50% complete; and
  - Port Vincent Golf Club to Dowcers Bluff.
- The following upgrades/works have been applied to Community Wastewater Management Systems (CWMS) and Water Supply schemes:

#### CWMS

➤ New Chlorine Analysis Shed	<b>Port Victoria</b>
➤ Bulk Storage Tank installed	<b>Port Victoria</b>
➤ Upgrade to Waste Storage Tank roof	<b>Yorke town</b>
➤ Gravity drain replacement (Caroline Street)	<b>Maitland</b>
➤ Gravity drain flushing	<b>Maitland</b>
➤ Civil works for Buffer tank	<b>Maitland</b>
➤ Upgrade to alarm system pump station	<b>Maitland</b>
➤ Upgrade to Bridge Road pump station	<b>Ardrossan</b>
➤ Improvements to Evaporation Pond access	<b>Ardrossan</b>
➤ Repairs to Gravity Drains	<b>Ardrossan</b>
➤ Aerator silencer installed	<b>Balgowan</b>
➤ Level control and alarm system upgrade (Marina Pump Station)	<b>Port Vincent</b>

#### Water Scheme

➤ Civil works for solar panel	<b>Desalination Plant</b>
➤ Repairs to water meters	<b>Port Rickaby</b>

- All CWMS and Water Supply Schemes are continually monitored and tested in accordance with Department of Health and Environmental Protection Authority licence conditions.

### **LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN**

Strategic Plan

Key Theme: Sustainable Communities  
1. Sustainable Infrastructure

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

### **FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS**

Not applicable.

## DIRECTOR DEVELOPMENT SERVICES

### IA/ITEM 4.6

#### 1. INSPECTORIAL – ACTIVITY REPORT

(File Ref: 9.24.1.1)

##### **INTRODUCTION**

To inform Council of the activities of the Inspectorial Team.

##### **RECOMMENDATION**

That the report be received.

##### **COMMENT**

Council's Officers have dealt with many routine matters during the past month, including abandoned vehicles, illegal campers, wandering and nuisance dogs, noisy dogs and nuisance cats. Two dogs were impounded during this time, both of which were returned to their owners. Two expiation notices have been issued to dog owners for keeping an unregistered dog.

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

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

Council's Ranger is also door knocking the district checking for unregistered dogs.

The annual inspection in relation to the issuing of Section 105 notices pursuant to the Fire and Emergency Services Act for property owners to reduce the fuel loads on their land has resulted in 1278 Section 105 notices being sent to property owners as opposed to 1918 being sent out last year. A further inspection takes place in mid-October to ascertain if the notices have been complied with. Council organises a contractor to carry out the works on those properties where the hazard reduction has not occurred.

##### **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 1 September 2014 to 26 September 2014.

#### **RECOMMENDATION**

That the report be received.

#### **COMMENT**

The following is a list of all Development Applications processed for the period 1 September 2014 to 26 September 2014

##### Yorketown

544/1338/2010	544/1099/2014	544/1103/2014
544/1106/2014	544/1111/2014	544/1117/2014
544/1121/2014	544/1127/2014	544/1129/2014
544/1130/2014	544/1145/2014	544/1150/2014
544/1157/2014	544/1162/2014	544/1166/2014
544/1169/2014	544/1173/2014	

##### Maitland

544/2271/2013	544/2068/2014	544/2132/2014
544/2134/2014	544/2137/2014	544/2141/2014
544/2145/2014	544/2150/2014	544/2162/2014
544/2171/2014	544/2173/2014	544/2176/2014
544/2178/2014	544/2188/2014	544/2189/2014
544/2199/2014	544/2207/2014	

#### **LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN**

Local Government Act 1999

Development Act 1993

Council's Development Plan

Strategic Plan

Key Theme: Sustainable Communities

2. Progressive and Sustainable Development

Strategic Goal: 2.2 Streamlined Development Assessment Process

## **FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS**

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

**LIST OF DEVELOPMENT APPLICATIONS & DECISIONS ISSUED BY THE ASSISTANT BUILDING SURVEYOR UNDER DELEGATION  
FOR THE PERIOD 1 SEPTEMBER 2014 TO 26 SEPTEMBER 2014**

**YORKETOWN**

Dev. App. No.	Name & Address	Location	Proposal	Class	Area m <sup>2</sup>	Cost \$	Conditions Planning Building	Assessment / Valuation No	Decision Date	Builder Licence No
544/1338/2010	A & S Clark 6 Olive Street GLENELG	(Lot 8) 16 Southshore Road HARDWICKE BAY	Two Storey Dwelling	1a	157.8	300,000	Planning 6 Building Nil Private Certifier	228791 5406453969	24 Sept 2014	CC Tape & Sons Pty Ltd BLD4511
544/1099/2014	L Hoyle PO Box 350 MINLATON	(Lot 8) 33 Tilbrook Avenue MINLATON	Transportable Dwelling, Carport & Deck	1a 10a 10a		180,000	Planning 5 Building 7	300079 5407501758 Private Certifier	8 Sept 2014	Oasis Transportable Buildings & Homes G8183
544/1103/2014	J & M Gilchrist 3 Stanhope Place GOLDEN GROVE	(Lot 78) 17 Boyston Road HARDWICKE BAY	New Dwelling & Verandah	1a 10a	124.2 34.5	115,000	Planning 5 Building 6 Private Certifier	322040 5408975752	3 Sept 2014	Summerplace Homes BLD184209
544/1106/2014	Yorke Peninsula Council PO Box 88 MINLATON	(Lot 21) 1-7 Willyama Drive MARION BAY	Free Standing Solar Panels	10b	5	12,246	Planning 1 Building 1	118851 5400935060	17 Sept 2014	Clenergy
544/1111/2014	N & D Hogan 1 Redin Street PROSPECT	(Lot 1) 114 Bayview Road POINT TURTON	Two Storey Dwelling, Balcony & Deck	1 10a 10a	171.85 21 45.53	237,455	Planning 5 Building 1 Private Certifier	425314 5400449002	17 Sept 2014	Longridge Group BLD175837
544/1117/2014	K & R Schwarz 558 Carberry Road MINLATON	(Lot 33) 558 Carberry Road MINLATON	Dwelling Addition & Pergola/Deck	1a 10a	23.8 30	14,685	Planning 2 Building 2	320655 5408956201	4 Sept 2014	Minlaton Builders G630
544/1121/2014	P Selby PO Box 196 YORKETOWN	(Lot 43) 85 Marine Parade PORT MOOROWIE	Garage	10a	81	9,835	Planning 5 Building 2	432831 5406385003	5 Sept 2014	TBA
544/1127/2014	B & T Mason 1 Gordon Road PROSPECT	(Lot 6) 12 Trengrove Drive POINT TURTON	Two Storey Dwelling & Garage UMR	1a 10a	285.68 40.01	335,570	Planning 5 Building 1 Private Certifier	407502 5400786316	3 Sept 2014	G Wahlstedt Pty Ltd GL148938
544/1129/2014	C & J Mimidas 4 Great Eastern Av SHEIDOW PARK	(Lot 20) 30 Seaview Court STANSBURY	New Dwelling, Garage UMR, Verandah & Alfresco	1a 10a 10a 10a	199.73 51.57 19.17 59.0	192,300	Planning 5 Building 0 Private Certifier	428557 5404804649	3 Sept 2014	Rivergum Homes Pty Ltd GL113681
544/1130/2014	S Wormald 12 Expedition Drive HEWITT	(Sec 1242) 32 Osprey Drive MARION BAY	New Dwelling, Carport, Verandah & Deck	1a 10a 10a 10a	162.14 21.6 38.7 66.22	130,000	Planning 8 Building 3	120436 5400943051	5 Sept 2014	Craig Hamdorf
544/1145/2014	P & J Kernich PO Box 317 OXTON	(Lot 57) 74 Esplanade POINT TURTON	Verandah Extension	10a	28.8	25,000	Planning 3 Building 2 Private Certifier	102889 5400457934	9 Sept 2014	<sup>38</sup> TBA

