NOTE: CHANGE OF VENUE

NOTICE is hereby given pursuant to the provisions of Section 83 of the Local Government Act, 1999, that an Ordinary Meeting of Council will be held in the Community Centre, Lochiel on Wednesday, 28 October 2015, commencing at 6.30 pm.

A copy of the Agenda for the above meeting is supplied as prescribed by the aforesaid Section of the Act. The relevant reports and documents relating thereto have also been supplied for the Council Members' perusal.

Council’s Vision

“Sustainable, strong and vibrant communities supported by an engaged Council, recognised for its proactive leadership”

Christopher Parish
ACTING CHIEF EXECUTIVE OFFICER

Dated: 21 October 2015
<table>
<thead>
<tr>
<th>AGENDA</th>
<th>Page No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Opening of the Meeting by the Mayor</td>
<td></td>
</tr>
<tr>
<td>1.1 Mayor to declare the meeting open</td>
<td></td>
</tr>
<tr>
<td>1.2 Mayor to read the Council’s Vision</td>
<td></td>
</tr>
<tr>
<td>2. Attendance Record</td>
<td></td>
</tr>
<tr>
<td>2.1 Present</td>
<td></td>
</tr>
<tr>
<td>2.2 Apologies</td>
<td></td>
</tr>
<tr>
<td>3. Confirmation and Receiving of Minutes</td>
<td></td>
</tr>
<tr>
<td>3.1 Ordinary Meeting – Wednesday 23 September 2015</td>
<td>1</td>
</tr>
<tr>
<td>3.2 Audit Committee Meeting – Wednesday 14 October 2015</td>
<td>1</td>
</tr>
<tr>
<td>4. Deputations/Presentations</td>
<td></td>
</tr>
<tr>
<td>4.1 Phil Rogers – P&amp;L Rogers Pty Ltd; Mushroom Compost Development</td>
<td>1</td>
</tr>
<tr>
<td>4.2 Kristian Whittaker – STARClub Officer</td>
<td>1</td>
</tr>
<tr>
<td>5. Mayor’s Report</td>
<td>2-3</td>
</tr>
<tr>
<td>6. Delegates’ or Representatives’ Reports - Nil</td>
<td>4</td>
</tr>
<tr>
<td>7. Elected Members Reports and Briefings</td>
<td>4</td>
</tr>
<tr>
<td>8.. Declaration of Interest by Council Members</td>
<td>4</td>
</tr>
<tr>
<td>9.. Questions without Notice</td>
<td>4</td>
</tr>
<tr>
<td>10.. Questions on Notice</td>
<td>4</td>
</tr>
<tr>
<td>10.1 The Triangle (Cr Pain)</td>
<td>4</td>
</tr>
<tr>
<td>10.2 Letters in Councillors Pigeon Holes (Cr Pain)</td>
<td>5</td>
</tr>
<tr>
<td>10.3 Policies E3 and E9 (Cr Bowyer)</td>
<td>5</td>
</tr>
<tr>
<td>11. Petitions - Nil</td>
<td>5</td>
</tr>
<tr>
<td>12. Notices of Motion - Nil</td>
<td>5</td>
</tr>
<tr>
<td>13. Items for Information</td>
<td>6</td>
</tr>
<tr>
<td>13.1 CEO Monthly Meeting/Function Attendance Summary</td>
<td>6-8</td>
</tr>
<tr>
<td>13.2 Monthly Finance Reports</td>
<td>9-14</td>
</tr>
<tr>
<td>13.3 Monthly Inspectorial Report</td>
<td>15-19</td>
</tr>
<tr>
<td>13.4 STARCLUB Program Quarterly Report</td>
<td>20-23</td>
</tr>
<tr>
<td>13.6 Townsvale Estate</td>
<td>26-33</td>
</tr>
<tr>
<td>13.7 Sale of Properties for Unpaid Rates</td>
<td>34-36</td>
</tr>
<tr>
<td>13.8 Outstanding 90 day debtor - 5 Star Civil Construction Group Pty Ltd</td>
<td>37-38</td>
</tr>
</tbody>
</table>
14. Items for Decision

14.1 LGA Annual General Meeting
14.2 Lean Management
14.3 December 2015 Council Meeting - Change of Date
14.4 Engagement of Norman Waterhouse to Draft the a New Charter the Central Local Government Region of South Australia
14.5 Authorisation for Mayor and Chief Executive Officer to Certify 2014/15 Annual Financial Statements
14.6 2014/15 Treasury Management Performance Review
14.7 Review of Audit Committee terms of Reference
14.8 Rent of Road Reserve Near Beaufort
14.9 Authorisation for Use of Consultants for Condition Rating of Buildings and Revaluation of Land and Buildings
14.10 Councillor Infrastructure Forum - Outcomes
14.11 Street Tree Assessment – Bruce Drive, Balaklava
14.12 Wokurna Road – Proposed by District Council of Barunga West – Special Local Roads Submission
14.13 Temporary Road Closure – Port Wakefield Hotel – Radelade Show and Shine
14.14 Temporary Road Closure – Balaklava Area Committee – 2015 Christmas Eve Pageant and Street Gathering
14.15 Infrastructure Services Quarterly Report

15. Confidential Items

CLOSURE
3. CONFIRMATION AND RECEIVING OF MINUTES

RECOMMENDATION

3.1 That the Minutes of the Ordinary Meeting of Council held on Wednesday, 23 September 2015, be taken as read and a true and correct record.

3.2 That the Minutes of the Audit Committee Meeting of Council held on Wednesday, 14 October, be taken as read and endorsed.

4. DEPUTATIONS/PRESENTATIONS

4.1 Phil Rogers – P&L Rogers Pty Ltd; Mushroom Compost Development

4.2 Kristian Whittaker – STARClub Officer
5. MAYOR’S REPORT

The following table provides information on meetings/functions I have attended during the current reporting period. The detail is in summary format only.

<table>
<thead>
<tr>
<th>DATE</th>
<th>SUBJECT/ITEM</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 September</td>
<td>Central Local Government Region Meeting</td>
<td>Discussion on the contract for CLGR CEO and constitutional options for set up of LEGATUS were the key topics for the meeting.</td>
</tr>
<tr>
<td>25 September</td>
<td>Balaklava Bowling Club</td>
<td>Opened their bowling season and made presentations to two members for 50 years of bowling. Council was thanked for their funding for the water allocation through the grants programme.</td>
</tr>
<tr>
<td>26 September</td>
<td>Balaklava and Dalkey Ag Society</td>
<td>Opened the 137th Balaklava Show. Steven Griffiths and Geoff Brock in attendance.</td>
</tr>
<tr>
<td>29 September</td>
<td>Yorke Peninsula Council Building Opening</td>
<td>Attended the opening of the new council buildings at Maitland with CEO Cate.</td>
</tr>
<tr>
<td>9 October</td>
<td>The Proof and Experimental Establishment at Pt Wakefield</td>
<td>Attended an open day that was structured towards the families of onsite employees. It provided a brief overview of the roles and functions of the site along with some static displays.</td>
</tr>
<tr>
<td>10 October</td>
<td>Celebration of Employment Awards Evening at Wallaroo</td>
<td>Presented one of the awards and offered support to local business employees involved. Acting CEO, Christopher Parish also attended.</td>
</tr>
<tr>
<td>12 October</td>
<td>Elected members and senior officers bus tour</td>
<td>Reviewed current and potential projects</td>
</tr>
<tr>
<td>14 October</td>
<td>Audit Committee Meeting</td>
<td></td>
</tr>
<tr>
<td>20 October</td>
<td>Citizenship Ceremony</td>
<td>Gian Haasbroek will be conferred as an Australian Citizen.</td>
</tr>
<tr>
<td>21 October</td>
<td>Poultry Industry Forum</td>
<td></td>
</tr>
<tr>
<td>22 October</td>
<td>Library Consultation Meeting</td>
<td>I attended the session in Snowtown.</td>
</tr>
<tr>
<td>26 October</td>
<td>Library Consultation Meeting</td>
<td>Feedback provided from the consultation sessions at Balaklava, Port Wakefield and Snowtown.</td>
</tr>
<tr>
<td>27 October</td>
<td>Snowtown Primary School Well-being afternoon</td>
<td></td>
</tr>
<tr>
<td>28 October</td>
<td>Probus Club Balaklava</td>
<td>Attended as their guest speaker.</td>
</tr>
</tbody>
</table>
The following table lists up and coming events for the Mayor.

<table>
<thead>
<tr>
<th>DATE</th>
<th>SUBJECT/ITEM</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>29 October</td>
<td>LGA Meetings in Adelaide</td>
<td></td>
</tr>
<tr>
<td>30 October</td>
<td>LGA Meetings in Adelaide</td>
<td></td>
</tr>
</tbody>
</table>

**RECOMMENDATION**
That the report be noted.
6. **DELEGATES’ OR REPRESENTATIVES’ REPORTS - Nil**

7. **ELECTED MEMBER REPORTS AND BRIEFINGS**

8. **DECLARATION OF INTEREST BY COUNCIL MEMBERS**

9. **QUESTIONS WITHOUT NOTICE**

   **Rules per Local Government (Procedures at Meetings) Regulations 2000:**
   - Questions and replies are not entered in the minute book unless expressly required by resolution.
   - If required by the presiding member such question shall be put in writing.
   - The presiding member may direct that a reply be given at the next meeting.
   - The presiding member may rule that a question without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.

   Other helpful references are the LGA Meeting Procedures Handbook for Council Members 2010, including:

   When a question is asked at either a Council or Committee meeting normal process is that the presiding member will reply to the question. This procedure enables Councillors to obtain information that is relevant to their role as a member of the governing body and the function of that body. The question should relate to functional, strategic, or policy issues of the Council. Questions of an operational nature are the domain of the CEO and should be directed to the CEO outside of a meeting and during business hours. (pages 26-27)

10. **QUESTIONS ON NOTICE**

   **CR PAIN**

10.1 **The Triangle**

1. Why has it been stated in the September 2015 Council Newsletter that the conceptual design, for the upgrade of the Triangle was tabled at the July 15th Council Meeting when it was not?

2. Who are the Council Members, working party, who engaged with the consultants from Wax re the current design of the triangle that went out for public consultation?

3. Who are “We” that stated “We personally believe the design is fantastic and will be a great feature for the Central Balaklava……….”? (Page 3.

4. Who is the author of this quote?

5. Who wrote the article for the Newsletter?

6. How did the author of this quote come to the conclusion that “we personally believe the design is fantastic?”

7. As this concept plan appears to have been sent out for public consultation, why wasn’t the estimated costing of the two stages totalling $420,000 disclosed to the public so not only they base their decision not only on the design/appearance but also on the financial costs? (They may like the design but not feel the expenditure of $420,000 is warranted.)

8. If there is potential for the removal of 24 car parks, 14 additional car parks, 12 parallel and two disabled car parks does this mean that there will be 36 car parks as additional means more than what one currently has?

9. If in fact the car parking is to be reduced from 24 car parks to 14 then why wasn’t this made clear in the report sent out as in the current for it is misleading.
10.2 Letters in Councillors Pigeon Holes

1. Why weren’t the letters addressed to all individual Councillors/ Mayor that were left at the Council Office on Tuesday 22 September 2015 by a member of the public, not put in Councillors pigeon holes for collection?

2. Why weren’t these letters given to Councillors/Mayor at the Council meeting 23 September 2015 along with the memo, dated 23 September 2015, that was relevant to this letter, stamped as received 22 September 2015, and addressed to Councillors?

CR BOWYER

10.3 Policies E3 and E9

1. Would the CEO explain why the Council website still displays previous versions of Policy E3 and E9 when a resolution was passed amending these policies as far back as the July Council Meeting?

2. Apart from the Council website what other records system exists within Council to store the current or latest amended versions of policy?

3. Would the CEO at the October Ordinary Council Meeting present documentation verifying on what date the latest amended versions of policy E3 and E9 were added to the current list of policies that were amended by Member resolution at the July Council Meeting?

4. Would the CEO table all relevant documents used to inform the Works Co-ordinator of the amended Policies E3 and E9 as the Works Coordinator would be the person within the Council who negotiates with landholders over borrow pit contracts and would have needed the exact details of any policies to enable the Works Co-ordinator to proceed from the date of July 24th onwards?

5 Would the CEO table documentation showing on what date the CEO or anyone that was delegated that task, informed the Works Co-ordinator of changes to Policies E3 and E9?

11. PETITIONS – Nil

12. NOTICES OF MOTION – Nil
The following standard table provides information on key meetings/functions I have attended during the current reporting period. The detail is in summary format only and where decisions will be required or the provision of more information is justified, then additional detail will be reported as a separate item.