544/1150/2014	A Bennett PO Box 109 MINLATON	(Sec 126) Lake View Road HD MINLACOWIE	New Dwelling, Garage UMR & Garage	1a 10a 10a	196.5 43.9 135	180,000	Planning 11 Building 1 Private Certifier	319905 5408903409	10 Sept 2014	TBA
544/1157/2014	KL Parker PO Box 23 HARDWICKE BAY	(Lot 122) 38 Esplanade HARDWICKE BAY	Attached Pergola & Verandah	10a	49	20,000	Planning 1 Building 2 Private Certifier	325027 5409037557	24 Sept 2014	TBA
544/1162/2014	H & E Gilmore 4 Lorraine Avenue MITCHAM	(Lot 93) 165 Bayview Road POINT TURTON	Verandah	10a	11.4	3,000	Planning 2 Building 2 Private Certifier	426684 5401060752	10 Sept 2014	J & S Pergola Installations GL53156
544/1166/2014	D McCrickard PO Box 251 EDITHBURGH	(Lot 120) 4 Marion Street SULTANA POINT	Verandah	10a	16.2	12,178	Planning 3 Building 2	222042 5406305510	3 Sept 2014	CC Tape & Sons Pty Ltd BLD4511
544/1169/2014	E Macted PO Box 286 MINLATON	(Sec 109) 82 Treloar Road MINLATON	Garage	10a	75.6	9,965	Planning 4 Building 2	319954 5408905105	9 Sept 2014	Owner Builder
544/1173/2014	M Thompson 26 Anderson Tce YORKETOWN	(Lot 730) 315 Jacka Road HD MINLATON	Swimming Pool & Safety Fence	10b	65	1,000	Planning NA Building 3 Schedule 1a	319145 5408850001	9 Sept 2014	Owner Builder
<b>TOTAL</b>						<b>\$1,778,234</b>				

#### MAITLAND

Dev. App. No.	Name & Addresses	Location	Proposal	Class	Area m <sup>2</sup>	Cost \$	Conditions Planning Building	Assessment / Valuation No	Decision Date	Builder Licence No
544/2271/2013	MM & SM Pietersma 53 Janine Drive BURTON	(Lot 119) 4 Yelta Street PORT CLINTON	Dwelling & Carport	1a 10a	90 21.6	77,698	Planning 7 Building 9	40287 4606230204	03 Sept 2014	Oasis Transportable Buildings & Homes G8183
544/2068/2014	CR Oster 35 Fourth Street ARDROSSAN	Lot 52 Cane Avenue ARDROSSAN	Dwelling, Verandah, Carport & Garage	1a 10a	84 162	120,000	Planning 7 Building 1 Private Certifier	5678 4600341763	24 Sept 2014	TBA
544/2132/2014	T Ferguson C/- Post Office MAITLAND	(Lot 301) 194 Gap Road WEETULTA	Farm Machinery Shed	10a	1137.5	157,608	Planning 1 Building 2	433003 4607294605	25 Sept 2014	SA Quality Sheds
544/2134/2014	Desamer Enterprises Pty Ltd 80 Birdwood Tce NORTH PLYMPTON	(Sec 219) 6 Rogues Point Road ROGUES POINT	Dwelling Extension inc Wet Area	1a	10.9	40,000	Planning 3 Building 1	33514 4604912711	05 Sept 2014	TBA
544/2137/2014	C King 114 Ashbrook Ave TRINITY GARDENS	(Lot 133) 44 Esplanade PORT VINCENT	Dwelling Extension, Verandah & Deck	1a 10a 10a	33.5 81.3 81.3	90,000	Planning 4 Building 3	307843 5408257005	18 Sept 2014	TBA 39

544/2141/2014	A Glazbrook 13 North Terrace ARTHURTON	Lot 2 Reliance Road ARTHURTON	Dwelling & Verandah	1a 10a	153.73 43.92	169,441	Planning 8 Building Nil	416438 4604117670	05 Sept 2014	Rivergum Homes Pty Ltd GL113681
544/2145/2014	P & A Wells 24 Langmeil Road TANUNDA	(Lot 129) 81 Main Coast Road PINE POINT	Dwelling, Verandah Addition & Demolition of Garage	1a 10a 10a	107 16 21	70,000	Planning 1 Building 1 Private Certifier	20248 4603841106	17 Sept 2014	TBA
544/2150/2014	JJ Harris & D Kellaway 17 Ilford Street VALE PARK	(Lot 247) 31 Parade PORT CLINTON	Carport	10a	36	5,000	Planning 2 Building 2	38364 4606141009	05 Sept 2014	Selecta Homes & Building Co GL56332
544/2162/2014	F Nenasheff PO Box 4077 SEATON	(Lot 10) 4 Anchor Avenue PORT VICTORIA	Garage	10a	26.5	4,600	Planning 4 Building 2	415091 4603170357	08 Sept 2014	Owner Builder
544/2171/2014	JP Carvosso 18 Banksia Cres CRAIGMORE	(Lot 7) 37 Grahn Road JAMES WELL	Garage	10a	54	9,000	Planning 5 Building 2	413138 4604542351	23 Sept 2014	DJ Williams SRL53624
544/2173/2014	S Palecek PO Box 61 ARDROSSAN	(Lot 8) 42 Tiddy Widdy Beach Road TIDDY WIDDY BEACH	Pergola	10a	72	5,000	Planning 2 Building 2 Private Certifier	6544 4600608000	3 Sept 2014	Owner Builder
544/2176/2014	SL Mattschoss PO Box 90 ARDROSSAN	(Lot 6) 39 Grahn Road JAMES WELL	Garage	10a	37.8	3,800	Planning 7 Building 2	413120 4604542300	22 Sept 2014	Owner Builder
544/2178/2014	N & M French 49 North Terrace MAITLAND	(Lot 25) 49 North Terrace MAITLAND	Garage	10	90	10,470	Planning 8 Building 1	431312 4602148801	16 Septembe r 2014	TBA
544/2188/2014	GE Nykiel PO Box 228 PORT VINCENT	(Lot 1) 3050 St Vincent Hwy PORT VINCENT	Pergola	10a	44	10,000	Planning 3 Building 2	413435 5409036562	05 Sept 2014	TBA
544/2189/2014	Hickman Agriculture PO Box 3 PORT VINCENT	(Lot 309) 193 Mulburra Park Road CURRAMULKA	Garage	10a	81	12,340	Planning 3 Building 2	312504 5408326201	17 Sept 2014	TBA
544/2199/2014	B Dolman PO Box 5 PINE POINT	(Lot 68) 42 Esplanade PINE POINT	Demolish Existing Dwelling	1a	75	0	Planning N/A Building 7	19703 4603822010	18 Sept 2014	Owner Builder
544/2207/2014	BJ Semmler 46 Montague Drive SHEIDOW PARK	(Lot 7) 5 Maye Terrace BLAGOWAN	Garage	10a	74	13,100	Planning 5 Building 2	35840 4605046501	23 Sept 2014	TBA
<b>TOTAL</b>						<b>\$798,057</b>				







- Curramulka
- Coobowie
- Edithburgh

The move to NBN is not automatic – homes and businesses will need to take appropriate steps to access the Network through their preferred internet service provider or phone company.

#### **LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN**

Strategic Plan

Key Theme: Community Engagement  
1. Vitality and Connection

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

#### **FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS**

Not applicable.



**CHIEF EXECUTIVE OFFICER**

**DA/ITEM 6.1**

**1. LOCAL GOVERNMENT FINANCE AUTHORITY**

(File Ref: 9.24.1.1)

**INTRODUCTION**

To seek support from Elected Members for nominations to the Local Government Finance Authority (LGFA) Board and authority to complete Council's Ballot paper.

**RECOMMENDATION**

That Council authorise the complete the official ballot paper for the Local Government Finance Authority Board and support the nomination of:

- 1).....
- 2).....

**COMMENT**

The Annual General Meeting of the LGFA Board will be held in Adelaide on Friday 31st October 2014.

There are five (5) nominations for the board and Council is required to choose two (2) as their preferred nominees from the available list.

A copy of the nominees profiles are attached for information.

In addition Council has received correspondence from two (2) of the nominees seeking Council's support to re-elect Cr John Sanderson and Cr John Frogley for a further term on the board (copy attached).

The Mayor is the Council's appointed representative for the LGFA Annual General Meeting and will be required to complete the ballot paper following the Council meeting to allow for its return prior to the deadline.

**LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN**

Local Government Finance Authority Act 1983

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**

Not applicable.

LOCAL GOVERNMENT FINANCE AUTHORITY OF SOUTH AUSTRALIA

BALLOT PAPER

REPRESENTATIVE BOARD MEMBER

Two (2) Required:-

Place "X" next to two names you wish to vote for.

FROGLEY, J.W.

HEINRICH, M.A.

MARTIN, A.P.

PFEIFFER, T.G.

SANDERSON, J.L.

**CLOSING DATE:** 5.00 PM at the office of the LGFA, Friday 17 October 2014

*Local Government Finance Authority  
of South Australia*

*PO Box 7050 Hutt Street Adelaide South Australia 5000  
12th Floor 147 Pirie Street Adelaide South Australia 5000  
Phone (08) 8223 1550 Fax (08) 8223 6085  
www.lgfa.com.au*

ABN: 80 180 672 200 Council

Council Agenda

Wednesday 8th October 2014

**NAME:** JOHN WREFORD FROGLEY

**OCCUPATION:** Semi-retired Company Director/  
Chartered Accountant  
Self-employed

**QUALIFICATIONS & AWARDS:** Bachelor of Economics (Adelaide University)  
Chartered Accountant  
Fellow Australian Institute of Company Directors

**CURRENT POSITION IN LOCAL GOVERNMENT:** Councillor, City of Norwood Payneham & St Peters

**PERIOD IN LOCAL GOVERNMENT** 8 years

**OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT:**

Past:

City of Norwood Payneham & St Peters  
Board Member, Eastside Business Enterprise Centre Inc

South Australian Government

Trustee, SA Superannuation Investment Trust  
Director, Enterprise Investments Limited  
Director, various Government commercial entities  
Secretary, Industries Development Committee (SA Parliament)  
Executive Director, Department of State Development

Present:

Local Government Finance Authority of SA  
Deputy Chairman, Board of Trustees  
Chairman, Audit Committee

City of Norwood Payneham & St Peters

Development Assessment Panel  
Business & Economic Development Committee  
Strategic Planning & Development Policy Committee  
Chairman, Audit Committee  
Payneham Road Precinct Committee

Waste Care SA

Deputy Board Member

**NAME:** MARK ANTHONY HEINRICH

**OCCUPATION:** Manager, Finance and Community Services  
District Council of Yankalilla

**QUALIFICATIONS & AWARDS:** N/A

**CURRENT POSITION IN LOCAL GOVERNMENT:** Manager, Finance and Community Services  
District Council of Yankalilla

**PERIOD IN LOCAL GOVERNMENT** 20 Months

**OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT:**

Past:  
NIL

Present:  
Audit  
Caravan Park

**NAME:** ANNETTE PATRICIA MARTIN

**OCCUPATION:** Manager Financial Services  
City of Charles Sturt

**QUALIFICATIONS & AWARDS:** Bachelor of Arts, Accountancy, CPA

**CURRENT POSITION IN LOCAL GOVERNMENT:** Manager Financial Services  
City of Charles Sturt

**PERIOD IN LOCAL GOVERNMENT** 15 years

**OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT:**

**Past:**

South Australian Local Government Financial Management Group (SALGFMG)  
Executive of SALGFMG (2000 - present)  
Working groups SALGFMG –  
Financial Indicators, Financial Management and Grant Commission  
Supplementary Return

**Present:**

South Australian Local Government Financial Management Group (SALGFMG)  
President of SALGFMG (Aug 2010 – present)  
Working groups –  
Fees and Charges, Financial Management and Internal Controls

**NAME:** TIMOTHY GERALD PFEIFFER

**OCCUPATION:** Manager Strategic Planning & Performance  
SA Water

**QUALIFICATIONS & AWARDS:** Bachelor of Environmental Management  
(Honours)

**CURRENT POSITION IN LOCAL GOVERNMENT:** Deputy Mayor & Councillor, City of Marion

**PERIOD IN LOCAL GOVERNMENT** 3.5 years

**OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT:**

Past:

City of Marion  
Inaugural Chair of the City of Marion Strategic Directions (2012)  
Member of the City of Marion Audit Committee (2012 & 2013)

Present:

Sunedan Special School  
Council liaison member of Sunedan Special School Board (2010 – present)

Edwardstown Soldiers Memorial Recreation Ground  
Council liaison member of Edwardstown Soldiers Memorial Recreation Ground  
Committee of Management (2010 to present)

City of Marion  
Member of the City of Marion Strategic Directions Committee (2012 to present)

**CURRENT EMPLOYMENT:**

SA Water  
Manager Strategic Planning & Performance (2010 to present)  
Clear Decisions  
Strategy Consultant (2012 to present)

**PREVIOUS EMPLOYMENT:**

City of Adelaide  
Senior Policy Officer (2008 – 2010)

**NAME:** JOHN LIDDELL SANDERSON

**OCCUPATION:** Retired Finance Consultant  
(after 47 years in the Banking & Finance Sector)

**QUALIFICATIONS & AWARDS:** Land Managers Certificate

**CURRENT POSITION IN LOCAL GOVERNMENT:** Councillor, City of Mitcham

**PERIOD IN LOCAL GOVERNMENT** 25 Years

**OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT:**

Past:

Local Government Finance Authority of South Australia  
Deputy Trustee

City of Mitcham  
Alderman  
Chairman, Planning Committee; Corporate & Community Services

Ashford Community Hospital Inc  
Deputy Treasurer, Board Member

Local Government Purchasing Co-operative  
Board Member

Present:

Local Government Finance Authority of South Australia  
Member Board of Trustees  
Member, Audit Committee

City of Mitcham  
Member, CEO Performance Review Committee,  
Member, Strategic Planning and Development Policy Committee



*City of the Mountains  
Michael Picton*

12 September 2014

Dear Mayor and Councillors

The City of Mitcham is once again pleased to nominate Cr. John Sanderson for a position on the Local Government Finance Authority (LGFA) Board.

Cr. Sanderson has been active in local government for twenty five years and has a solid background in the skills and expertise required within the finance industry to represent and contribute to the LGFA Board.

Cr Sanderson has served on the LGFA Board for the past twenty-two years originally as a Deputy Trustee and elected by the local government community for the past nineteen years. During this time the LGFA has achieved some outstanding results for the benefit of Councils across South Australia.

Cr Sanderson's Curriculum Vitae (CV) is attached to the voting papers for your information and he is willing and able to represent local government on the Board of the LGFA.

We would appreciate your Council's support for John's re-election.

Yours sincerely

**Michael Picton**  
MAYOR

18 Second Avenue  
ST PETERS SA 5069  
5th September 2014

Mayor Ray Agnew OAM and Councillors  
The District Council of Yorke Peninsula

Dear Mayor and Councillors,

Elections to the Local Government Finance Authority of South Australia Board

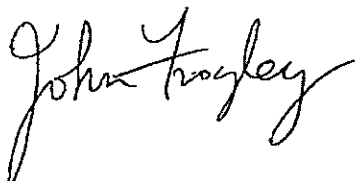
At the last three elections to the LGFA Board I appreciated the support of Councils in electing me as a Trustee. As a Chartered Accountant and Fellow of the Australian Institute of Company Directors with a solid background in finance, investment and Local and State Government I believe I am making a significant contribution to the success of the LGFA during difficult trading conditions. Since the last election I have been appointed as Deputy Chairman and Chairman of the Audit Committee.

The stability and sound performance of LGFA brings major benefits to all Councils in SA. In the aftermath of the GFC LGFA has maintained its track record of solid and prudent financial performance while providing ready access to finance for Councils on flexible and attractive terms. The LGFA also provided competitive rates on secure Council deposits. Over the last two financial years LGFA will return some \$3.7m to Councils by way of bonus payments and make available for Local Government through the LGA a further \$2.8m in Income Tax Equivalents.

The City of Norwood, Payneham and St Peters has nominated me again as an elected Trustee and I would be delighted to continue to serve Local Government in this capacity. The LGFA continues to face major trading and funding challenges and I believe I can help in assuring its ongoing success.

I have taken the liberty of attaching my Resume and would appreciate your Council giving serious consideration to supporting my re-election.

Yours sincerely



John Frogley, BEc, CA, FAICD

**CHIEF EXECUTIVE OFFICER**

**DA/ITEM 6.1**

**2. REPRESENTATIVE FOR HILLSIDE COMMUNITY CONSULTATIVE GROUP**

(File Ref:9.24.1.1)

**INTRODUCTION**

To update Elected Members on correspondence received from the Chairperson of the former Hillside Community Consultative Group (CCG).

**RECOMMENDATION**

That Council nominate Cr ..... as their representative for the Hillside Mine Community Consultative Group by 31<sup>st</sup> October 2014.

**COMMENT**

A request has been received from the Chairperson of the former Community Consultative Group Mr Peter Stockings seeking Council to nominate a representative for the revised Future Hillside Community Group (copy attached).

The CCG formed in 2012 has recently undertaken a review of their role and function and developed a draft Charter which identifies the future group and proposed membership.

It is difficult to nominate someone to represent Council at this time because the outcome of the Council Elections will only be known after the deadline for nominations.

Council can nominate a member as their interim representative and dependent upon the outcome of the Elections make another choice following the elections should that be necessary.

**LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN**

Strategic Plan

Key Theme:	Sustainable Communities
	4. Economical Growth through Sustainable Industrial Development
Strategic Goal:	4.3 Realise the benefits for our Community created through major industry and business growth.

**FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS**

Not applicable.

# HILLSIDE MINE COMMUNITY GROUP

October 2014

## Call for Expressions of Interest

Rex Minerals' Hillside proposed copper-gold mine near Ardrossan has State Government (conditional) approval.

The current Community Consultative Group has elected to disband and a **new Hillside Mine Community Group** is being formed in preparation for the next phase of mine development. A Draft Charter has been prepared to provide direction for the new group.

The membership of the new group is to consist of representatives from stakeholder groups within the community, and **a small number of individuals with interest and/or expertise who are not necessarily aligned with a particular stakeholder group.**

To start the process of forming a new group, key stakeholder groups have each been invited to nominate a person to represent their interests on the Hillside Community Group. In addition, members of the community with an interest and/or relevant expertise are encouraged to nominate for the group.

People seeking to participate as a community member are encouraged to self-nominate. The members representing key stakeholder groups will consider nominations at their first meeting.

*I encourage you to submit your expression of interest, to be a part of this new community group in the next phase of mine development.*

*Please include a brief written statement referring to the Draft Charter, and submit to Peter Stockings via email:*

*soxyp2@internode.on.net  
by 31st October 2014.*

*Peter Stockings  
(Chairperson former CCG)*

## Draft Charter (a starting charter for the new group to finalise)

### Purpose of the Group

- To be a representative group of the people by considering their livelihood, lifestyles, environment and general wellbeing in the context of the Hillside Development.
- To ensure enduring community benefits are gained both during and after the Life of the Mine.

### We will deliver this by being...

- An independent transparent group valued by all stakeholders and above all the local community
- An open and transparent conduit between Rex, Regulators and the Community
- A facilitator for the transfer of information
- Self-managing with allocated funding

### Stakeholder Groups

- Dept. of State Development( formerly DMITRE), Rex Minerals Ltd, Local Government (Yorke Peninsula Council), Regional Development Australia (Yorke and Mid North), Local Progress Associations (Pine Point, Ardrossan, Black Point, James Well/Rogues Point), Farmer groups (Ag Bureaux of South Kilkerran and Petersville), YP Landowners Group, Local Traders, Narungga Nations Aboriginal Corporation, YP Tourism Committee.

**CALL FOR EXPRESSIONS OF INTEREST**  
**HILLSIDE MINE**  
**COMMUNITY GROUP**

23<sup>rd</sup> September 2014

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

Dear Mr Cameron,

The Hillside Mine Community Consultative Group (CCG) has existed since 2012. The group has recently undertaken a review of its achievements and learning and agreed that it is timely to redefine the purpose of the group. The current CCG has drawn on their experiences to help inform a suggested framework for this future group. A draft charter has been developed which identifies the purpose of the future group and proposed membership. Community feedback has been sought through a request for comment advertised in the *Yorke Peninsula Country Times* and the responses have been reported to the CCG.

As a result of the above processes, it was determined at the CCG meeting on **August 4<sup>th</sup> 2014** that the current CCG be disbanded and that a new group be formed using the draft charter as its starting point. The *Future Community Group's Charter* is to be regarded as a "work in progress" and adaptations can be made as the new group sees fit.

Your organization is invited to nominate a representative and forward it to Peter Stockings via email to [soxyp2@internode.on.net](mailto:soxyp2@internode.on.net) by 31<sup>st</sup> of October 2014. The initial meeting of this group is scheduled for Monday 10<sup>th</sup> of November. The first meeting will focus on the next steps in the process and once these have been determined, each organization may wish to return to members and determine who will be their on-going representative.

Please note that Community Members (i.e. individuals with expertise and/or interest from the community who may not necessarily be aligned with a particular community group) will be invited to self-nominate via an advertisement in the *Yorke Peninsula Country Times* on October 7<sup>th</sup> and 14<sup>th</sup>. The new group will consider these nominations at their first meeting.

Yours Faithfully



Peter Stockings  
Chairperson former CCG

## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **DA/ITEM 6.2**

#### **1. FINANCIAL REPORT 30<sup>th</sup> SEPTEMBER 2014** (File Ref: 9.24.1.1)

##### **INTRODUCTION**

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

##### **RECOMMENDATION**

That Council receive the financial report as at 30<sup>th</sup> September 2014.

##### **COMMENT**

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

- Actuals included in the report are as incurred at close of business on the last day of the month being reported and may be subject to balance day adjustments – any such adjustments will be incorporated in the following monthly report.
- The report does not include year-end income and expense accruals nor depreciation allocation.

##### **LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN**

Local Government (Financial Management) Regulations 2011

PO 142 Budget Reporting and Amendment Policy

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.

##### **FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS**

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

## Yorke Peninsula Council

### Budgeted Uniform Presentation of Finances as at 30th September 2014

	2014/15 Actuals	YTD \$'000	2014/15 Full Year Adopted Budget \$'000	2014/15 Full Year Budget Revisions \$'000	2014/15 Full Year Revised Budget \$'000
Income		-\$20,707	-\$25,976	\$0	-\$25,976
Less Expenses		\$7,643	\$29,536	\$0	\$29,536
<b>Operating Deficit before Capital Amounts</b>		<b>-\$13,064</b>	<b>\$3,560</b>	<b>\$0</b>	<b>\$3,560</b>
<b>Less Net Outlays on Existing Assets</b>					
Capital Expenditure on renewal and replacement of Existing Assets		\$368	\$6,498	\$0	\$6,498
Less Depreciation, Amortisation and Impairment			-\$9,153	\$0	-\$9,153
Less Proceeds on Sale of Assets		-\$60	-\$280	\$0	-\$280
		<b>\$308</b>	<b>-\$2,935</b>	<b>\$0</b>	<b>-\$2,935</b>
<b>Less Net Outlays on New and Upgraded Assets</b>					
Capital Expenditure on New and Upgraded Assets		\$184	\$4,746	\$0	\$4,746
Less Amounts received specifically for New and Upgraded Assets		-\$337	-\$1,156	\$0	-\$1,156
		<b>-\$153</b>	<b>\$3,590</b>	<b>\$0</b>	<b>\$3,590</b>
<b>NET(LENDING) / BORROWING FOR FINANCIAL YEAR</b>		<b>-\$12,909</b>	<b>\$4,215</b>	<b>\$0</b>	<b>\$4,215</b>

## **DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **DA/ITEM 6.2**

#### **2. RATES RELIEF POLICY** (File Ref:9.24.1.1)

##### **INTRODUCTION**

To provide Elected Members with the reviewed PO060 Rates Relief Policy.

##### **RECOMMENDATION**

That the updated and revised PO060 Rates Relief Policy as presented, be endorsed for inclusion in Council's Policy Manual and on the Website.

##### **COMMENT**

Policy PO060 Rates Relief Policy is reviewed annually at the time that Council makes the Rates Declaration.

This policy has been reviewed and only financial year dates have been changed to make the policy relevant to this rating year as identified in red on the attached updated draft.

##### **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: 2.3 Meet all legislative and compliance responsibilities

##### **FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS**

Important issues of legislative compliance, transparency, consistency, public confidence in Council staff behaviour and Council process attach to the adoption of this policy.



# COUNCIL POLICY

## Rates Relief Policy (includes rebates, remissions, hardship & postponement of rates)

<b>Policy Number:</b>	PO060		
<b>Strategic Plan Objective</b>	Financially Sustainable Organisation		
<b>Policy Owner:</b>	Corporate & Community Services	<b>File Number:</b>	7.63.1
<b>Responsible Officer:</b>	Director Corporate & Community Services	<b>Minute Reference:</b>	
<b>Date Adopted:</b>	08/10/2014	<b>Next Review Date:</b>	August 2015

### 1. POLICY OBJECTIVES

The objective of this Policy is to ensure that all applications for rate relief are considered in an equal and fair manner in line with the provisions set out under the Local Government Act and this Policy.

### 2. DEFINITIONS

Rebates	The refund of a portion of rates paid or payable. The full amount of annual rates are raised and billed to the ratepayer. A specified amount is then refunded back to the ratepayer.
Remission	The reduction of the amount of rates payable. The amount of annual rates raised is reduced by a calculated amount and the reduced amount of annual rates is billed to the ratepayer.
Postponement	The delay of payment of rates until a future date. Subject to any interest charges, the annual rates payable are delayed and do not become payable until a future date.