<table>
<thead>
<tr>
<th>DATE</th>
<th>SUBJECT/ITEM</th>
<th>OTHER ATTENDEES</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 September</td>
<td>Bank services in Balaklava</td>
<td>Adam Moss, Bank SA</td>
<td>General discussion on improving banking services in Balaklava and opportunities for mobile banking services</td>
</tr>
<tr>
<td>22 September</td>
<td>Road rent application, Port Wakefield</td>
<td>Remo Bria (property owner), Deb Brokenshire Acting Corporate Services Manager</td>
<td>Request to favourably consider application and overview of processes to date. Invitation to visit property for a site inspection</td>
</tr>
<tr>
<td></td>
<td>Proposed development of a mushroom composting activity</td>
<td>P Rogers, D Schirripa, (proponents), Chris Parish Community and Development Services Manager, David Hassett Infrastructure Services Manager, Dustin Guthberg Building Development Officer</td>
<td>Presentation on proposed activity of a mushroom compost facility</td>
</tr>
<tr>
<td>23 September</td>
<td>Opportunities for residential development</td>
<td>Michael Hickinbotham</td>
<td>General discussion on opportunities for additional residential development in Balaklava and Port Wakefield</td>
</tr>
<tr>
<td>24 September</td>
<td>Townsvale Estate</td>
<td>Mandy Shepherd, Betty Stevens, Crs May, Williams, Lamond, Pain, David Hassett Infrastructure Services Manager</td>
<td>Third meeting of working party discussing opportunities to address road issues in Estate (meeting notes attached as part of report 13.7)</td>
</tr>
<tr>
<td>25 September</td>
<td>Central Local Government Region</td>
<td>Mayor Reid, Mayors and CEO’s from Councils within Central Local Government Region</td>
<td>Workshop to progress changes to the operations of the CLGR</td>
</tr>
<tr>
<td>Date</td>
<td>Event Description</td>
<td>Participants</td>
<td>Notes</td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>29 September</td>
<td>Opening of Yorke Peninsula Council offices</td>
<td>Mayor Reid, Mayors and CEO’s from a number of adjoining Councils, Governor Hieu Van Le and Mrs Hieu Van Le, David Burgess President LGA, community representatives from Yorke Peninsula</td>
<td>Opening ceremony of the new Council offices in Ardrossan</td>
</tr>
<tr>
<td>1 October</td>
<td>Road Rent application, Port Wakefield</td>
<td>Crs Pain and Williams, Remo Bria and Steven Brown (property owners), Deb Brokenshire Acting Corporate Services Manager</td>
<td>Site inspection</td>
</tr>
<tr>
<td>6 – 26 October</td>
<td>Annual Leave</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acting Chief Executive Officer – Christopher Parish</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 October</td>
<td>Regional Youth Bus</td>
<td>CDO Holly Cowan, CEO DC Goyder J Brak, participating council representatives, EO and two board Members for Barossa Lower Northern Futures</td>
<td>Discussion to resolve a number of outstanding items relating to the operation of the Regional Youth Bus and to seek the rewriting of the current MOU.</td>
</tr>
<tr>
<td>7 October</td>
<td>Economic Development opportunities</td>
<td>Kelly Ann Saffin and Amanda Redden (RDA), Malcolm May</td>
<td>Scheduled meeting to facilitate closer working relationships with RDA, Bowmans Intermodal and Council</td>
</tr>
<tr>
<td>9 October</td>
<td>The Proof and Experimental Establishment at Pt Wakefield</td>
<td>Mayor Rodney Reid</td>
<td>Attended the Proof and Experimental Range open day. The ADF provided a brief overview of the roles and functions of the site along with a number of static displays.</td>
</tr>
<tr>
<td>10 October</td>
<td>Celebration of Employment Awards Evening at Wallaroo</td>
<td>Mayor Reid, Mayors and CEO’s from a number of adjoining Councils, Federal and State Parliamentary Members, RDA and community representatives and award nominees from the region</td>
<td>Represent WRC who have partnered with RDA, DC Copper Coast, Yorke Peninsula Council and DC Barunga West for many years to support the Celebration of Employment Awards</td>
</tr>
<tr>
<td>Date</td>
<td>Event Description</td>
<td>Organizer(s)</td>
<td>Notes</td>
</tr>
<tr>
<td>------------</td>
<td>----------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>12 October</td>
<td>Elected members and senior officers bus tour</td>
<td>Mayor Reid, Cr Wood, Cr Smith, Cr Pain, Cr Bowyer, Cr Williams, Cr May, Cr Lamond, CSM Steve Jonas, ISM David Hassett, Acting CDSM Deb Brokenshire and EA Holli Hahn.</td>
<td>Reviewed current and potential projects throughout the WRC area.</td>
</tr>
<tr>
<td>13 October</td>
<td>Radio interview ABC North-West</td>
<td>Radio presenter Tim Bennett</td>
<td>Discuss grant funding for Fish Cleaning Stations and Boat Ramp Access projects</td>
</tr>
<tr>
<td>14 October</td>
<td>LGA – Department Health Workshop for the development of an Indicator Set for Public Health Impacts of Climate Change</td>
<td>Health professionals and Local Government representatives</td>
<td>Workshop Climate Change adaptation models for Local Government agencies to compliment their Regional Health Plans</td>
</tr>
<tr>
<td>20 October</td>
<td>Citizenship Ceremony</td>
<td>Mayor Reid, Gian Haasbroek and invited guests</td>
<td>Gian Haasbroek conferred as an Australian Citizen</td>
</tr>
<tr>
<td>20 October</td>
<td>Lions Club of Balaklava Dinner</td>
<td>Lions Club Members</td>
<td>Guest Speaker</td>
</tr>
<tr>
<td>21 October</td>
<td>Poultry Industry Stakeholder Forum, Port Wakefield</td>
<td>Mayor Reid, RDA Mid North &amp; Yorke, Michael Moore &amp; Steven Dubrich PIRSA, Dada Hu Baiada Select Poultry, Geordie Galvin Pacific Environment, John Hogarth Biobin, Poultry Industry, Dustin Guthberg WRC and Poultry representatives from the region.</td>
<td>Workshop strategies for growing in the region and to assist in facilitating progress for the industry.</td>
</tr>
<tr>
<td>22 October</td>
<td>Libraries SA Consultation Day</td>
<td>Libraries SA consultative staff, Library managers, School Principals, WRC CDO Holli Cowan and members of the public</td>
<td>3 workshops at Balaklava, Port Wakefield and Snowtown to discuss the future of library services in the region and to seek public comment as the needs of the community.</td>
</tr>
</tbody>
</table>

**Officer Recommendation**

That the report be noted
1. **Report Purpose**

   Provide Council with monthly financial summaries.

2. **Statutory Responsibilities** – Nil

3. **Strategic Plan Reference**

   Objective 4.4 Effective management of our financial resources

4. **Other Plan or Policy References** – Nil

5. **Report**

   Finance reports regarding uniform presentation of finances, liquidity treasury management, material expenditure items, bank account reconciliations, accounts paid, investment and bank account balances and debtors as at 30 September 2015 are attached for information.

   The September due date for a quarterly rates instalment has meant that rates debtors in arrears have increased, as expected, during September but this balance should again reduce over the ensuing months. A report providing further information about the status of the sale of properties for non-payment of rates is included in this agenda (item 13.7).

   The 90+ days other debtors balance has decreased marginally in September. Item 13.8 in this agenda is a report regarding the largest of the outstanding debtors.

6. **Officer Recommendation**

   That the report be noted.

7. **Financial Implication (of the recommendation)**

   7.1 Capital/One off Cost – Nil
   7.2 Recurrent Cost – Nil

8. **Risk Assessment (of the recommendation)**

   Low risk as the report is for information only.

9. **Attachments**

   9.1 Uniform Presentation of Finances
   9.2 Liquidity Treasury Management Report
   9.3 Material Expenditure Items Report
   9.4 Bank Account Reconciliations
   9.5 Investment and Bank Account Summary
   9.6 Debtors Report and Accounts Paid
### OPERATING ACTIVITIES

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Budget</th>
<th>Adopted Budget</th>
<th>Current Budget</th>
<th>Actuals as at 30/09/2015</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Revenues</td>
<td>12,892,845</td>
<td>12,892,845</td>
<td>10,695,173</td>
<td>83%</td>
<td></td>
</tr>
<tr>
<td>Less Operating Expenses</td>
<td>13,161,970</td>
<td>13,161,970</td>
<td>3,124,047</td>
<td>24%</td>
<td></td>
</tr>
<tr>
<td>Operating Surplus / (Deficit)</td>
<td>(269,125)</td>
<td>(269,125)</td>
<td>7,571,127</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### CAPITAL ACTIVITIES

#### Less Net Outlays on Existing Assets

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Budget</th>
<th>Adopted Budget</th>
<th>Current Budget</th>
<th>Actuals as at 30/09/2015</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure on renewal and replacement of Existing Assets</td>
<td>5,037,748</td>
<td>5,037,748</td>
<td>722,068</td>
<td>14%</td>
<td></td>
</tr>
<tr>
<td>Less Depreciation, Amortisation and Impairement</td>
<td>4,874,726</td>
<td>4,874,726</td>
<td>1,218,682</td>
<td>25%</td>
<td></td>
</tr>
<tr>
<td>Less Proceeds from Sale of Replacement Assets</td>
<td>194,000</td>
<td>194,000</td>
<td>19,136</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>Net Outlays on Existing Assets</td>
<td>(30,978)</td>
<td>(30,978)</td>
<td>(515,750)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Less Net Outlays on New and Upgraded Assets

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Budget</th>
<th>Adopted Budget</th>
<th>Current Budget</th>
<th>Actuals as at 30/09/2015</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure on New and Upgraded Assets</td>
<td>392,151</td>
<td>392,151</td>
<td>50,833</td>
<td>13%</td>
<td></td>
</tr>
<tr>
<td>Less Amounts received specifically for New and Upgraded Assets</td>
<td>30,000</td>
<td>30,000</td>
<td>129,742</td>
<td>432%</td>
<td></td>
</tr>
<tr>
<td>Less Proceeds from Sale of Surplus Assets</td>
<td>214,000</td>
<td>214,000</td>
<td>-</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Net Outlays on New and Upgraded Assets</td>
<td>148,151</td>
<td>148,151</td>
<td>(78,909)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Net Change in Assets & Liabilities including Lending / (Borrowing)

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Budget</th>
<th>Adopted Budget</th>
<th>Current Budget</th>
<th>Actuals as at 30/09/2015</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>(386,297)</td>
<td>(386,297)</td>
<td>8,165,786</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Depreciation actual has been estimated when actual depreciation calculations can not yet be reliably calculated.

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### WAKEFIELD REGIONAL COUNCIL

#### Liquidity/Treasury Management Report

<table>
<thead>
<tr>
<th>Description</th>
<th>31/08/2015</th>
<th>30/09/2015</th>
<th>Movement %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Investments &amp; Debtors</td>
<td>8,434,772</td>
<td>7,367,321</td>
<td>(13%)</td>
</tr>
<tr>
<td>Cash On Hand And At Bank</td>
<td>573,445</td>
<td>251,607</td>
<td>(56%)</td>
</tr>
<tr>
<td>Cat Call, Short Term Deposits &amp; Bank Bills Etc.</td>
<td>106,407</td>
<td>1,006,407</td>
<td>846%</td>
</tr>
<tr>
<td>Community Loans</td>
<td>18,786</td>
<td>12,318</td>
<td>(34%)</td>
</tr>
<tr>
<td>Debtors Rates</td>
<td>7,658,415</td>
<td>6,043,740</td>
<td>(21%)</td>
</tr>
<tr>
<td>Debtors Other</td>
<td>77,719</td>
<td>53,249</td>
<td>(31%)</td>
</tr>
<tr>
<td>Total Current Investments &amp; Debtors</td>
<td>8,434,772</td>
<td>7,367,321</td>
<td>(13%)</td>
</tr>
<tr>
<td>Less Current Loan Borrowings &amp; Creditors</td>
<td>915,820</td>
<td>721,739</td>
<td>(21%)</td>
</tr>
<tr>
<td>Cash Advance Debenture (Overdraft Facility)</td>
<td>233,603</td>
<td>-</td>
<td>(100%)</td>
</tr>
<tr>
<td>Fixed Term Loans</td>
<td>173,635</td>
<td>154,016</td>
<td>(11%)</td>
</tr>
<tr>
<td>Creditors Control</td>
<td>508,582</td>
<td>567,723</td>
<td>12%</td>
</tr>
<tr>
<td>Total Current Borrowings &amp; Creditors</td>
<td>915,820</td>
<td>721,739</td>
<td>(21%)</td>
</tr>
<tr>
<td>Current Balance</td>
<td>7,518,952</td>
<td>6,645,582</td>
<td>(12%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>31/08/2015</th>
<th>30/09/2015</th>
<th>Movement %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Current Investments &amp; Debtors</td>
<td>113,253</td>
<td>113,253</td>
<td>0%</td>
</tr>
<tr>
<td>Community Loans</td>
<td>113,253</td>
<td>113,253</td>
<td>0%</td>
</tr>
<tr>
<td>Less Non-Current Loan Borrowings &amp; Creditors</td>
<td>1,540,056</td>
<td>1,540,056</td>
<td>0%</td>
</tr>
<tr>
<td>Fixed Term Loans</td>
<td>1,540,056</td>
<td>1,540,056</td>
<td>0%</td>
</tr>
<tr>
<td>Non-Current Balance</td>
<td>(1,426,803)</td>
<td>(1,426,803)</td>
<td>0%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>6,092,149</td>
<td>5,218,778</td>
<td>(14%)</td>
</tr>
</tbody>
</table>

Data extract was performed on 19/10/15
Material Activities (Expenditure) - Period ending 30 September 2015

- **Unsealed Road Construction Expenditure**: 2,162 (26%)
- **Sealed Road Construction Expenditure**: 2,054 (5%)
- **Unsealed Road Maintenance (excluding Depn)**: 1,633 (33%)
- **Community Wastewater Management Scheme Expenditure**: 1,032 (24%)
- **Governance Expenditure**: 1,018 (25%)
- **Waste Management Expenditure**: 969 (20%)
- **Sealed Road Maintenance (excluding Depn)**: 764 (25%)
- **Plant Purchases (Net Changeover)**: 634 (25%)
- **Current Budget $'000**
- **YTD Actual $'000**

Data extract was performed on 19/10/15
## ANZ Cheque Account

### Balance per General Ledger (30/9/2015)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payments not posted</td>
<td>$0.00</td>
<td>Cr</td>
</tr>
<tr>
<td>Deposits not posted</td>
<td>$590.87</td>
<td>Dr</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$255,764.19</strong></td>
<td><strong>Dr</strong></td>
</tr>
</tbody>
</table>

### Balance per Bank Statement (30/9/2015)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payments not presented</td>
<td>$5,026.18</td>
<td>Dr</td>
</tr>
<tr>
<td>Deposits not presented</td>
<td>$827.17</td>
<td>Cr</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$259,963.20</strong></td>
<td><strong>Cr</strong></td>
</tr>
</tbody>
</table>