### 3. POLICY STATEMENT

Rates are a form of taxation and provide the main revenue stream for Council to deliver services to the community.

The Local Government Act 1999 ("the Act") sets out at Chapter 10, Division 5 (Sections 159 to 166) those provisions applicable to the Council granting a rebate of rates to persons or bodies.

Section 159(3) of the Act provides that the Council may grant a rebate of rates under the Act if it is satisfied that it is appropriate to do so.

The Act provides for a mandatory rebate of rates in specified cases and the amount of that mandatory rebate.

The Act also provides that where the Council must grant a rebate of rates under the Act, and the amount of that rebate is fixed by the Act at less than 100%, the Council may increase the amount of the rebate.

The Act provides, at Section 166, for the Council to provide a discretionary rebate of rates in the cases set out in that Section.

Rate Relief will only be considered in accordance with this Policy.

## **4. PROCEDURES**

### **4.1 REBATES**

#### Mandatory Rebates

Council must under Sections 160 -165 of the Local Government Act 1999 (as amended) provide mandatory rebates in the following cases.

A Mandatory rebate of 100% is applicable to:

- Land predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australian Public Health Act 2011
- Land containing a church or other building used for public worship, or land used solely for religious purposes.
- Land being used for the purposes of a public cemetery.
- Land (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia Inc.

A Mandatory rebate of 75% is applicable to:

- Land occupied by a government school under a lease or licence and being used for educational purposes.
- Land occupied by a non-government school registered under Part 5 of the Education Act 1972 and being used for educational purposes.
- Land being used by a University or University college to provide accommodation and other forms of support for students on a not-for-profit basis
- Land predominantly used for service delivery or administration by a community service organisation as defined under Sections 161(3) & 161(4) of the Local Government Act 1999 (as amended).
- Land being predominantly used for supported accommodation that consists of accommodation for persons provided by housing associations registered under the South Australian Co-operative and Community Housing Act 1991.

#### Discretionary Rebates

Council has the power under Section 166 of the Local Government Act 1999 (as amended) to grant discretionary rebates in the following cases.

- The rebate is desirable for the purpose of securing the proper development of the Council area (or part thereof).
- The rebate is desirable for the purpose of assisting or supporting business within the Council area.
- The rebate will conduce to the preservation of buildings or places of historic significance.
- The land being used for educational purposes.
- The land being used for agricultural, horticultural or floricultural exhibitions.
- The land is being used for a hospital or health centre.
- The land is being used to provide facilities or services for children or young persons.
- The land is being used to provide accommodation for the aged or disabled.

- The land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Cwlth) or a day therapy centre.
- The land is being used by an organisation which, in the opinion of Council, provides a benefit to the local community.
- The rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has free and unrestricted access and enjoyment.
- The rebate is considered by Council to provide relief against what would otherwise amount to substantial changes in rates payable by a ratepayer due to changes in the basis or structure of the Council's rates, or a change in the basis of valuation, rapid changes in valuation or anomalies in valuations.

Section 166 (1a) outlines the issues that Council must consider in deciding whether to grant a rebate. All applications for rebates will be considered on their merits.

Applications for a rebate of rates are to be made in writing and are to be accompanied by the appropriate supporting documentation.

## 4.2 RATE CAPPING REBATE

In recognition of the Discretionary rebates of rates provisions in the Act, Council has decided to provide a "Rates Capping Rebate" pursuant to Section 166(1)(1)(ii) to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to rapid changes in valuations.

Council recognizes that fluctuations in the property market on Yorke Peninsula have continued and that some properties may experience rapid increases in valuations, therefore potentially resulting in rapid increases in rates payable.

Council has also given consideration to the number of ratepayers eligible for differing forms of concessional relief in this region, in comparison with the State average, and the potential effect of rapid changes in valuations on these ratepayers and their capacity to pay.

In recognition of these factors, Council has implemented a rebate to seek to provide relief to ratepayers that experience a substantial change in rates due to a substantial change in valuation.

Pursuant to section 166 (1)(I)(ii) of the Local Government Act, Council has adopted the following rebate, conditional upon meeting the requirements listed below:

4.2.1 To provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to rapid changes in valuation, a rebate of general rates for the 201~~43~~/201~~54~~ financial year to be granted to the Principal Ratepayer of an Assessment under Section 166 (1) (I) of the Act, on application to Council, where the amount of any increase in rates in respect of that Assessment in monetary terms between the amount of general rates payable for the 201~~23~~/201~~34~~ financial year (after any rebate was applied) and the amount of general rates imposed for the 201~~34~~/201~~45~~ financial year is greater than 17.5%.

4.2.2 The amount of the rebate to be the amount of the increase in general rates in monetary terms imposed for the 201~~43~~/201~~54~~ financial year over and above 17.5% of the general rates charged in monetary terms for the 201~~32~~/201~~43~~ financial year (after any rebate was applied but prior to deducting any pensioner or other concessions)

4.2.3 The rebate shall not apply where:

- any such increase is due in whole or part to an increase in valuation of the land in the Assessment because of improvements made to it worth more than \$15,000 as determined by the State Valuation Office, or
- any such increase is due in whole or part to an increase in valuation of the land in the Assessment because of a rectification within the current and/or previous year of an “error of fact” by the State Valuation Office, or
- any such increase is due in full or part to the use of the land being different for rating purposes on the date the Council declared its general rates for the 201~~43~~/201~~54~~ financial year than on the date the Council declared its general rates for the 201~~32~~/201~~34~~ financial year, or
- the land use attributed to the Assessment for the 2013/2014 financial year is Commercial Use, Industry Use, Vacant Land Use or Other Use, or
- the ownership of the rateable property has changed since 1 July 201~~42~~, as this is based upon advice from the Valuer General that sales evidence up to 24 months prior to the current valuation is considered.

Applications for the rate capping rebate are to be made on Council’s Rate Capping Rebate Application Form (IS089).

#### **4.3 POSTPONEMENT OF RATES – Hardship**

Council recognises that at various times of the year, and due to personal circumstances, some ratepayers may find themselves in situations that make it difficult to make payment of rates by the relevant due dates.

Council has adopted a Rates Postponement Scheme to provide relief to ratepayers for whom the payment of ordinary rates on the principal residence would cause hardship.

Where a ratepayer is suffering hardship in paying rates he/she is invited to contact the Senior Rates and Assessment Officer to discuss the matter.

Applications for the relief of rates due to hardship or extenuating circumstances are to be made in writing and accompanied by the appropriate supporting documentation.

**Such inquiries are treated confidentially by the Council.**

#### **4.4 POSTPONEMENT OF RATES – Seniors (Section 182A of Local Government Act)**

A ratepayer who holds or is in the process of applying for a State Seniors Card may apply for postponement of the Council rates payable on property they own or are buying if it is their principal place of residence (that is, the place lived in most of the time) and if no other person other than their spouse has an interest as owner of the property.

If there is a current mortgage over the property which was registered prior to 25 January 2007 the applicant is required to have at least 50% equity in your property.

If you have a mortgage that was registered after 25 January 2007 there is no restriction on the level of equity held.

The postponement of rates option does not affect any existing entitlement to a State Seniors Card or Pensioner concession, and/or Council remission on your Council rates. At least \$500 of the total of the rates bill must be paid, but an application can be made for any amount in excess of \$500 to be postponed. The minimum amount of

\$500 will be reduced by State Seniors Card concession and/or Council remissions if applicable, unless agreed otherwise.

#### Interest payable

If a postponement of rates occurs under this section, interest will accrue on the amount postponed at the prescribed interest rate compounded on a monthly basis.

The prescribed interest rate is  $P = \frac{\text{CADR} + 1\%}{12}$  where:

12

P = Prescribed Interest Rate

CADR = Cash Advance Debenture Rate for the relevant financial year

#### Penalties

Reference is also made to Sections 182A (8) and 182A (9) of the Local Government Act 1999 (as amended) which outlines that if a person has applied for the benefit of a seniors postponement of rates and entitlement to that postponement ceases to exist, the owner of the land must inform the Council in writing of that fact (unless the liability to the relevant rates has been extinguished).

If a person fails to comply with the above requirement to inform Council of a change in circumstances, that person is guilty of an offence under the Local Government Act 1999 (as amended) with a maximum penalty of \$5,000. Any rates applicable on the grounds that the rebate was no longer applicable become due and payable immediately.

A person must not make a false or misleading statement or representation in an application made for seniors postponement of rates. Maximum penalty \$10,000.

Applications for the postponement of rates under section 182A are to be made on Council's Application for Postponement of Rates for Seniors (SF204) and accompanied by the appropriate supporting documentation.

## **4.5 REMISSION OF FINES AND INTEREST**

Council has adopted various policies relating to the remission of fines and interest raised for late payment of rates and service charges, according to the different circumstances involved, these being:

4.5.1 Fines and interest raised that are the subject of a letter receiving Council consideration:-

- Where fines and/or interest are raised on rates that are the subject of a letter before Council, fines and/or interest raised on outstanding amounts between the time of receipt of the letter and the time that the letter is replied to by Council, shall be remitted in full.

This policy shall not apply to those letters raising an objection, review or appeal in respect to a valuation, or an objection or appeal in respect of the attribution of a particular land use code.

4.5.2 Fines and interest raised due to delay of postal service in forwarding the rate payment:-

- Where a request is received by Council to waive fines and/or interest for the reason of delay between postage of payment of rates and receipt by Council of same, Council's policy is that fines and/or interest will only be waived where it can be demonstrated that the payment was posted, by way of Australia Post-date stamp or other conclusive

evidence, to Council no less than three (3) working days prior to the last day to pay the instalment.

- 4.5.3 Fines and interest raised for the reason of non-receipt of the rate notice by the ratepayer:-
- Where a request is received by Council to waive fines and interest for the reason of non-receipt of rates notices only where it can be demonstrated that the rates notice has been returned to Council as undeliverable, due to a clerical error on Council's behalf.
- 4.5.4 Fines and interest raised due to clerical error on Council's part:-
- Council will remit fines and interest raised as a result of a clerical error on the part of Council.
- 4.5.5 Fines and interest raised due to illness, death or other extenuating circumstances that all requests made for waiving of fines and/or interest due to illness, death or extenuating circumstances be assessed by the CEO and appropriate action be taken.

## 5. APPLICATIONS

- 5.1 Council will inform the community of the provisions for rate rebates under the Local Government Act by the inclusion of suitable details in the brochures distributed with the annual rates notices.
- 5.2 Persons or bodies who seek a rebate of rates in accordance with Division 5 of the Act must make written application to the Council pursuant to Section 159(1) of the Act in the manner and form determined by the Council and supplying such information as the Council may reasonably require.
- 5.3 The Council may take into account other matters considered relevant by the Council including, but not limited to, the following –
- a) why there is a need for financial assistance through a rebate;
  - b) the level of rebate (percentage and dollar amount) being sought and why it is appropriate;
  - c) the extent of financial assistance, if any, being provided to the applicant and/or in respect of the land by Commonwealth or State agencies;
  - d) whether the applicant has made/intends to make applications to another Council;
  - e) whether, and if so to what extent, the applicant is or will be providing a service within the Council area;
  - f) whether the applicant is a public sector body, a private not for profit body or a private for profit body;
  - g) whether there are any relevant historical considerations that may be relevant for all or any part of the current Council term;
  - h) the desirability of granting a rebate for more than one year where permitted by the Act;
  - i) consideration of the full financial consequences of the rebate for the Council;
  - j) the time the application is received;
  - k) the availability of any community grant to the person or body making the application;
  - l) whether the applicant is in receipt of a community grant; and
  - m) any other matters, and policies of the Council, which the Council considers relevant.

- n) All persons who or bodies which wish to apply to the Council for a rebate of rates or service charges may do so at any time. Applicants which satisfy the criteria for a mandatory 100% rebate will be granted the rebate at any time.
- o) The Act provides that the Council may grant a rebate of rates or service charges on such conditions as the Council thinks fit.
- p) The Council may, for proper cause, determine that an entitlement to a rebate of rates or service charges under the Act no longer applies.
- q) Where an entitlement to a rebate of rates or service charges ceases or no longer applies during the course of a financial year, the Council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.
- r) It is an offence for a person or body to make a false or misleading statement or representation in an application or to provide false or misleading information or evidence in support of an application made (or purporting to be made) under the Act.
- s) The maximum penalty for this offence is \$5,000.
- t) If a person or body has the benefit of a rebate of rates or service charges and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the Council of that fact and (whether or not the Council is so informed) the entitlement to a rebate ceases. If a person or body fails to do so that person or body is guilty of an offence.
- u) The maximum penalty for this offence is \$5,000.
- v) The Council will, in writing, advise an applicant for a rebate of its determination of that application. The advice will state –
- w) if the application has been granted, the amount of the rebate; or
- x) if the application has not been granted, the reasons why.

## 6. COMPLAINTS

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

## 7. REVIEW

This policy will be reviewed Every 12 months and in accordance with changes to legislation.-

## 8. TRAINING

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

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.

## 9. RELATED COUNCIL POLICIES AND DOCUMENTS

Delegation Register

## 10. REFERENCES AND LEGISLATION

Local Government Act 1999. Chapter 10, Division 5

## 11. COUNCIL DELEGATION

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

## 12. VERSION HISTORY

<b>Archived Policy Name</b>	<b>Policy Number</b>	<b>Date Adopted</b>	<b>Last Reviewed</b>
Remission and Postponement of Rates	PO121	10/07/2007	08/06/2010
<u>Rates Relief Policy</u>	<u>-PO060</u>	<u>-14/08/2013</u>	<u>August 2014</u>

## **DIRECTOR ASSETS AND INFRASTRUCTURE SERVICES**

### **DA/ITEM 6.3**

#### **1. FEES AND CHARGES REGISTER – SECOND HAND WASTE AND RECYCLING BIN FEE INCLUSION** - (File Ref: 9.24.1.1)

##### **INTRODUCTION**

The purpose of this report is to seek endorsement for the inclusion of a standard second hand waste and recycling bin fee on the Fees and Charges Register.

##### **RECOMMENDATION**

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

##### **COMMENT**

It has been identified that a fee for second hand waste and recycling bins has never been included within the Fees and Charges Register.

Staff have determined that a second hand waste bin fee of \$20.00 including GST and a second hand recycling bin fee of \$40.00 including GST is appropriate based on the fact they are second hand (new waste bins are currently \$55.00 including GST and new recycling bins are currently \$70.00 including GST) and this gives an acceptable option to ratepayers who have had their bins damaged or stolen to pay a subsidised cost to replace the bin.

The reason why Council has these second hand bins is due to the introduction of Sliding Scale Legislation, which allowed Rural properties located further than 5kms from a collection point/route the choice to return their bins if they did not wish to utilise the service.

##### **LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN**

Strategic Plan

Key Theme:

Corporate Governance and Leadership

2. Organisational Efficiency and Resource Management

Strategic Goal

2.5 Provide services and facilities that meet the needs of our community

##### **FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS**

If endorsed, this fee will be inserted into the Fees and Charges Register and reviewed annually.

## **DIRECTOR DEVELOPMENT SERVICES**

### **DA/ITEM 6.4**

#### **1. EXPERT PANEL ON PLANNING REFORMS** (File Ref:9.24.1.1)

##### **INTRODUCTION**

To seek endorsement from Council for the submission to the South Australian Expert Panel on Planning Reforms.

##### **RECOMMENDATION**

That Council endorses the submission prepared by Staff in relation to the South Australian Expert Panel on Planning Reform report dated August 2014.

##### **COMMENT**

In August 2014 the South Australian Expert Panel on Planning Reform released a report containing 27 reforms to the South Australian Planning System. Council was asked to provide a response to the reforms by 26 September 2014. In order to comply with the timeframes available, it was necessary for staff to formulate and submit the response and seek endorsement at Council's next scheduled meeting.

The reforms proposed by the Panel have been presented for consideration as statements without any details regarding implementation strategies or costings. This made the task of providing a submission difficult. In addition the reforms are state-wide with no distinction between rural and metropolitan planning issues.

Staff have reviewed the reforms and addressed issues of concern. In addition staff forwarded a copy of Council's response to the local member Mr Steven Griffiths.

It is anticipated by the Panel that a final report will be presented to the State Government by December 2014 and it is unlikely that Council will get the opportunity to make further comment.

Staff will continue to monitor the situation and report to Council accordingly.

##### **LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN**

Development Act 1993

Strategic Plan

Key Theme: Sustainable Communities  
2. Progressive & Sustainable Development

Strategic Goal: 2.2 Streamlined Development Assessment Process

##### **FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS**

There are no financial and risk management issues identified at this stage.

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25 September 2014

Our ref: 932-2014-0  
GDS ref: 10.36.1.1

Expert Panel on Planning Reform  
GPO Box 1815  
ADELAIDE SA 5001

Dear Panel

## **Expert Panel on Planning Reform – Ideas for Reform**

Thank you for the opportunity to comment on the proposed planning reforms. Council has considered the suggested reforms and acknowledges that the planning system in South Australia is complicated and should be subjected to appropriate scrutiny and review.