### Balance per General Ledger (31/8/2015)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Add Receipts</td>
<td>$2,260,684.71</td>
<td>Dr</td>
</tr>
<tr>
<td>Less Payments</td>
<td>$2,582,349.99</td>
<td>Cr</td>
</tr>
<tr>
<td>Payments not posted</td>
<td>$0.00</td>
<td>Cr</td>
</tr>
<tr>
<td>Deposits not posted</td>
<td>$590.87</td>
<td>Dr</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$255,764.19</strong></td>
<td><strong>Dr</strong></td>
</tr>
<tr>
<td>DESCRIPTION</td>
<td>INVESTMENT ACCOUNT BALANCE AT 31/8/15</td>
<td>CASH MOVEMENT IN</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>----------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td><strong>LG FINANCE AUTHORITY DEPOSITS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wakefield General</td>
<td>$0.00</td>
<td>$1,330,000.00</td>
</tr>
<tr>
<td>Wakefield 48 Liptrot Trail</td>
<td>$106,406.78</td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>TOTAL LGFA DEPOSITS</strong></td>
<td>$106,406.78</td>
<td>$1,330,000.00</td>
</tr>
<tr>
<td><strong>ANZ ACCOUNTS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash at Bank - ANZ Cheque Account</td>
<td>$486,960.11</td>
<td>$2,317,783.19</td>
</tr>
<tr>
<td>Cash at Bank - Water Mains Upgrade Project</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Cash at Bank - Port Wakefield Caravan Park</td>
<td>$8,959.65</td>
<td>$25,666.14</td>
</tr>
<tr>
<td><strong>TOTAL ANZ ACCOUNTS</strong></td>
<td>$495,919.76</td>
<td>$2,343,449.33</td>
</tr>
<tr>
<td><strong>TOTAL CASH DEPOSITS</strong></td>
<td>$602,326.54</td>
<td>$3,673,449.33</td>
</tr>
</tbody>
</table>
**Debtors**  
*For Month Ending 30th September 2015*

<table>
<thead>
<tr>
<th>Debtors Rates</th>
<th>July 2015</th>
<th>August 2015</th>
<th>September 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>8,681,793.75</td>
<td>7,188,234.25</td>
<td>5,456,320.55</td>
</tr>
<tr>
<td>Arrears</td>
<td>505,096.12</td>
<td>473,920.90</td>
<td>589,406.56</td>
</tr>
<tr>
<td>Paid In Advance</td>
<td>-583.67</td>
<td>-3,740.47</td>
<td>-1,987.10</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$9,186,306.20</td>
<td>$7,658,414.68</td>
<td>$6,043,740.01</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Debtors - Others</th>
<th>July 2015</th>
<th>August 2015</th>
<th>September 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>90+ Days</td>
<td>29,525.07</td>
<td>30,085.41</td>
<td>29,645.41</td>
</tr>
<tr>
<td>60-89 Days</td>
<td>1,017.55</td>
<td>660.00</td>
<td>0.00</td>
</tr>
<tr>
<td>30-59 Days</td>
<td>2,572.53</td>
<td>700.00</td>
<td>1,980.85</td>
</tr>
<tr>
<td>Current-29 Days</td>
<td>38,333.49</td>
<td>46,539.91</td>
<td>21,803.59</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$71,448.64</td>
<td>$77,985.32</td>
<td>$53,429.85</td>
</tr>
</tbody>
</table>

**Total Debtors**  
$9,257,754.84 $7,736,400.00 $6,097,169.86

**Accounts Paid**

Cheque No's 122518-122533  
EFT No's 17389-17514

Totalling $541,667.19

**TOTAL PAYMENTS**  
$541,667.19

The Accounts Paid represented by cheques numbered from 122518-122533 and EFTs numbered 17389-17514 are hereby certified as to;

(a) The receipt of goods and services being in accordance with the relevant official order.

(b) The prices charged are fair and reasonable.

(c) The calculations and additions are correct.
1. **Report Purpose**

To provide Council with an overview of operations relating to planning and building, environmental health, and general inspectorial services.

2. **Statutory Responsibilities**

Development Act 1993 – various provisions  
Development Regulations 2008  
Public Health Act 2011

3. **Strategic Plan Reference**

4.2 Responsible and accountable leadership and management of Council operations

4. **Other Plan or Policy References** – Nil

5. **Report**

The following is a summary of works undertaken in the last month in relation to planning and building, environmental health and general inspectorial services.

**Planning/Building**: There were 19 applications approved in September the majority of which were associated with residential development: 2 for residential dwellings, 12 for additions, 4 industrial and 1 planning only application. The applications had a total value of $944,951. In comparison with the year to date 2014/2015, both application numbers and the overall dollar value of the applications are down.

**Environmental Health**: There were 19 cases of communicable diseases reported. There were 5 waste water approvals. There was 2 waste control inspection conducted and 5 food inspections.

**General Inspection**: A total of 17 dog incidents were responded to and investigated together with 8 general responses including parking issues, dumped rubbish and burning complaints.

6. **Officer Recommendation**

That the report be noted

7. **Financial Implications (of the recommendation)**

7.1 Capital/One off Cost - Not Applicable as the report is for information only.  
7.2 Recurrent Cost – Not Applicable as the report is for information only.
8. **Risk Assessment (of the recommendation)**

Low risk as for the report is for information only.

9. **Attachments**

9.1 Monthly Development Statistics for 2015/2016 and Monthly Development Approvals, and Development Applications, Land Divisions and Section 49 Advice

9.2 Environmental Health Schedule

9.3 General Inspector Schedule
Table 1: Number of Applications Approved

<table>
<thead>
<tr>
<th>CLASS</th>
<th>MONTH</th>
<th>J</th>
<th>A</th>
<th>S</th>
<th>O</th>
<th>N</th>
<th>D</th>
<th>J</th>
<th>F</th>
<th>M</th>
<th>A</th>
<th>M</th>
<th>J</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a New Residential</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>1a, 10 Additions</td>
<td>3</td>
<td>5</td>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>19</td>
</tr>
<tr>
<td>10b Other</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>9 New</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>7, 8 New Industrial Additions</td>
<td>5</td>
<td>2</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>3, 5, 6 New Commercial Additions</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>New Rural Additions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Planning only Including Land Divisions</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>TOTAL</td>
<td>15</td>
<td>13</td>
<td>19</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>47</td>
</tr>
</tbody>
</table>
### 9.2 Environmental Health Schedule

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notifiable Communicable Diseases</td>
<td>3 cases Influenza A</td>
</tr>
<tr>
<td>Reported</td>
<td>13 cases Influenza B</td>
</tr>
<tr>
<td></td>
<td>1 cases Rotavirus</td>
</tr>
<tr>
<td></td>
<td>2 cases Campylobacter</td>
</tr>
<tr>
<td>Waste Control System Approvals</td>
<td>5 Waste Control Approvals</td>
</tr>
<tr>
<td>Waste Control System Inspections</td>
<td>2 Inspections</td>
</tr>
<tr>
<td>Food Premises inspections</td>
<td>5 Food Inspections</td>
</tr>
<tr>
<td>Other</td>
<td>Annual Business Report</td>
</tr>
</tbody>
</table>
## Dog Management

<table>
<thead>
<tr>
<th>DATE</th>
<th>COMPLAINT</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 September</td>
<td>Dog wandering at large</td>
<td>Brinkworth</td>
</tr>
<tr>
<td>3 September</td>
<td>Dog wandering at large</td>
<td>Owen</td>
</tr>
<tr>
<td>3 September</td>
<td>Barking dog</td>
<td>Hamley Bridge</td>
</tr>
<tr>
<td>3 September</td>
<td>Barking dog</td>
<td>Hamley Bridge</td>
</tr>
<tr>
<td>4 September</td>
<td>Dog wandering at large</td>
<td>Port Wakefield</td>
</tr>
<tr>
<td>9 September</td>
<td>Barking dog enquiries</td>
<td>Hamley Bridge</td>
</tr>
<tr>
<td>10 September</td>
<td>Unregistered dog</td>
<td>Snowtown</td>
</tr>
<tr>
<td>13 September</td>
<td>Dog wandering at large</td>
<td>Port Wakefield</td>
</tr>
<tr>
<td>16 September</td>
<td>Dog wandering at large</td>
<td>Balaklava</td>
</tr>
<tr>
<td>18 September</td>
<td>Dog wandering at large</td>
<td>Balaklava</td>
</tr>
<tr>
<td>18 September</td>
<td>Dog wandering at large</td>
<td>Balaklava</td>
</tr>
<tr>
<td>22 September</td>
<td>Barking dog</td>
<td>Balaklava</td>
</tr>
<tr>
<td>23 September</td>
<td>Dog Harass / Chase</td>
<td>Hamley Bridge</td>
</tr>
<tr>
<td>23 September</td>
<td>Dog wandering at large</td>
<td>Owen</td>
</tr>
<tr>
<td>25 September</td>
<td>Dog wandering at large</td>
<td>Port Wakefield</td>
</tr>
<tr>
<td>27 September</td>
<td>Alleged dog attack</td>
<td>Bowmans</td>
</tr>
<tr>
<td>30 September</td>
<td>Dog wandering at large</td>
<td>Bowmans</td>
</tr>
</tbody>
</table>

## General Inspections

<table>
<thead>
<tr>
<th>DATE</th>
<th>COMPLAINT</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 September</td>
<td>Dumping soil on a reserve</td>
<td>Blyth</td>
</tr>
<tr>
<td>1 September</td>
<td>Easement Blockage</td>
<td>Brinkworth</td>
</tr>
<tr>
<td>1 September</td>
<td>Back yard burning</td>
<td>Brinkworth</td>
</tr>
<tr>
<td>1 September</td>
<td>Abandoned Car</td>
<td>Snowtown</td>
</tr>
<tr>
<td>10 September</td>
<td>Abandoned Car</td>
<td>Port Wakefield</td>
</tr>
<tr>
<td>11 September</td>
<td>Abandoned Boat &amp; Trailer</td>
<td>Hoyleton</td>
</tr>
<tr>
<td>11 September</td>
<td>Dumped Rubbish (furniture)</td>
<td>Hundred of Hall</td>
</tr>
<tr>
<td>28 September</td>
<td>Abandoned Car</td>
<td>Hundred of Inkerman</td>
</tr>
</tbody>
</table>

## Fire Prevention

<table>
<thead>
<tr>
<th>DATE</th>
<th>LOCATION</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 September</td>
<td>Council area</td>
<td>Fuel Curing and Loading Inspections commenced weekly for reporting to SACFS &amp; NEMP</td>
</tr>
<tr>
<td>16 &amp; 17 September</td>
<td>Nuriootpa</td>
<td>Attended Fire Prevention Officer’s Reaccreditation Seminar.</td>
</tr>
<tr>
<td>30 September</td>
<td>SACFS Clare</td>
<td>Attended a meeting to prepare Permit issuing Guidelines.</td>
</tr>
</tbody>
</table>
1. **Report Purpose**

   To provide Council with a quarterly STARCLUB Program report and update from across the region.

2. **Statutory Responsibilities – Nil**

3. **Strategic Plan Reference**

   1.1 Develop and facilitate ongoing partnerships and relationships with key stakeholders and community groups
   1.3 Support the development of vibrant townships and communities

4. **Other Plan or Policy References – Nil**

5. **Report**

   A quarterly STARCLUB Field Officer Program Report is attached for the months of July, August and September 2015 for information.

6. **Officer Recommendation**

   That the report be noted.

7. **Financial Implications (of the recommendation)**

   7.1 Capital/One off Cost - Not Applicable as the report is for information only.
   7.2 Recurrent Cost – Not Applicable as the report is for information only.

8. **Risk Assessment (of the recommendation)**

   Low risk as for the report is for information only.

9. **Attachment**

   July, August, September 2015 - Quarterly SFO Program Report
## Lower North & Yorke Peninsula STARCLUB Field Officer Program

### Quarterly Report

<table>
<thead>
<tr>
<th>Year</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Period</td>
<td>July – September (3rd quarter)</td>
</tr>
<tr>
<td>Prepared by</td>
<td>Kristian Whitaker – LNYP STARCLUB Field Officer</td>
</tr>
</tbody>
</table>

### Projects

- **‘SA Open’ Major Bowling Event**
- **2015 Grants, Events & Training Calendar**
  - Grants & Funding Workshops
  - Child Safe Officer Courses
  - Marketing/Website/Social Media Workshop
- **SportLNYP.com**
  - *Undergoing upgrade*, creating and maintaining a functional and up to date website to act as the region’s primary sports & recreation resource (*due for completion ASAP* )
- **LNYP Sport & Recreation Social Media**
  - Creating and maintaining a functional and up to date Social media Presence to work with SportLNYP.com to act as the region’s primary sports & recreation resource

### STARCLUB Registrations

<table>
<thead>
<tr>
<th>STARCLUB Registrations</th>
<th>114 Clubs/Associations have registered with the STARCLUB program as at the end of September 2015 (out of a total of approximately 275 clubs in the region).</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>STARCLUB Status Recognition Program</strong> currently in outlay and will lead to official recognition of high achieving clubs within the region in 2015.</td>
</tr>
</tbody>
</table>

### Planning

- **Professional Networking Plan** (June 2014 – May 2015)
  - Organise and attend professional networking opportunities with relevant people from local/regional/state sporting & recreation organisations
  - Create and implement active and functional networks with relevant people from local/regional/state sporting & recreation organisations
- **Local Sporting & Recreation Database**
  - Create & continue to update a functional sport & recreation database specific to the LNYP region for regular use by a variety of organisations
<table>
<thead>
<tr>
<th>July</th>
</tr>
</thead>
<tbody>
<tr>
<td>DC Copper Coast</td>
</tr>
<tr>
<td>- Organised, ran and presented at a Grants Workshop and Information Night for the DCCC at Kadina attended by 24 individuals from the local sports and recreation community.</td>
</tr>
<tr>
<td>YP Council</td>
</tr>
<tr>
<td>- Organised, ran and presented at a Grants Workshop and Information Night for the YPC at Minlaton attended by 42 individuals from the local sports and recreation community.</td>
</tr>
<tr>
<td>Gems Netball Club</td>
</tr>
<tr>
<td>- Met with a volunteer from the GNC (Kadina) to discuss club development, the STARCLUB Program and incorporation/constitution matters.</td>
</tr>
<tr>
<td>SA Open</td>
</tr>
<tr>
<td>- Organised and chaired a meeting in regards to the key regional sporting event the ‘SA Open’.</td>
</tr>
<tr>
<td>* Annual Leave</td>
</tr>
<tr>
<td>- <em>Commenced AL on Monday 13th of July 2015.</em></td>
</tr>
<tr>
<td>August</td>
</tr>
<tr>
<td>* Annual Leave</td>
</tr>
<tr>
<td>- <em>Concluded AL on Monday 31st of August 2015.</em></td>
</tr>
<tr>
<td>September</td>
</tr>
<tr>
<td>Sports Turf Association of Australia</td>
</tr>
<tr>
<td>- Presented and advocated for the region at the 2015 STA Conference held in Adelaide.</td>
</tr>
<tr>
<td>Coobowie Tennis Club</td>
</tr>
<tr>
<td>- Met with a volunteer from the CTC to discuss future planning, club development, child safe environments and junior development opportunities.</td>
</tr>
<tr>
<td>NYP Little Athletics</td>
</tr>
<tr>
<td>- Met with volunteers from the NYP Little Athletics Centre (Kadina) to discuss grant funding opportunities, club development resources, child safe environments and social media opportunities.</td>
</tr>
<tr>
<td>Bute Sporting Club</td>
</tr>
<tr>
<td>- Attended a meeting of the Bute Sporting Club and all associated Sporting Clubs in Bute to discuss strategic planning and grant writing/opportunities for club development and facility improvements.</td>
</tr>
<tr>
<td>Club Name</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Lower North Cricket Club</td>
</tr>
<tr>
<td>Riding for the Disabled Yorke Peninsula</td>
</tr>
<tr>
<td>Kadina Bowling Club</td>
</tr>
<tr>
<td>YP Softball Association</td>
</tr>
<tr>
<td>Adelaide Plains Basketball Association</td>
</tr>
<tr>
<td>Moonta Memorial Park Bowling Club</td>
</tr>
<tr>
<td>Balaklava Football Club</td>
</tr>
</tbody>
</table>
1. **Report Purpose**

Council must prepare an annual report detailing its activities for each financial year. The attached draft is provided for feedback and suggestions prior to finalising a Report for adoption.

2. **Statutory Responsibilities**

Section 131 of the Local Government Act 1999 – requirement of a council to prepare an annual report for the preceding year ending 30 June and to adopt same on or before 30 November.

3. **Strategic Plan Reference**

Objective 4.2  Responsible and accountable leadership and management of Council operations

Strategy 4.2.4 continually measure and report on our performance to our community

4. **Other Plan or Policy References** – Nil

5. **Report**

In accordance with Section 131 of the Local Government Act 1999, a “council must on or before 30 November in each year, prepare and adopt an annual report relating to the operations of the council for the financial year ending on the preceding 30 June”.

A draft Annual Report has been prepared for consideration by Council and to provide an opportunity for Councillors to identify any further information for inclusion. The 2014/2015 document will include a short annual review to precede the annual report. The report outlines a comprehensive overview of Council, its roles and responsibilities, services, and decision making in addition to its end of financial year result and performance against the annual business plan.

Any comments recorded at the meeting will be taken into account in finalising the document which will be presented to Council for adoption at the November meeting.

6. **Officer Recommendation**

That Council note the report.

7. **Financial Implication (of the recommendation)**

7.1 Capital/One off Cost – Nil.
7.2 Recurrent Cost – Staff time to compile and prepare the report.
8. **Risk Assessment** *(of the recommendation)*

Low risk as is a legislative process requirement, otherwise to not comply would increases the risk.

9. **Attachment**

Draft Annual Report 2014/2015 (under separate cover)
1. Report Purpose

To provide information from the Townsvale Estate Working Party in respect to the issues associated with roads in Townsvale Estate.

2. Statutory Responsibilities

Nil

3. Strategic Plan Reference

4.2 Responsible and accountable leadership and management of Council operations.

4. Other Plan or Policy References

Nil

5. Report

At the Council meeting held on 23 September 2015 the following resolution was carried:

Moved Cr Smith Seconded Cr Pain

60. That the minutes or notes of the Townsvale Estate Working Party be provided to Council at the October Ordinary Council meeting.

Carried

Three meetings of the working party have been held and the notes from these are now attached.

The working party is currently developing a proposal for addressing the issues within the Townsvale Estate for consideration by Council and it is anticipated this will be presented via a report from the working party in the coming months.

6. Officer Recommendation

That the report be noted.

7. Financial Implications (of the recommendation).

7.1 Capital/One off Cost - Not Applicable as the report is for information only.

7.1 Recurrent Cost – Not Applicable as the report is for information only.

8. Risk Assessment (of the recommendation)

Low risk as for the report is for information only.
9. **Attachments**

9.1 Working Party Notes dated Thursday 13 August 2015
9.2 Working Party Notes dated Wednesday 9 September 2015
9.3 Working Party Notes dated Thursday 24 September 2015
Introductions
Cr T Williams, Cr M May, Mandy Shepherd, Betty Stevens, Cate Atkinson, David Hassett

Apologies
Cr D Lamond, Cr R Pain

Cr Williams was appointed as Chair

Purpose and Role of Working Party
The working party discussed its role and preferred outcomes:
- Intends to keep everyone engaged
- Work to find a way forward
- Can provide councillors with advice
- Identify issues and proposed actions
- Liaise with Mr Gates
- Work with Councillors to ensure positive decision
- Assist in developing a preferred solution to the current road issues in order to
develop a proposed motion for councillors for deliberation by Council

It was agreed that minutes of the meeting would be taken and distributed to committee
members. Discussions and brainstorming information to be kept within the working party.
Plan information to be released to the community when relevant for public consultation and
discussion.

Issues discussed
Ownership of roads
- All roads are private roads and owned by Mr Gates
- To transfer to public roads council needs to resolve to have roads vested in them
  with the approval of owner. This essentially means a council report needs to outline
  the proposal and Council then deliberates to take ownership.
- Once determined the proposed transfer is publicly advertised to determine if there is
  any community comment and then the roads are gazetted.
- It is not a difficult process and there are some administrative costs only

Responsibility of property owner
The working party considered that further consultation with Mr Gates is required to outline
the costs of upgrading the roads and to try and negotiate some contribution from him. An
initial estimate by Council staff is:
- Sires Street $40,000 for cut and fill, establishment of appropriate road base
- Hill Street $65,000 - $67,000 for cut and fill, establishment of appropriate road base
- This does not include stormwater infrastructure or other services

The working party determined that Cr May was to approach Mr Gates regarding:
- contribution for making good the current road problems (maintenance)
- transfer of titles fronting William Street as part of the compensation
- agreement to allow stormwater drainage to cross his land
Information to be provided to working party
Establish an information folio which includes:

- a plan indicating which allotments have been sold and which are held by Mr Gates
- identify existing roads that are sealed
- identify which roads could be closed
- total rates collected from area
- estimated total costing for road upgrade and maintenance
  - estimated total costs for stormwater
    - Note:
      - Sires Street upgrade (currently approx. $145,000)
      - Hill Street upgrade (currently approx. $180,000)

Expectations
Short Term
- Identify how to have immediate remedial work undertaken to address current issues:
  - C McArdle has offered 2 loads of rubble for immediate maintenance if Council was to undertake the work
- Identify a cost of addressing only Sires and Hill Street and have these transferred to Council as public roads
- Establish a legally binding agreement with Mr Gates for him not to proceed with any further release of land until an agreed solution has been established to address current road issues and ownership.

Long Term
- Have the roads sealed and area drained
- Negotiate closure of Dale Street
- Undertake a hydraulic study of the estate following decision regarding road ownership as part of developing a works program to upgrade roads (if made public). Potential cost of this would be estimated at $30-$40,000.

Other Discussion
Discussed possibility of an alternative drainage channel through to the river from Townsvale Estate utilising naturally formed drain on Phillip Shepherd’s property to take pressure off one near Moody Estate.

Cr Pain’s email outlining his views was presented to the working party as part of identifying solutions.
It was agreed that
- Mr Gates should not sell any more blocks where there are no defined roads unless he is prepared to finance upgrade (ie fronting Dale Street)
- Council to continue its work on Railway Tce as budgeted
- Council should look at a way of undertaking maintenance work (not upgrading) to address current issues

Other issues in the email were discussed:
- Resident disagreement with closing Sires Street
- Transfer of allotments fronting William Street could provide some opportunity for compensation as these have a decent road frontage
- Mr Gates’ land fronting Dale Street is problematic due to stormwater problems and the blocks are not suitable for sale in order to establish a trust fund
- Mr Gates is not in a position to fund the upgrade of Sires and Hill Street and therefore it is not feasible for Council to wait to make these roads public (with or without sealing)

Closed 11.15am

Next Meeting
Wednesday 9th September at 10.00am in Phil Barry Chamber at the Council office
NOTES
Wednesday 9 September 2015
Wakefield Regional Council RSL & COMMUNITY MEETING ROOM, Edith Terrace
Balaklava
Meeting opened 10.05am

1. **Apologies:** Cr D Lamond

2. **Confirmation of notes**
   - Cr May chaired the meeting
   - Notes were confirmed by all in attendance
   - It was determined that the notes are not to be distributed to the community or other Council members as they do not represent any formal decisions
   - Any queries from residents to staff are to be directed to either Mandy Shepherd or Cr Terry Williams

3. **Discussion**
   - The working party determined a Action Table should form part of the notes to ensure there was clarity about what actions were to be undertaken between meetings and who would be responsible
   - Cr May reported that he had spoken with Mr Gates on a number of matters:
     - M Gates has not sold lots since 2003
     - Has suggested he could pay $5,000 to transfer the roads to Council
     - Would like a developer to take over the land and address the problems relating to the roads and future land division of the remaining land
       - Council staff advised that investigations had been undertaken with a number of developers who were not interested in the land as it is not large enough to make a land division commercially viable
     - Cr Williams arrived 10.19am
     - Happy to have a drainage channel over Dale St – this would need ownership or an easement to accommodate a drainage solution. It was suggested Mr Gates would transfer land to Council for the drainage but further investigations are required in respect to whether this would be gifted to Council or not.
       - Staff advised that this would require investigation and a stormwater assessment be undertaken to determine a preferred solution as a channel along Dale Street divides the land currently cropped by Mr Gates. Further, the best location for a stormwater drainage may not be along the full length of Dale Street.
     - Would like to give Council lots 47 & 48 Sandgate Street
       - This could provide a potential drainage reserve
   - Proposed closure of Sires Street to minimise traffic impact
     - This was not supported by all
     - The businesses currently using Sires and Hill Streets are actually using private roads and as such, should seek the agreement of Mr Gates to do so.
     - An alternative route is Dunns Road which is a sealed road.
   - Proposed closure of the unmade portion of Sandgate Street and Hill Street
     - This was suggested to reduce the overall commitment of Council in the future to make these roads
     - General consensus that this might assist in the discussion with Council
Suggest this be included in any report to Council

- Cr Pain suggested Mr Gates should sell his allotments and place the funds in trust.
  - It was considered this had some merit if Mr Gates was to sell the allotments on the basis Council had a legally binding agreement that the funds be lodged with Council (in trust).

- It was reiterated that McArdle had offered rubble to fix up the current problems.
  - This could be accepted by Mr Gates and spread over the roads as they are private roads
    - Staff advised that this would not address the major problems and would result in a short term outcome
    - If any formal work was undertaken to rebuild the roads, then it would need to be done to council specification
    - If McArdle undertook to provide material Council is unable to undertake the work
    - There was agreement that the community wants to see the roads fixed up, but we need to ensure that it is done appropriately and not only as a cosmetic solution

- There was agreement that any outcome had to be undertaken in a staged approach

5. **Action Table**

<table>
<thead>
<tr>
<th>Action</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Further discussions need to be undertaken with Mr Gates:</td>
<td>Cr May</td>
</tr>
<tr>
<td>• Confirm financial offer to Council for transfer of roads being $5000</td>
<td></td>
</tr>
<tr>
<td>• to clarify the gifting of the sale money from the allotments fronting William Street as part of the compensation for council accepting the roads</td>
<td></td>
</tr>
<tr>
<td>Ascertain sale value of allotments on William Street with Peter Butterfield after discussions with Mr Gates and his agreement to their sale</td>
<td>Cr Williams</td>
</tr>
<tr>
<td>Review capital works program to identify roads within Central Ward that are scheduled for rebuild in 2015/2016 that could be delayed in order to change the priority of work undertaken by council</td>
<td>Infrastructure Services Manager David Hassett</td>
</tr>
<tr>
<td>Seek quote for the stormwater study required to provide the preferred stormwater solutions to the area</td>
<td>Infrastructure Services Manager David Hassett</td>
</tr>
</tbody>
</table>

6. **Next meeting**

Next meeting Thurs 24 Sept 9.30am
Meeting opened 9.30am

1. Present
   Cr T Williams, Cr M May, Cr D Lamond, Cr R Pain, Mandy Shepherd, Betty Stevens, Cate Atkinson, David Hassett

2. Apologies: Nil

3. Confirmation of notes: Confirmed

4. Actions from last meeting

   4.1 Financial contribution/land contribution
   Crs May and Williams have had positive discussions with Mr Gates regarding land transfer to Council as part of the solution to road upgrades in the estate.

   Cr Pain expressed concerned about this proposal on the basis that council should not take the risk of property development and confirmed his suggestion that Mr Gates should sell the land and place the funds in trust.

   The working party determined to seek legal advice on the ability for Mr Gates to sell allotments and hold the funds in trust for council use.

   Cr Williams suggested the allotments 27-33 could be open space given the difficulty of developing them and the issues with stormwater management.

   4.2 Land valuations
   Butterfields have provided an appraisal of the allotments in question – see attached.

   4.3 Other issues discussed
   There was general discussion about implementing vehicle load limits on the private roads to encourage truck traffic to use the sealed road network rather than ‘cutting through’ the estate and causing additional damage to the roads.

   It was suggested that traffic counters be placed at the corners of Yorsdale and Sires Streets to determine the type and quantity of traffic movement. As the roads are private roads, this may not be possible without the express consent of Mr Gates.