Several of the proposed reforms are of concern to Council and it is respectfully suggested that these be further investigated or reconsidered. Of particular concern are the lack of costings and the lack of implementation detail in the proposed reforms. Both of these areas have the potential to have significant impact on the Local Government sector.

The following feedback is provided to the Panel for consideration in relation to specific reforms.

### **Reform 2 Create a network of regional planning boards**

Council does see the potential benefits that regional planning boards could have for reducing the policy 'bottleneck' experienced with the current system. However, Council does not support reforms which replace Council as the relevant authority for development assessment purposes with a regional planning board or regional development assessment panel. There has been little evidence provided which indicates the need for such a radical change, especially for regional South Australia.

The composition of regional planning boards and corresponding regional development assessment panels, especially outside of the metropolitan area, is also of concern. Little indication has been given as to the geographical size of the regions or how the regions will be determined. These are key considerations in how this type of reform will be implemented and of benefit to regional South Australia.

Council members play an important role in the planning system by contributing local knowledge and representing community expectations and therefore must be maintained in the makeup of any future development assessment panel.

The Yorke Peninsula Council Development Assessment Panel heard 30 development applications in the 2013/2014 financial year. Council fears the impracticalities of a regional development assessment panel would provide little benefit for our Council area.

## **BRANCH OFFICES**

MINLATON: Phone 08 8853 3800  
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WAROOKA: Phone 08 8854 5055

The impacts of physical distance in regional South Australia should not be underestimated for this type of reform. The larger the area, the more difficult it will be for panel members not only to meet, but to also understand the area they are making decisions about. In addition, it may not be viable to undertake site visits, should that be appropriate, without adding considerable cost to the process.

As well as being costly and time consuming, excessive travel is also physically and mentally tiring. This has the potential to compromise panel member representation should all members not be able to be present on a regular basis.

Applicants and representors will also be inconvenienced by the introduction of regional development assessment panels with greater distances to travel in order to be heard.

In relation to state government agency representation on regional planning boards, Council is acutely aware of the impact of the State Government budget on agency resources. Additional responsibilities for agencies which are already under resourced, will further impact on the timely manner in which agencies contribute to planning processes.

Funding arrangements for the proposed regional planning boards and regional development assessment panels need to be considered in far greater detail as they will be integral to reform implementation and success. Even if an initial commitment is made to fund the regions collaboratively, the arrangement could be in danger of falling over completely in times of budget constraint or with the changing priorities of the government of the day.

#### **Reform 4 Allow for independent planning inquiries**

Greater detail is required prior to Council making an informed decision regarding this reform.

Funding of the independent inquiry could be excessive and therefore out of the reach of small developers and Council feels this must be considered.

#### **Reform 7 Reshape planning documents on a regional basis**

Council has spent considerable money and resources implementing the Better Development Plan (BDP) for Yorke Peninsula. The proposed reform will, over a period of time, replace the BDP with a Regional Development Plan. The Panel's second report fails to provide sufficient justification for what appears to be a duplication of the BDP process.

Rationalisation of zoning and integrating development plans into regional documents carries the risk of losing planning policy which reflects local history. The capacity for local variations must be maintained.

Council is also concerned that competing interests between government agencies and local government could weaken planning structures.

#### **Reform 8 Enact a consistent state-wide menu of planning rules**

It will be important for such a state-wide menu to recognise the different contexts in which the planning rules will be applied, such as that of a rural or metropolitan context. Ensuring that the gatekeepers of such policies are not so far removed from these contexts so as not to understand the need for proposed additions or changes will be challenging.

Local Government must remain at the forefront of the decision making process.

#### **Reform 9 Build design into the way we plan**

A mixed use approach can be appropriate in the right circumstances, which this reform proposes to better facilitate. It will be important not to allow any statutory design standards and guidelines to become too prescriptive and inhibit the creativity this proposal desires to encourage.

Predicting what is appropriate or desired into the future on such an interpretive platform as design, would be fraught with difficulties and policy would need to accommodate a range of options.

## **Reform 12 Adopt clearer development pathways**

Complying assessment is appropriate given the criteria for such development is met under certain circumstances and in certain areas. Some areas which are sensitive in nature such as coastal environments or where native vegetation is present, complying development such as is appropriate elsewhere, may not achieve the desired outcomes. There will need to be some discretion as to where complying development is appropriate and where it is not.

At present, even though complying assessment may be warranted, much of the required information to determine it as such is not presented with an application (i.e. gradient) and therefore, cannot really be assessed as complying.

Complying assessment provisions are already in place but are not being utilised to their full extent so perhaps the requirements for the assessment should be reviewed. Perhaps a self-assessment check-list where the applicant verifies that the proposed development meets the requirements may go some way to facilitate complying assessment.

Perhaps the panel should consider additional exempt development rather than complying development that still requires a level of assessment in circumstances where the activity is considered minor and appropriate.

It may be that merit assessments are unusually high in number and that the desire is to limit the number of them into the future. However, it needs to be recognised that merit assessments are often a platform where negotiation for applications, which may ordinarily have been refused, can take place. On these occasions, planning officers work closely with the applicant to achieve an outcome which is acceptable and may include, for example, reducing the height or setback from boundaries of a proposed structure. This is an important process which serves the community and also helps to achieve good planning outcomes.

In addition, the use of the word Prohibited implies that an activity will not be allowed irrespective of the circumstances behind the application, which is not always the case.

## **Reform 13 Provide for staged and negotiated assessment processes**

It is unclear how the introduction of an additional assessment pathway will improve the development process.

Incorporating other statutory consents into the planning assessment process will result in cost shifting from State to Local Government. Many small regional Councils do not have the resources to undertake further activities making this reform impractical.

## **Reform 15 Take the next steps towards independent professional assessment**

The desire for independent assessment should not be at the expense of well-informed decision making at a local level. The danger in having assessments made entirely by nominated persons totally divorced from the cases presented has the potential for a lack of understanding of the varying factors affecting the assessment, which can often be intricate and complex. Often, whilst still being guided by the relevant Development Plan, an intimate knowledge of the historical context of a zone can also assist in making the right decision.

As far as private certification is concerned, there is a more than obvious conflict of interest, where those who are relying on attracting business (often in the form of repeat business from developers or building companies) are also approving what is submitted. Councils are far better placed to be responsible for development assessment processes, as the function of Council is not directly linked to the viability of a business.

Issues with private certification have already been made apparent when Building Rules Consent has been privately certified, as is the current practise. Councils are powerless to seek corrections when granting final Development Approval and are, in fact, not expected to re-assess what has already been certified as warranting consent. This makes it particularly difficult for Local Government building officers who are still required to undertake site inspections at various stages of a build, but are limited to what they can inspect due to the lack of documentation accompanying privately certified consents.

Council provides a complete development assessment and enforcement process for its community. The introduction of private certification has serious cost implications for Councils, particularly regional Councils.

Council cannot be expected to undertake the task of the development regulator whilst competing with the private sector, who only contributes a small proportion of the development approval process without follow up of other important compliance processes.

### **Reform 25 Adopt an online approach to planning**

Council has serious reservations about this reform. Some regional Councils have limited access to the internet and this reform will have resource and cost implications for all Councils.

The reform will require a level of system-wide coordination that has not existed in recent times.

The reform will also require a funding commitment from Government, agencies and Councils. Historically this has not been achievable due to competing interests.

### **Reform 26 Adopt a rigorous performance monitoring approach**

Greater detail is required prior to Council making an informed decision regarding this reform. Local Government has a tradition of self-monitoring, pursuit of best practice and transparency that should remain.

### **Reform 27 Pursue culture change and improved practice across the system**

It is disappointing that the Panel feels the best way to achieve improved performance is to implement a series of codes, practice notes and further accreditations for planning staff. The very nature of this reform creates mistrust.

In addition there are serious cost implications for Local Government if an outside Authority provides planning delegations to staff. Most Councils operate under an EB agreement and salaries are based on delegation and the extent of authority given to individual officers.

In closing, Council acknowledges that meaningful planning reform is difficult to achieve. If the reforms are to proceed and provide benefit to the state it is important that serious consideration be given to the cost implications associated with such an extensive overhaul of the planning system.