   At the previous meeting there was a suggestion that McArdle’s would be able to organise some rubble for the roads to address the immediate issues. David Hassett advised McArdle does not have rubble to place on the roads and he has referred them to Heinrichs in order to access (ie purchase) material. McArdles is prepared to provide and cart approximately 40 tonne of material on the basis that Council takes on responsibility for the roads.

   Note: The tonnage of material will need to be increased to address the whole issue.
4.4 **Review capital works program**
Cr Lamond suggested the project work should not proceed until after Railway Tce is finished.
Mandy Shepherd offered a corner cutoff to lot 83 to facilitate truck traffic on Yorsdale Street if this was going to assist in traffic movement.

4.5 **Budget required for stormwater strategy**
David currently sourcing quote for the study.
Utilities will also need to be identified.

4.6 **Council proposals**
The working party has requested staff put together a blueprint as the basis for further discussion on the following matters:

- Establish a trust for land sales in order to hold funds for Council use in road upgrades
- Close Sandgate and Hill Streets at points not required for existing properties (ie at the end of the sealed section of Sandgate Street and adjacent to Mr Gates property)
- Recost project to outline work in stages
  - Upgrade as unsealed roads,
  - Seal only for Sires, Hill and William Streets
- Outline process and opportunities/constraints to establish load limits on Sires, William Street
- Outline process to accept corner cutoff on Yorsdale Street
- Identify opportunities to close of Sires Street and determine impacts of closure

5 **Action Table**

<table>
<thead>
<tr>
<th>Action</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commence developing proposal for Council consideration</td>
<td>CEO Cate Atkinson &amp; Infrastructure Services Manager David Hassett</td>
</tr>
<tr>
<td>Seek legal advice regarding establishment of a trust for sale proceeds</td>
<td>CEO Cate Atkinson</td>
</tr>
<tr>
<td>Identify steps for closure of Sandgate and Hill Streets</td>
<td>Infrastructure Services Manager David Hassett</td>
</tr>
<tr>
<td>Identify steps for establishing a load limit</td>
<td>Infrastructure Services Manager David Hassett</td>
</tr>
<tr>
<td>Consider opportunities to close Sires Street</td>
<td>Councillors</td>
</tr>
<tr>
<td>Develop costings for staged project</td>
<td>Infrastructure Services Manager David Hassett</td>
</tr>
<tr>
<td>Review capital works program to identify roads within Central Ward that are scheduled for rebuild in 2015/2016 that could be delayed in order to change the priority of work undertaken by council</td>
<td>Councillors</td>
</tr>
<tr>
<td>Seek quote for the stormwater study required to provide the preferred stormwater solutions to the area</td>
<td>Infrastructure Services Manager David Hassett</td>
</tr>
</tbody>
</table>

6 **Next meeting**
Tues 27 Oct 2015 at 1pm in the Phil Barry Chamber
1. **Report Purpose**

Provide an update regarding a proposed auction to sell properties for non-payment of rates.

2. **Statutory Responsibilities**

Local Government Act 1999;
Section 184 – Sale of land for non-payment of rates, and
Section 185 – Procedure where council cannot sell land.

3. **Strategic Plan Reference** - Nil

4. **Other Plan or Policy References**

Policy C5 – Debt Collection

5. **Report**

In accordance with section 184 of the Local Government Act, Council may sell land for non-payment of rates where rates payable on the land have been outstanding for three years or more. The sale must be by public auction, which must be advertised “in a newspaper circulating throughout the State,” i.e. the Advertiser.

Section 184, and Council’s Debt Collection policy, also requires written notice to be given to the principal ratepayer of the property advising that Council intends to sell the land for non-payment of rates if the outstanding amount is not paid or suitable payment arrangements made.

Correspondence was forwarded to the owners of properties with rates outstanding for three years or more in February 2015. A copy was also forwarded to any registered mortgagee of the properties, where applicable. This resulted in a number of arrangements being made by the ratepayers for payment of the outstanding rates by regular repayments, most of which are being adhered to. In a couple of instances the mortgagee paid the outstanding debt in full.

The attached list shows properties with rates outstanding for three years or more which are still unpaid and where no payments arrangements have been made (or payment arrangements have not been adhered to). It is therefore proposed to continue with section 184 proceedings on these properties.

A number of issues which require clarification have arisen, including properties where we are aware that the landowner is deceased and properties with a caveat on the title in favour of a banking institution which has indicated that it will not withdraw the caveat. Legal advice is being sought to ensure these situations are properly addressed prior to proceeding to auction.
A further report will be made to Council once these issues have been resolved, seeking Council's authority to proceed with the sale of the properties.

6. **Officer Recommendation**

That the report be noted

7. **Financial Implication (of the recommendation)**

7.1 Capital/One off Cost - Not Applicable as the report is for information only.
7.2 Recurrent Cost – Not Applicable as the report is for information only.

8. **Risk Assessment (of the recommendation)** - Nil

9. **Attachment**

List of properties proposed for sale by auction for non-payment of rates.
<table>
<thead>
<tr>
<th>Assess no</th>
<th>&lt; 3 years</th>
<th>&lt; 2 years</th>
<th>&lt; 1 year</th>
<th>Current year</th>
<th>Total</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>A13102</td>
<td>$2,043.66</td>
<td>$903.70</td>
<td>$1,007.50</td>
<td>$858.20</td>
<td>$4,813.06</td>
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<tr>
<td>A13279</td>
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<tr>
<td>A13869</td>
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<td>$1,514.60</td>
<td>$1,658.50</td>
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<td>$7,964.20</td>
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<tr>
<td>A18693</td>
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<td>$570.45</td>
<td>$610.90</td>
<td>$432.50</td>
<td>$4,248.70</td>
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</tr>
<tr>
<td>A19091</td>
<td>$6,592.99</td>
<td>$1,925.70</td>
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<td>$1,723.75</td>
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<td>A19514</td>
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<td>$1,401.20</td>
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<td>$1,545.60</td>
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</table>

$111,141.82 $37,892.12 $43,694.45 $35,565.45 $228,293.29
Item Number: 13.8

To: Council
Report Date: 16 October 2015
Reporting Officer: Acting Community and Development Services Manager, Deb Brokenshire
Responsible Manager: Acting Chief Executive Officer, Christopher Parish
Subject: Outstanding 90 day debtor - 5 Star Civil Construction Group Pty Ltd
File Number: 
Previous Reference: Council meeting 24 September 2014, Minute

1. Report Purpose

Update Council in relation to the reimbursement of legal costs associated with negotiation and preparation of Infrastructure Deed for Sea Breeze land development

2. Statutory Responsibilities

Development Act 1993

3. Strategic Plan Reference

2.1 - Support infrastructure, assets that are sustainable and maintained in line with resources

4. Other Plan or Policy References - Nil

5. Report

The 5 Star Civil Construction Group Pty Ltd entered into a land management agreement (Deed) with Wakefield Regional Council as per Item 14.7 of Council meeting 24 December 2014 which includes Clause 71 Costs - The developer must pay or reimburse the Council's reasonable costs (including legal costs of and incidental to the negotiation, preparation and execution of this Deed.

Council undertook the above negotiations, preparation and execution of the Deed in good faith through its lawyers Norman Waterhouse Pty Ltd which was signed and completed and returned to Council on 16 December 2014.

To date, the account totalling $14,743.85 for negotiation, preparation and execution of this Deed has remained outstanding and is currently included in our 120+ outstanding debts.

Since receipt of the Deed, Council staff have maintained contact with the Director of 5 Star Civil Construction Group as well as the Developer, in an attempt to secure payment for the outstanding amount.

As no effort of payment had been received, staff engaged Norman Waterhouse Lawyers to execute demands for payment.

A letter of demand for payment was forwarded to 5 Star Civil Construction Group on 15 September 2015 with requirement to make payment within 10 working days. No correspondence or payment was received within the deadline.

Council staff are now considering a decision in relation to initiate proceedings against the 5 Star Civil Construction Group.
The cost of preparing and filing a claim is likely to be around $1,000 (excl GST). Should 5 Star Civil not file a defence, Council could proceed to enforce judgement with minimal further cost to Council. The benefit of this is that it is easier to enforce repayment of the outstanding amount with the Court’s judgement. However, if a defence is filed, it is impossible to estimate the costs associated as it depends on a range of factors eg if the Director of 5 Star Civil were to join the developer as a party, they could file a counter-claim.

Council staff will continue to maintain vigilant contact with both parties in an attempt to secure payment without the need for legal intervention.

6. **Recommendation**

   That the report be noted.

7. **Financial Implication (of the recommendation)**

   7.1 Capital/One off Cost – $14,743.85
   7.2 Recurrent Cost – future legal costs (unknown)

8. **Risk Assessment (of the recommendation) - Nil**

9. **Attachments - Nil**
14. **ITEMS FOR DECISION**

<table>
<thead>
<tr>
<th>Item Number 14.1</th>
</tr>
</thead>
</table>

**To:** Council  
**Report Date:** 21 October 2015  
**Reporting Officer:** Chief Executive Officer, Cate Atkinson  
**Responsible Manager:** Chief Executive Officer, Cate Atkinson  
**Subject:** LGA Annual General Meeting  

### 1. Report Purpose

To advise Council arrangements in respect to the LGA General Meeting which will occur on Thursday, 29 and Friday, 30 October, and seek nominations of elected members interested in attending.

### 2. Statutory Responsibilities

Local Government Act 1999

### 3. Strategic Plan Reference

4.3 Responsible and accountable leadership and management of Council operations

### 4. Other Plan or Policy References – Nil

### 5. Report

The program and agenda for the LGA Showcase Conference and General Meeting is now available. This report presents information on the notices of motion submitted by Councils to the LGA Secretariat to establish the up and coming work program and policy agenda for the LGA. These are contained in Attachment 2.

The Mayor represents Council in respect to voting on the notices of motion. These have been considered by Council staff with recommended approaches to provide the Mayor with direction from the Council on the proposed motions.


### 6. Officer Recommendation

That Council:

1. endorses Attachment 2 outlining Wakefield Regional Councils policy position on the Local Government Association General Meeting Motions;
2. endorses the Council’s voting delegate to alter the Council’s position if relevant information is provided;
3. delegates the Mayor and CEO to respond to any late motions arising at the October 2015 Local Government Association General Meeting.

### 7. Financial Implication (of the recommendation)

<table>
<thead>
<tr>
<th>Capital/One Off Cost – Nil</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recurrent Cost – The budget includes funding for training and development of elected members.</td>
</tr>
</tbody>
</table>
8. Risk Assessment (of the recommendation) – Nil

9. Attachments

   9.1  LGA Annual General Meeting Program October 2015
   9.2  LGA Notices of Motion with recommended voting approach
Prospering Communities
2015 Conference & AGM
Thursday 29 & Friday 30 October

Draft Program*

The conference promises to be an exciting event focusing on prospering communities with an array of prominent speakers on subjects from economics and economic development to a national focus.

To take advantage of two of Adelaide’s most prestigious convention auditoriums, the 2015 LGA Conference and Annual General Meeting will be at the Adelaide Oval on the 29 and 30 October 2015 and the Networking Dinner will be at the Adelaide Convention Centre on Thursday the 29 October.

The LGA Constitution provides the Membership two important opportunities each year to debate policy and provide formal input to the Association’s business. It also provides an excellent informal networking opportunity for all attendees.

Our Keynote Speakers include:

Steve Vamos
Steve has more than 30 years experience in the information technology and online media industry. He is currently a Non-executive Director for Telstra and Fletcher Building Company and has previously worked with Microsoft, ninemsn, Apple, and IBM.

David Koch
Before hosting Sunrise, Kochie was a pure finance nerd. He’s still one of Australia’s foremost business and finance commentators and regularly writes finance columns for New Idea, the Daily Telegraph and Herald Sun.

Mayor Troy Pickard, ALGA President
As ALGA’s President, Troy is prioritising Local Government’s place in the Federation by maintaining direct funding between LG & the Commonwealth, restoring indexation and improving the level of FAGs and making the RTR funding permanent.

Follow the event on Twitter - #LGA15AGM

Contact Leanne Manuel
for further information on 8224 2028
or email leeanne.manuel@lga.sa.gov.au

## 2015 LGA Conference & AGM

### Draft Program*

#### Thursday 29 October

<table>
<thead>
<tr>
<th>Time</th>
<th>Event/Session</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.30am</td>
<td>Registrations</td>
</tr>
<tr>
<td></td>
<td>William Magarey Room</td>
</tr>
<tr>
<td></td>
<td>Adelaide Oval</td>
</tr>
<tr>
<td>9.00am</td>
<td><strong>Conference MC: Keith Conlon</strong></td>
</tr>
<tr>
<td>9.05am</td>
<td><strong>Welcome to Country</strong></td>
</tr>
<tr>
<td></td>
<td>Frank Wangutya Wanganeen</td>
</tr>
<tr>
<td></td>
<td>Kaurna Elder</td>
</tr>
<tr>
<td>9.20am</td>
<td><strong>LGA President’s Welcome</strong></td>
</tr>
<tr>
<td></td>
<td>Mayor Dave Burgess</td>
</tr>
<tr>
<td>9.35am</td>
<td><strong>Keynote Speaker: Steve Vamos</strong></td>
</tr>
<tr>
<td></td>
<td>‘Economic Development, Leadership and Innovation’</td>
</tr>
<tr>
<td>10.30am</td>
<td>Morning Tea</td>
</tr>
<tr>
<td>11.00am</td>
<td>Panel session</td>
</tr>
<tr>
<td></td>
<td>‘Creating the Innovation State’</td>
</tr>
<tr>
<td></td>
<td>A private sector view</td>
</tr>
<tr>
<td>12.00pm</td>
<td><strong>Keynote Speaker</strong></td>
</tr>
<tr>
<td>12.30pm</td>
<td>Lunch and Expo Viewing</td>
</tr>
<tr>
<td>1.45pm</td>
<td><strong>Debate: Debt is not a dirty word</strong></td>
</tr>
<tr>
<td>3.00pm</td>
<td>Afternoon Tea</td>
</tr>
<tr>
<td>3.30pm</td>
<td><strong>Keynote Speaker: David Koch</strong></td>
</tr>
<tr>
<td></td>
<td>‘Economic Futures’</td>
</tr>
<tr>
<td>4.30pm</td>
<td><strong>Councils and Employment Growth</strong></td>
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<td>5.00pm</td>
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**Networking Dinner**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event/Session</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.30pm</td>
<td><strong>Pre-dinner drinks</strong></td>
</tr>
<tr>
<td></td>
<td>Panorama Ballroom</td>
</tr>
<tr>
<td></td>
<td>Adelaide Convention Centre</td>
</tr>
<tr>
<td>7.00pm</td>
<td>Dinner Commences</td>
</tr>
</tbody>
</table>

**Presentation of Awards**

| Joy Baluch Award, |
| MLS &WCS Awards & |
| Local Government Service Certificate Awards |
| Entertainment: Shane Jacobson |
| A Long Road to Overnight Success |

#### Friday 30 October

<table>
<thead>
<tr>
<th>Time</th>
<th>Event/Session</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.15am</td>
<td>Registrations</td>
</tr>
<tr>
<td>8.45am</td>
<td><strong>LGFA Annual General Meeting</strong></td>
</tr>
<tr>
<td>9.15am</td>
<td><strong>LGA President’s Welcome</strong></td>
</tr>
<tr>
<td></td>
<td>Mayor Dave Burgess</td>
</tr>
<tr>
<td>9.30am</td>
<td><strong>City of Adelaide delegate welcome</strong></td>
</tr>
<tr>
<td></td>
<td>Lord Mayor Martin Haese</td>
</tr>
<tr>
<td></td>
<td>&amp; the</td>
</tr>
<tr>
<td>10.00am</td>
<td><strong>Keynote Speaker</strong></td>
</tr>
<tr>
<td></td>
<td>ALGA President Mayor Troy Pickard</td>
</tr>
<tr>
<td></td>
<td>A National Perspective</td>
</tr>
<tr>
<td>10.30am</td>
<td>Morning Tea</td>
</tr>
<tr>
<td>11.00am</td>
<td><strong>LGA Annual General Meeting</strong></td>
</tr>
<tr>
<td>1.15pm</td>
<td><strong>Formal Lunch</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Presentation by</strong></td>
</tr>
<tr>
<td></td>
<td>Heart Foundation</td>
</tr>
<tr>
<td></td>
<td>Local Government Awards</td>
</tr>
<tr>
<td></td>
<td>&amp; Presentation by Platinum Sponsor Statewide Super</td>
</tr>
<tr>
<td>2.30pm</td>
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</tbody>
</table>

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*Follow the event on Twitter - #LGA15AGM • Visit: www.lga.sa.gov.au/2015agm

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*subject to change

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Speakers arranged with: Mr Steve Vamos - Saxton Speakers Bureau & Mr David Koch; Mr Shane Jacobson - Platinum Speakers
<table>
<thead>
<tr>
<th>ISSUE</th>
<th>RECOMMENDATION REPORTS FROM THE LGA BOARD</th>
<th>RECOMMENDED VOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rubble Royalties (Borrow Pits)</td>
<td>That the Annual General Meeting: 1. notes the report; and 2. receives a verbal update.</td>
<td>Agree</td>
</tr>
<tr>
<td>Consequential Amendments to the LGA Constitution</td>
<td>That the Annual General Meeting endorsing the recommendation to make the consequential amendments to the LGA Constitution that are outlined in this report.</td>
<td>Agree</td>
</tr>
<tr>
<td>LGA Policy Manual</td>
<td>That the LGA Board: 1. notes the report; 2. endorses the amendments to the LGA Policy Manual to reflect new policies adopted in the past 12 months; and 3. notes that a comprehensive review of the LGA Policy Manual will be undertaken following the adoption of a new LGA Strategic Plan.</td>
<td>Agree</td>
</tr>
<tr>
<td>Planning Reform</td>
<td>That the Annual General Meeting: 1. notes the report; and 2. endorses the actions undertaken by the LGA to represent members in relation to the Planning, Development and Infrastructure Bill 2015.</td>
<td>Agree</td>
</tr>
<tr>
<td>Strategic Management of Climate Risks</td>
<td>That the Annual General Meeting: 1. notes the report; 2. recognises the achievements to date; and 3. requests the LGA Secretariat to continue developing and delivering initiatives as per the Climate Change Action Plan 2014-2017 and the Science to Solutions funding agreement with the State Government.</td>
<td>Agree</td>
</tr>
<tr>
<td>INFORMATION REPORTS FROM THE LGA BOARD</td>
<td>COUNCIL NOTICES OF MOTION</td>
<td>To be noted</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>--------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td><strong>COUNCIL NOTICES OF MOTION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>631535</td>
<td>Campbelltown City Council</td>
<td>That the Annual General Meeting requests the LGA Board review the membership subscription structure to ensure there is value for all members, that the range of services also be reviewed to ascertain whether and where savings could be made.</td>
</tr>
<tr>
<td>631487</td>
<td>Campbelltown City Council</td>
<td>That the Annual General Meeting: 1. request that funds from the Local Government Research &amp; Development Fund be used to conduct an urgent study into the cost and benefits of building and operating a large scale solar photovoltaic farm of at least 100 Megawatt hour capacity somewhere in the mid-north of SA; and 2. that the LGA press the SA Government in conjunction with ARENA to fund this proposal if there are benefits of such a project identified by the study.</td>
</tr>
<tr>
<td>630944</td>
<td>City of Mitcham</td>
<td>That the Annual General Meeting endorses the LGA to lobby the Federal Government to increase the South Australian Allocation of the Identified Local Roads funding component of the Financial Assistance Grants from 5.5% to 11%.</td>
</tr>
<tr>
<td>631428</td>
<td>City of Prospect</td>
<td>That the Annual General Meeting requests the LGA to investigate whether there is sufficient evidence across Local Government to initiate Disability Employment targets across the local government sector.</td>
</tr>
<tr>
<td>631223</td>
<td>City of Prospect</td>
<td>That the Annual General Meeting requests the Local Government Association to investigate whether there is sufficient evidence across Local Government to request that the Local Government Act 1999 be clarified around the interpretation of “available” in relation to documents and registers being made available to the public to include being available online as an alternative to hard copy.</td>
</tr>
<tr>
<td>Council</td>
<td>Notice of Motion</td>
<td>Agreement</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>City of Salisbury</td>
<td>That the Annual General Meeting requests the Local Government Association of South Australia (LGA) to review the composition of the LGA Board to ensure appropriate representation of Councils across the State is provided within the membership, including consideration of a regional representation model as part of the review.</td>
<td>Agree</td>
</tr>
<tr>
<td>City of Salisbury</td>
<td>That the Annual General Meeting request the LGA to lobby the State Government to remove the compulsory 75% rebate on Council rates for Supported Accommodation as provided under Section 161 of the Local Government Act 1999.</td>
<td>Agree</td>
</tr>
<tr>
<td>Wattle Range Council</td>
<td>That the Annual General Meeting seeks a review of State Government funding arrangements for coastal protection works with the aim of creating a sustainable pool of funding for coastal protection works. *</td>
<td>Agree</td>
</tr>
<tr>
<td>City of West Torrens</td>
<td>That the Annual General Meeting lobby Members of Parliament to provide, in planning legislation, a greater opportunity for the public to participate in the development assessment process, particularly by reinstating and/or allowing for expected public notification to adjoining or adjacent properties of dwellings; dwelling additions; and mixed-use buildings; over one storey in height when proposed on land within or adjacent to any Residential Zone.</td>
<td>Agree</td>
</tr>
</tbody>
</table>

**LATE COUNCIL NOTICES OF MOTION**
1. **Report Purpose**

   To provide information on Lean management techniques and seek Council direction on establishing a Lean management project.

2. **Statutory Responsibilities**

   Local Government Act 1999 Section 6 – Principle Role of a Council

3. **Strategic Plan Reference**

   4.2 Responsible and accountable leadership and management of Council operations.

4. **Other Plan or Policy References** – Nil

5. **Report**

   At the Council meeting held on 23 September 2015 the following resolution was made:

   Moved Cr May Seconded Cr Williams

   61. That Council consider a project proposal in respect to undertaking a Lean Management review of Council operations at the October Council meeting. Carried

   The CEO has been investigating opportunities to establish a project in respect to lean management.

   The initial discussion at the Council meeting focussed on the introduction of a Lean Manufacturing process to review Council operations. The current push towards Lean Manufacturing originates from the Toyota Production System which is often referred to as Just In Time (JIT) Production. The Toyota Company became successful after World War 2 when Japanese factory owners adopted a number of American production and quality techniques. The manufacturing techniques of Henry Ford and the Statistical Quality Control ideas of Edwards Deming became the foundation of Toyota’s production process. The Toyota Company adapted these techniques and introduced new processes and quality principles through engaging with staff and changing procedures to generate better outcomes.

   The ultimate goal for a company that adopts lean manufacturing processes is to reduce waste. An average company will waste a significant amount of resources and the reviewing of processes and engaging with staff on process improvement can reduce this wastage significantly.
The principles of waste minimisation in processes and procedures can be applied to local government, and there have been a number of different approaches adopted across the local government sector that seek to improve service delivery around the Lean principles. In essence, these approaches have been focussed on quality assurance through business excellence frameworks or service level reviews. In the majority, the approaches seek to re-engineer processes from within through engaging with staff on system improvements in order to ensure improved customer service outcomes.

In particular, the approaches associated with Lean Management empower and engage the workforce for progressive improvements to influence workplace performance. Essentially, it is a change management process to change staff behaviour to drive improvements.

In respect to applying this sort of principle to Council operations Councillors need to consider if the objective is to reduce costs only or is it to improve the way activities are undertaken and reduce over processing (or both). There are various courses available to train staff in Lean Management techniques including at University of Adelaide, or external consultants can be appointed to assist the organisation in reviewing its operations and training staff in system improvement.

It should be noted the organisation has already embarked on a system improvement program to identify better ways of undertaking a wide range of processes including information management, customer engagement and procurement. It is expected this will introduce a change management approach to the way we do business.

Further work can be undertaken on mapping processes and seeking further improvements which could include an external audit of the existing operations. Such a project would require further definition and the allocation of resources via a budget review. In terms of available expertise in South Australia a number of consultants can assist Council including KPMG, Price Waterhouse Coopers and potentially Advanced Focus. The CEO has contacted a number of Councils that have also offered to provide further information including the City of Playford and the City of Marion. The former has undertaken comprehensive service review and the latter is a leader in the Business Excellence Framework which has a component of re-engineering processes.

In respect to meeting the requirements of the Council resolution attached is a project proposal which could be distributed to a number of consultants working in this field in order for a further report to be prepared to allocate resources should Council wish to proceed.

6. Officer Recommendation

That Council
1. delegate the CEO to obtain quotations to establish a project to review Council operations and services and
2. receives a further report outlining the resourcing required for Council consideration should it wish to proceed.

7. Financial Implications (of the recommendation).

7.1 Capital/One off Cost - Engagement of consultants will incur costs to be determined. Should consultants be engaged to assist the organisation and Council such costs will need to be considered via a budget review. It is anticipated the project could be in the order to $20,000 to $50,000.

7.2 Recurrent Cost – Not Applicable.
8. **Risk Assessment (of the recommendation)**

Low risk as for the report is for information prior to proceeding in obtaining quotes to undertake a Lean management project.

9. **Attachment**

Project brief
Project Objective

To review the operations of Wakefield Regional Council to identify system improvements and ensure value for money services to the community.

Project Background

The Wakefield Regional Council covers an area of 350 square kilometres and delivers a wide range of services that are either required by the Local Government Act or have been established to support the community.

With a staff of 57, it delivers over 100 services across its 8 principle townships and region and has a budget of approximately $19M with $13M operational and $6M capital expenditure.

The Council is keen to ensure the services delivered by the organisation are undertaken in the most cost effective and efficient manner. In order to do so, it is proposing to undertake a Lean Management Review and engage staff in identifying system improvements, together with considering a service level review to ensure the services being delivered are what the community want.

In order to achieve this, the organisation wishes to engage the services of external expertise to assist it in this process.

Project Outline

It is considered the following activities will need to occur:

Consultation
Staff and Councillors will be consulted to ensure there is an understanding of the project and to outline the objectives.

It will be critical to engage staff across the organisation so they embrace the project and become advocates of change. The value of the project will be in ensuring staff behaviour is driving improvements.

Further, the project will need to ensure the Council is engaged to identify key objectives and outcomes to be achieved and to recognise what changes need to be implemented to make the most of the project.

Review of operations
This will be a significant step in embracing Lean Management and identifying opportunities to establish improvements. It is proposed a cross section of services be identified between staff and Councillors in order to determine the best return on the project as some of the services have a legislative framework difficult to alter.

However, the project will provide an opportunity to identify if there is a need for service level changes and if the services being delivered are the right ones for the community.

Implementation of change
Change can be difficult so the project will need to ensure change management processes are established to achieve success. This will involve staff and Councillors and may require community consultation to ensure the community do not see the project as a reduction in service values.
Timeline
The Council is keen to establish this project in a manner that ensures everyone has embraced the concept. As such, it will be guided in terms of the timeframe required to undertake the work necessary to achieve the goals of an efficient and cost effective organisation that is able to meet its community needs and demands.

Budget
No budget has yet been set for the project. Council will be guided through the tender process on a required budget. However, consideration should be given to the overall Council budget parameters and the limitations it is facing in delivering its services with financial constraints.
1. **Report Purpose**

   To determine the Council meeting dates for December 2015, taking into account the Christmas/New Year period.

2. **Statutory Responsibilities**

   Local Government Act 1999, Section 81

3. **Strategic Plan Reference**

   Objective 4.4 - Meet all our legislative and compliance responsibilities

4. **Other Plan or Policy References** – Nil

5. **Report**

   Councils are legislatively required to schedule at least one ordinary meeting each and every calendar month.