Yours faithfully



**ROGER S BROOKS**  
Director Development Services

Yorke Peninsula Branch Office – 8852 0200  
[admin@yorke.sa.gov.au](mailto:admin@yorke.sa.gov.au)

CC: Steven Griffiths MP  
Member for Goyder  
51 Robert Street  
MAITLAND SA 5573

## **DIRECTOR DEVELOPMENT SERVICES**

### **DA/ITEM 6.4**

#### **2. REVOCATION OF PT SECTION 646, HUNDRED OF MELVILLE** (File Ref:9.24.1.1)

##### **INTRODUCTION**

For Council to consider correspondence from the Department of Environment, Water and Natural Resources (DEWNR) (copy attached) requesting Council's comments regarding a proposed revocation of a portion of Section 646, Hundred of Melville, in the township of Edithburgh for a telecommunications facility.

##### **RECOMMENDATION**

That Council support the proposed revocation of Pt Section 646, Hundred of Melville for a telecommunications facility by NBN Co. provided the facility is located approximately 20 metres northwest of the current proposed site.

##### **COMMENT**

Visionstream on behalf of NBN Co. propose to construct and operate a telecommunications tower and compound on a portion of Section 646, Hundred of Melville. The site is more clearly defined as being in the north eastern corner of the Edithburgh Oval Reserve. Please refer to the attached correspondence from DEWNR and locality plan.

The footprint of the compound is approximately 60 square metres in area. The land is owned by the Crown under the care, control and management of Council.

The service to be provided identifies that the facility would be of a commercial nature which is inappropriate on land dedicated as Park Lands; therefore, the site of the new facility will need to be identified on a new allotment in its own right and be revoked from its current dedication of Park Lands.

The telecommunications facility and compound is currently the subject of a Development Application. From the public consultation process one representation was received opposed to the proposed position because of the facility being located on the grounds of the oval raising issues with the loss of footballs in the facility, children climbing the fence of the compound, etc.

Council's Development Assessment Panel have deferred from making a decision on the application to seek information from the applicant about the facility being moved away from the oval surrounds closer to the CFS shed, minimising any issues raised in the representation.

Should the facility be moved approximately 20 metres north west of the site as currently proposed, this would provide direct access onto Yorketown Road reducing issues raised in the representation and the need to access the facility through the oval surrounds.

##### **LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN**

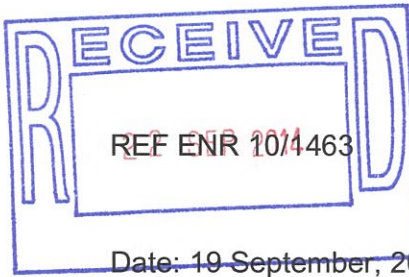
Strategic Plan

Key Theme: Community Engagement  
1. Vitality and Connection

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

**FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS**

Not Applicable.



The Chief Executive Officer  
Yorke Peninsula Council  
PO Box 88  
MINLATON SA 5575

Item Number	Customer and Corporate Services
5862-2014-4	
GDS Number	Crown Lands 35 Frances Terrace Kadina SA 5554
544/10913/2014	
Distribution	PO Box 195 Kadina SA Australia
copy to Jackie ✓ DA FILE	Ph: +61 8 8821 2588 Fax: +61 8 8821 2270 www.environment.sa.gov.au

Dear Andrew

I write regarding a proposal by Visionstream on behalf NBN Co to construct and operate a telecommunications tower on portion of Section 646 Hundred of Melville. The proposed tower compound is more particularly defined as Area B in Filed Plan 58748 and it is located in the north-west corner of the Edithburgh oval. I understand Council has been provided with specific detail of the proposal as part of the development approval process.

As the service contemplated is a new facility and it is of a commercial nature, it is not appropriate for it to be operated from Park Lands in the medium to long term. Accordingly, tenure will be offered to NBN Co initially as a licence under Section 46 of the *Crown Land Management Act, 2009* for an initial period of two years.

Once the site has been uniquely identified as an allotment in its own right, the new allotment will be revoked from its current dedication as Park Lands and allocated under lease to NBN Co for a term of ten years. The balance of Section 646 will remain as Park Lands under Council's care, control and management. The exact configuration of the new allotment will depend largely upon whether or not the Registrar General determines that it requires direct frontage to Yorketown Road. If direct frontage is required, then Area B in Filed Plan 58748 will be enlarged slightly to comply with this requirement, otherwise it will remain as defined.

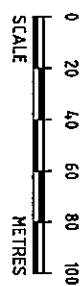
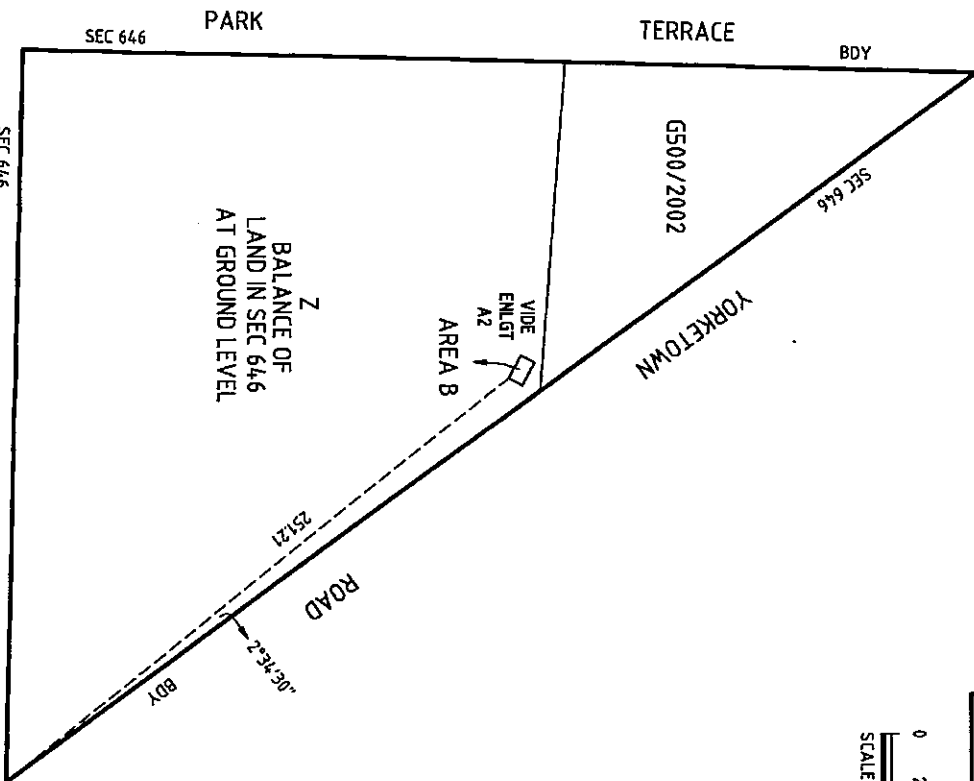
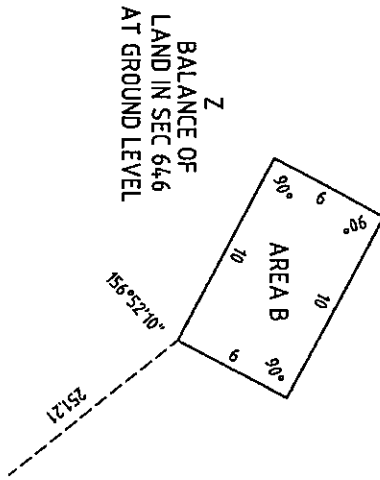
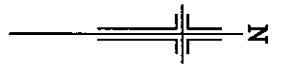
The purpose of this letter is to consult with Council on the proposed revocation, as required under Section 19 of the *Crown Land Management Act, 2009*. I am happy to discuss the proposal in more detail with either yourself or appropriate staff and to consider any comments Council has on the proposal.

For further information on this matter, please contact me on 8821 2588 or via email at [stephen.horsell@sa.gov.au](mailto:stephen.horsell@sa.gov.au).

Yours sincerely

Stephen Horsell  
**SENIOR PROPERTY OFFICER**

AREA B AND Z BALANCE OF LAND IN SEC 646 AT GROUND LEVEL ARE UNLIMITED IN HEIGHT.



**FX58748**

SHEET 2 OF 2

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**Alexander & Symonds Pty. Ltd.**  
 11 KING WILLIAM STREET, KENT TOWN  
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 REFERENCE A11113 A4LT01C  
 LHM 04/04/2014

SITE AND GROUND FLOOR PLAN

# 544/1093/2014 – Ericsson Australia (c/- Visionstream Pty Ltd)

Telecommunications Facility (Fixed Wireless NBN Tower & Associated Infrastructure)



Monday, 29 September 2014

Yorke Peninsula Council  
Council Agenda  
Wednesday 8th October 2014