   The alteration of the December meeting date has been customary in the past, taking into account the Christmas/New Year public holidays and the need to ensure business arising from the December Council meeting can be addressed efficiently and effectively prior to the Christmas/New Year period. As such, it is considered appropriate to bring forward the Council meeting date by one week to 16 December 2015.

   Traditionally the office has closed at 1.00 pm the day prior to Christmas (which is common across local government and also in private industries) and will occur again this year so the office will be closing on Thursday, 24 December at 1.00 pm.

   Council should note that some Field Services staff will be working during the Christmas/New Year period to address essential services and emergencies. The CEO will also be contactable via mobile phone.

   Appropriate community notification will be undertaken to ensure our community are aware of the office hours during this period.

6. **Officer Recommendation**

   That Council’s ordinary meeting for December 2015 be held on Wednesday 16 December 2015, in lieu of Wednesday, 23 December 2015.
7. **Financial Implication (of the recommendation)**

7.1 Capital/One Off Cost – Nil  
7.2 Recurrent Cost – Nil

8. **Risk Assessment (of the recommendation)**

Low risk as the legislative requirement and compliance with workplace industrial agreements and service contracts will be met.

9. **Attachment** – Nil
1. **Report Purpose**

To seek ‘in principle’ support to engage Norman Waterhouse to draft a new Charter for the Central Local Government Region of South Australia.

2. **Statutory Responsibilities** - Nil

3. **Strategic Plan Reference**

4. **Other Plan or Policy References**

5. **Report**

In January 2015, the Central Local Government Region (CLGR) engaged URPS to undertake a review of the region’s purpose and structure.

The Review Report was endorsed by the Region Board in May 2015. URPS has continued to work with the Region’s Mayors and CEOs to further develop service delivery and governance models.

The review report recommended some changes to the existing governance model which would require amendments to the Region’s Charter. Advice was sought from Norman Waterhouse who developed a discussion paper and facilitated a workshop with the Mayors and CEOs on 25 September.

Following the workshop, a recommendation was tabled to seek ‘in principle’ the support of all participating councils to engage Norman Water House Lawyers to draft a new Charter for the Central Local Government Region of South Australia as outlined in the briefing notes attached.

6. **Officer Recommendation**

That Council, in principle, support the engagement of Norman Waterhouse by the Central Local Government Region of South Australia, to draft a new Charter.

7. **Financial Implications (of the recommendation)**

   7.1 Capital/One off Cost - Nil
   7.2 Recurrent Cost – Nil
8. **Risk Assessment (of the recommendation)**
   
   Low risk as in principle support only.

9. **Attachment**
   
   URPS Council Briefing Notes
Central Local Government Region of South Australia
Council Briefing Notes
Proposed Changes to the Charter – November 2008

Background

In January 2015, the Central Local Government Region (CLGR) engaged URPS to undertake a review of the region’s purpose and structure. The Review Report was endorsed by the Region Board in May 2015.

URPS has continued to work with the Region’s Mayors and CEO’s to further develop service delivery and governance models.

The review report recommended some changes to the existing governance model which would require amendments to the Region’s Charter. Advice was sought from Norman Waterhouse who developed a Discussion Paper and facilitated a workshop with the Mayors and CEOs on 25 September.

These briefing notes have been prepared to assist the Region’s member Councils to discuss their response to the proposed changes to the charter.

The charter may be amended by a resolution passed by a simple majority of the constituent Councils. We will be seeking your Council’s ‘in principle’ support to proceed to drafting the amended constitution prior to the next Board meeting on 20 November.

Establishment

The Central Region was established in 1998 under Section 200 of the Local Government Act 1934 as a controlling authority.

The Central Region continues in existence as a regional subsidiary of the current fifteen (15) member Councils under Part 2 of Schedule of the Local Government Act 1999 by virtue of the provisions of Section 25 of the Local Government (Implementation) Act 1999.
<table>
<thead>
<tr>
<th><strong>Existing</strong></th>
<th><strong>Proposed</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.4 Objects and Purpose for which the Central Region is Established.</strong></td>
<td>The Central Region is established to:</td>
</tr>
<tr>
<td>The Central Region is established to:</td>
<td>• provide strong advocacy speaking with one voice on what matters most to our communities;</td>
</tr>
<tr>
<td>1.4.1 undertake co-ordinating, advocacy and representational roles on behalf of its Constituent Councils at a regional level;</td>
<td>• work together to make the best use of available resources;</td>
</tr>
<tr>
<td>1.4.2 facilitate and co-ordinate activities of local government at a regional level related to community and economic development with the object of achieving improvement for the benefit of the communities of its Constituent Councils;</td>
<td>• collaborate to deliver effective services;</td>
</tr>
<tr>
<td>1.4.3 develop, encourage, promote, foster and maintain consultation and co-operation and to strengthen the representation and status of local government when dealing with other governments, private enterprise and the community;</td>
<td>• build partnerships with those who can contribute to stronger and more sustainable communities;</td>
</tr>
<tr>
<td>1.4.4 develop further co-operation between its Constituent Councils for the benefit of the communities of the region;</td>
<td>• develop and implement a robust Annual Business Plan consistent with the Region Plan.</td>
</tr>
<tr>
<td>1.4.5 develop and manage policies which guide the conduct of programs and projects in the region with the objective of securing the best outcomes for the communities of the region;</td>
<td></td>
</tr>
<tr>
<td>1.4.6 undertake projects and activities that benefit the region and its communities; and</td>
<td></td>
</tr>
<tr>
<td>1.4.7 associate, collaborate and work in conjunction with other regional local government bodies for the advancement of matters of common interest.</td>
<td></td>
</tr>
</tbody>
</table>
## 2. Board of Management

### 2.1 Membership of the Board

- **2.1.2** Each Constituent Council may appoint one elected member to be a Board Member and may at any time revoke the appointment and appoint another elected member as that Council’s delegate.

- **2.1.3** A Board Member shall, subject to this Charter, be appointed for a term not exceeding four years, as specified in the instrument of appointment and at the expiration of the term of office, will be eligible for re-appointment.

- **2.1.4** Each Constituent Council may appoint a person to be a Deputy Board Member to act in place of that Council’s Board Member if the Board Member is not present at a meeting of the Board.

- **2.1.5** In the absence of the Board Member, a Deputy Board Member has all the rights and responsibilities of the Board Member.

- **2.1.6** A Board Member and a deputy Board Member must be elected members of the Constituent Council which appoints him or her.

- **2.1.7** Each Constituent Council must give notice in writing to the Central Region of the elected members appointed as Board Members and Deputy Board Members and of any revocation.

- **2.1.9** Each Board Member shall be entitled to exercise one vote on any matter arising for decision.

- **2.1.10** A Constituent Council or an Affiliate may invite any of its elected members or staff to attend meetings of the Board and those so invited may be heard but only a Board Member may exercise a vote.

### Board of Management

**Board of Management (Membership of the Board)**

The Board shall consist of the Mayors of each of the constituent Councils. Mayors will be the sole voting members of the Board.

**Rationale**

To be an effective regional voice, Board Members must be able to speak on behalf of their Councils.

There is a need for consistency and continuity in representation if members of the Board are to be able to develop thrust and rapport. Adhoc representation as allowed currently in 2.1.8 does not promote collegiality or confidence in the ability to make decisions and act in the best interests of member Councils.

Clauses 2.1.1 to 2.1.8 of the Charter become redundant.

2.1.10 – remove the term Affiliate as the region no longer wishes to offer anything other than full membership.
2.1.11 The appointment of a Board Member shall terminate:

   a) upon the death of the Board Member;
   b) upon notification of the Board Member’s resignation by the Council to the Executive Officer;
   c) if the Board Member ceases to be an elected member of the Council which appointed the Board Member;
   d) if the Board Member’s appointment is revoked by the Council which appointed the Board Member; or
   e) if the Board Member resigns his/her position as Board Member.

(See Clause 20, Part 2, Schedule 2 of the Act for the grounds which give rise to a vacancy).

2.1.11—a vacancy would only occur on the death of a Board Member, their resignation or dismissal as Mayor of their Council or an unavoidable lengthy absence. In this case, Council’s Acting Mayor would be considered to have the same powers as the Mayor.

2.2 Functions of the Board

2.2.1 The formulation of strategic plans and strategies aimed at improving the activities of the Central Region.

2.2.2 To provide input and policy direction to the Central Region.

2.2.3 Monitoring, overseeing and evaluating the performance of the Executive Officer of the Central Region.

2.2.4 Ensuring that ethical behaviour and integrity is followed in all activities undertaken by the Central Region.

2.2.5 Subject to subclause 2.6.15 ensuring that the activities of the Central Region are undertaken in an open and transparent manner.

2.2.6 Assisting in the development of Business Plans.

2.2.7 Exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of the other persons.

Functions of the Board

Simplify and reword to reflect new directions for the region.

- Advocacy and leadership.
- Generating cost savings for member Councils.
- Co-ordinating regional initiatives.
- Delivering efficient and effective services to the region’s communities.
- Promoting and facilitating the economic and social development of the region.
- Providing effective governance.

Sections 2.3 Propriety of Members of the Board, 2.4 Chair of the Board and 2.5 Powers of Chair and Deputy Chair remain as is.

2.6 Meetings of the Board

2.6.1 The Board may determine procedures, in addition to but not inconsistent with those specified in this Charter, to apply at or in relation to its meetings.

Add to end of 2.6.1

- Where the Board has not determined a procedure and a matter is not specified in this Charter, the procedures contained in the Local Government (Proceedings of Meetings) Regulations 2000 will prevail.
2.6.10 Quorum

a) The prescribed number of Board Members will constitute a quorum at a meeting and no business will be transacted at a meeting unless a quorum is present.

b) The prescribed number of Board Members means a number ascertained by dividing the total number of Board Members for the time being in office or, for a meeting other than a general meeting, the number of Board Members appointed by the Central Region to attend that meeting, by two ignoring any fraction resulting from the division and adding one.

c) In the matter of an ordinary meeting for the purpose of recommending the winding up of the Central Region, a quorum will be constituted by the attendance of Board Members of a majority of Constituent Councils.

2.6.11 – 2.6.22 – will be retained as they are unless legal advice suggests alternative wording about exclusion of public from meetings.

3. Executive Officer

3.1 The Board shall appoint an Executive Officer of the Central Region to manage the business of the Board on terms agreed between the Executive Officer and the Board.

3.2 The Executive Officer is responsible to the Central Region for the execution of decisions taken by the Central Region and for the efficient and effective management of the affairs of the Central Region.

3.3 The terms and conditions of the engagement and remuneration of the Executive Officer shall be determined by the Annual General Meeting as part of the annual program and budget.

3.4 The Executive Officer shall cause records to be kept of all activities and financial affairs of the Central Region in accordance with this Charter, in addition to other duties provided for by this Charter and those specified in the terms and conditions of appointment.

3.5 The Board shall delegate responsibility for the day to day management of the Central Region to the Executive Officer, who will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of the Central Region.

3.6 The functions of the Executive Officer shall be specified in the terms and conditions of appointment and shall include but are not limited to:

Proposed Changes

Simplify the wording and set a quorum as a simple majority of member Councils.

Chief Executive Officer

The diagram below shows the reporting relationships for the CEO.

- Council of Regional Mayors
  are the Board that sets strategic directions, and provides advocacy and leadership.

- Regional Management
  use their operational expertise to establish and manage regional “businesses” and implement actions that achieve the Board’s Strategic Objectives

- Staff & Programs

- Regional CEO
3.6.1 attending at all meetings of the Board unless excluded by resolution of the Board;

3.6.2 ensuring that the decisions of the Board are implemented in a timely and efficient manner;

3.6.3 providing information to assist the Board to assess the Central Region’s performance against its Strategic and Business Plans;

3.6.4 appointing, managing, suspending and dismissing employees of the Central Region;

3.6.5 determining the conditions of employment of employees of the Central Region, within budgetary constraints set by the Board;

3.6.6 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;

3.6.7 ensuring that the Central Region is at all times complying with Schedule 2 of the Local Government Act 1999;

3.6.8 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Central Region;

3.6.9 ensuring that the assets and resources of the Central Region are properly managed and maintained;

3.6.10 ensuring that records required under the Act or any other legislation are properly kept and maintained;

3.6.11 ensuring that the Central Region’s annual report is distributed to the Constituent Councils in time to be incorporated in their annual reports;

3.6.12 exercising, performing or discharging other powers, functions or duties conferred on the Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board; and

3.6.13 achieving financial outcomes in accordance with adopted plans and budgets of the Central Region.

3.7 The Executive Officer may delegate or sub-delegate to:

a) a committee;

Objective of the Position
To provide high quality leadership, advice and organisational management to the Region’s Mayors and Chief Executive Officers for the development and implementation of the CLGR.

Key Accountabilities/Key Result Areas
1. Ensure in conjunction with the CLGR Board:
   a. CLGR establishes and maintains a regional profile as the leading advocate for the region;
   b. CLGR’s purpose and goals inform the organisation’s operations and the development of the work program;
   c. CLGR’s work program is implemented by the organisations staff in co-operation with member Councils and other relevant organisations;
   d. CLGR’s budget supports the work program and meets the organisation’s objectives;
   e. Joint initiatives between members are developed and pursued and, where appropriate, co-ordination is provided for specific projects.

2. Ensure, in conjunction with the Board, that in relation to CLGR’s organisational objectives:
   a. These are achieved within budget and on time;
   b. Structures and procedures are developed to support the objectives;
   c. Action is taken to identify and address any problems in the achievement of these objectives;
   d. Board members and member Councils are aware of progress in the achievement of these objectives.

3. Provide independent policy advice and strategic planning services to the CLGR Board and monitor and maintain an awareness of current and emerging issues of significance to the region.

4. Maintain diplomatic and constructive relations with member Councils, Members of Parliament, Ministers, the Local
b) an employee of the subsidiary;
c) an employee of a Constituent Council; or
d) a person for the time being occupying a particular office or position,
any power or function vested in the Executive Officer. Such delegation or sub-delegation
may be subject to any conditions or limitations as determined by the Executive Officer.

3.8 Where a power or function is delegated to an employee, or a person occupying a particular
office or position, that employee or person is responsible to the Executive Officer for the
efficient and effective exercise or performance of that power or function.

3.9 A written record of all delegations and sub-delegations must be kept by the Executive Officer
at all times.

Government Association SA, public servants, other regional
stakeholders and the wider regional community. Ensure that they
are aware of CLGR policies, position and achievements.

5. Ensure that CLGR staff and contractors:
a. Understand CLGR’s objectives, policies and work program and
   that they reflect these in the performance of their duties;
b. Are motivated and supportive of the organisation;
c. Are encouraged to develop their professional skills.

6. Ensure that the CLGR meets its legal commitments.

7. Ensure that within designated work program areas:
a. CLGR’s goals and objectives are implemented;
b. CLGR’s goals remain relevant to the needs of member
   Councils and the people of the Central Region;
c. CLGR’s budget meets the organisation’s objectives;
d. CLGR’s organisational objectives are met within budget and
   on time;
e. CLGR establishes and maintains a regional profile as a leading
   advocate for the region;
f. Projects are managed in an appropriate manner and
   completed successfully.
4. Management

Retain existing Charter provisions on:
- Financial Management;
- Levies;
- Audit;
- Business Plan;
- Annual Program and Budget;
- Reporting.

5. Miscellaneous

5.5 Withdrawal

5.5.1 Subject to any legislative requirements, a Constituent Council or an Affiliate may resign from the Central Region at any time by giving three months’ notice in writing of such resignation to the Executive Officer provided that its subscription of the current year and other monies outstanding prior to the date of its giving notice of resignation have been paid to the Central Region.

Regional Management Group

The new model establishes the Regional Management Group.

The Region Chief Executive Officer shall be supported in the functions of the role by an advisory group comprised of Chief Executive Officers of the constituent Councils. This group shall be known as the Regional Management Group. They will work collaboratively with the Region CEO to implement and achieve the strategic objectives of the Board.

The Regional Management Group would meet regularly at set dates and times throughout the year.

Members of the Regional Management Group shall attend all Board Meetings and may be responsible for presenting reports on operational and policy matters requiring Board response and/or decision.

(The Charter needs to reflect the roles and responsibilities of this group.)

Delete the reference to Affiliates in Section 4.2 on levies.

5.1 – New Members

Delete the reference to Affiliate status. All members of the region shall be full members.
5.5.2 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by the Central Region at any time before or after such withdrawal in respect of any act or omission by the Central Region prior to such withdrawal.

5.5 – Withdrawal
Change the wording to reflect the requirement for 12 months’ notice with subscriptions paid up until the end of the notice period. This allows the Region the certainty of being able to complete its budgeted program of works for the coming financial year.

5.6 Insurance and Superannuation Requirements are retained.

5.7 Winding u retained except for 5.7.4.

5.8, 5.9, 5.10 and 5.11 are retained.

5.12 The Board shall establish a committee to be known as “The Central Local Government Region Executive Committee”.

5.12.1 Members of The Central Local Government Region Executive Committee shall consist of:
   a) the Chair and the two Deputy Chairs elected pursuant to Clause 2.4.1; and
   b) two other Board Members elected at the AGM on the basis of nominations made at the AGM after the election of the Chair and Deputy Chairs.

5.12.3 The Central Local Government Region Executive Committee’s functions are to supervise the activities undertaken by the Central Region, to give guidance to the Executive Officer and to make recommendations to the Board.

5.7.4 – remove this clause as it relates to affiliates.
5.12 – delete this section as Board has decided not to establish an Executive Committee. They consider that the Board is able to delegate tasks to sub-groups of relevant members, which may change depending on the matter to be addressed.

5.13 and 5.14 will be retained.
1. **Report Purpose**

Authorise the Mayor and Chief Executive Officer to certify Council’s 2014/15 Annual Financial Statements, when finalised.

2. **Statutory Responsibilities**


3. **Strategic Plan Reference**


4. **Other Plan or Policy References** - Nil

5. **Report**

Council’s external auditor, Ian McDonald conducted this year’s balance date audit on 16 and 17 September and has subsequently been liaising with Council’s Accountant regarding the finalisation of the Annual Financial Statements. One of the primary roles of Council’s Audit Committee, as set out by section 126(4)(a) of the Local Government Act, is “reviewing annual financial statements to ensure that they present fairly the state of affairs of the council.” The committee therefore reviewed the draft 2014/15 Annual Financial Statements at its meetings on 16 September and 14 October.

Section 127 of the Local Government Act requires a council to prepare financial statements and notes in accordance with standards prescribed by the regulations for each financial year and that the statements prepared for each financial year must be audited by the council’s auditor.

Regulation 13 (1) of the Local Government (Financial Management) Regulations 1999 requires that a copy of the audited financial statements must be submitted to the Minister and the South Australian Local Government Grants Commission on or before 30 November in each year.
Regulation 14 of the Local Government (Financial Management) Regulations requires the Chief Executive Officer and Principal Member of the Council to certify the financial statements in their final form. Council is not required to adopt the Annual Financial Statements but is required to authorise the Chief Executive Officer and the Principal Member to certify them in their final form.

6. **Officer Recommendation**

That, pursuant to Regulation 14 of the Local Government (Financial Management) Regulations 1999, the Mayor and Chief Executive Office be authorised to certify the audited financial statements of Council for the 2014/15 financial year in their final form.

7. **Financial Implication (of the recommendation)** - Nil

8. **Risk Assessment (of the recommendation)**

To not comply with a legislative requirement constitutes a high risk.

9. **Attachment** - Nil
1. **Report Purpose**


2. **Statutory Responsibilities**

Section 126 (4)(c) of the Local Government Act 1999.

3. **Strategic Plan Reference**

Long Term Financial Plan for the period 2013/14 to 2022/23.

4. **Other Plan or Policy References**


4.2 Policy F9.5 Treasury Management.

5. **Report**

The objectives of Council’s Treasury Management policy are that a decision making framework is present to ensure that funds are available as required to support approved outlays, that interest rate and other risks, e.g. liquidity and investment credit risks, are acknowledged and responsibly managed and that the net interest costs associated with borrowing and investing are reasonably likely to be minimised on average over the longer term.

The policy requires that at least once a year Council and the Audit Committee receive a report regarding treasury management performance relative to the policy. Council’s Audit Committee noted and endorsed the treasury management performance report for 2014/15 at its meeting on 14 October.

Council currently has a $5 million Cash Advance Debenture (CAD) facility arrangement with the Local Government Finance Authority (LGFA). It is anticipated that this limit will give Council the financial liquidity to operate for the next 5 years as the Council moves to reducing the amount of reliance of fixed term loans to a greater proportion of variable rate CAD, in accordance with the Treasury Management policy.

The CAD balance varies throughout the year and during the past financial year has had a maximum balance of $2,150,000 in August 2014 prior to grants and the first rate instalment being received. During the year Council also has been able to invest surplus cash for some short periods, with a nil CAD balance. The average CAD balance during 2014/15 was $828,981.
Attachment 9.1 Maturity of Fixed Term/Interest Loans as at 30 June 2015 highlights that Council currently has three loans with a total principal amount of $641,111 to be rolled over in the future. The Treasury Management policy states that “Council also will ensure where possible that no more than 25% of its fixed interest rate borrowings mature and/or new loans are established in any one year”.

Attachment 9.2 Rollover of Existing Fixed Term/Interest Loans provides the percentages of the rollover compared to the total amount of fixed term/interest loan forecast to be outstanding at the time of each particular rollover. In compiling these figures the assumption has been made that no additional fixed term/interest loans will be obtained in this period, i.e. any new loan borrowings will be funded by the CAD.

The first two loans will satisfy the requirement of the policy but loan WRC 25 would breach the desired 25% limit. However, by that time (2024) Council may have taken out additional fixed term/interest loans that will most likely reduce the percentage below the 25% mark or alternately will use the CAD to partly finance the rollover loan.

The Treasury Management policy specifically requires that the annual report in relation to treasury management performance shall highlight:

- for each Council borrowing and investment - the quantum of funds, its interest rate and maturity date, changes in the quantum since the previous report, and
- the proportion of fixed interest rate and variable interest rate borrowings at the end date of the reporting period and an estimate of the average of these proportions across this period.

Attachment 9.3 Borrowing & Investment Summary provides the information required to review the performance of Council’s borrowings and investments.

The purpose of the Treasury Management policy in relation to borrowings is to ensure that Council is protected from any sudden movements in interest rates by spreading its loan exposure in both fixed term/interest and variable interest loans. The information in these reports has previously shown the transition over several years, from all borrowings being fixed term/interest loans in 2008 moving gradually to a greater proportion of variable interest loans. The interest rate of our CAD is currently 1.952% less than the fixed term interest loans, therefore the finance sourced through the CAD during the year has saved approximately $16,000 of interest that would otherwise be payable.

It should also be noted that the LGFA distribute an annual bonus to councils based on the amount of deposits and loans held with them. The annual bonuses for the last three years were $4,548 in October 2012, $3,780 in October 2013 and $6,133 in October 2014.

6. **Recommendation**

That the review of Council’s treasury management performance for 2014/15 be received and noted.

7. **Financial Implications (of the recommendation)**

7.1 Capital/One Off Cost – Nil
7.2 Recurrent Cost – Nil
8. **Risk Assessment (of the recommendation)**

Low risk in reviewing treasury management performance in accordance with Council policy.

9. **Attachments**

9.2 Rollover of Existing fixed Term/Interest Loans.
9.3 Borrowing & Investment Summary.
### Maturity of Fixed Term Loans as at 30 June 2014

<table>
<thead>
<tr>
<th>Loan No</th>
<th>Name</th>
<th>Start Date</th>
<th>Original Principal</th>
<th>Principal O/Standing</th>
<th>Annual Int. Rate</th>
<th>Loan Term</th>
<th>Self Supporting Loan</th>
<th>Maturity Date</th>
<th>Rollover Principal</th>
</tr>
</thead>
<tbody>
<tr>
<td>WRC12</td>
<td>Civic Centre</td>
<td>16/06/2003</td>
<td>500,000</td>
<td>177,667</td>
<td>5.8200</td>
<td>15</td>
<td></td>
<td>16/09/2018</td>
<td>-</td>
</tr>
<tr>
<td>WRC13</td>
<td>Civic Centre</td>
<td>15/01/2004</td>
<td>640,000</td>
<td>286,687</td>
<td>6.7500</td>
<td>15</td>
<td></td>
<td>15/01/2019</td>
<td>-</td>
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<tr>
<td>WRC17</td>
<td>Balaklava Swimming Pool pipework</td>
<td>15/06/2005</td>
<td>78,000</td>
<td>39,887</td>
<td>6.2000</td>
<td>15</td>
<td></td>
<td>15/06/2020</td>
<td>-</td>
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<tr>
<td>WRC18</td>
<td>Pt Wakefield Boat Ramp &amp; Channel</td>
<td>15/06/2005</td>
<td>424,000</td>
<td>216,823</td>
<td>6.2000</td>
<td>15</td>
<td></td>
<td>15/06/2020</td>
<td>-</td>
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<tr>
<td>WRC19</td>
<td>Redevelopment of Pt Wakefield Rec Reserv</td>
<td>15/08/2005</td>
<td>35,000</td>
<td>6,715</td>
<td>6.2500</td>
<td>10</td>
<td></td>
<td>15/08/2015</td>
<td>-</td>
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<tr>
<td>WRC20</td>
<td>Land purchase Waste Man. Site Everard</td>
<td>16/01/2006</td>
<td>500,000</td>
<td>370,251</td>
<td>6.4000</td>
<td>20</td>
<td></td>
<td>16/01/2021</td>
<td>204,396</td>
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<tr>
<td>WRC21</td>
<td>Balaklava Golf Club</td>
<td>15/10/2007</td>
<td>200,000</td>
<td>138,682</td>
<td>7.3500</td>
<td>15</td>
<td>Yes</td>
<td>15/10/2022</td>
<td>-</td>
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<tr>
<td>WRC23</td>
<td>Community Wastewater Management Schemes</td>
<td>15/09/2009</td>
<td>400,000</td>
<td>347,594</td>
<td>6.3000</td>
<td>5</td>
<td></td>
<td>15/09/2014</td>
<td>347,594</td>
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<tr>
<td>WRC24</td>
<td>Community Wastewater Management Schemes</td>
<td>15/09/2009</td>
<td>400,000</td>
<td>348,811</td>
<td>6.5500</td>
<td>10</td>
<td></td>
<td>15/09/2019</td>
<td>271,499</td>
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<tr>
<td>WRC25</td>
<td>Community Wastewater Management Schemes</td>
<td>15/09/2009</td>
<td>400,000</td>
<td>349,052</td>
<td>6.6000</td>
<td>15</td>
<td></td>
<td>15/09/2024</td>
<td>165,216</td>
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<tr>
<td>WRC8</td>
<td>Balaklava Sports Club</td>
<td>15/03/2001</td>
<td>110,000</td>
<td>21,412</td>
<td>6.5000</td>
<td>15</td>
<td>Yes</td>
<td>15/03/2016</td>
<td>-</td>
</tr>
</tbody>
</table>

**Total Loan Principal Outstanding** | **2,303,582**

**Less Self Supporting Community Loans** | **(160,094)**

**Total Loan Principal excluding Self Supporting** | **2,143,488**

### Maturity of Fixed Term Loans as at 30 June 2015

<table>
<thead>
<tr>
<th>Loan No</th>
<th>Name</th>
<th>Start Date</th>
<th>Original Principal</th>
<th>Principal O/Standing</th>
<th>Annual Int. Rate</th>
<th>Loan Term</th>
<th>Self Supporting Loan</th>
<th>Maturity Date</th>
<th>Rollover Principal</th>
</tr>
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<tbody>
<tr>
<td>WRC12</td>
<td>Civic Centre</td>
<td>16/06/2003</td>
<td>500,000</td>
<td>136,996</td>
<td>5.8200</td>
<td>15</td>
<td></td>
<td>16/09/2018</td>
<td>-</td>
</tr>
<tr>
<td>WRC13</td>
<td>Civic Centre</td>
<td>15/01/2004</td>
<td>640,000</td>
<td>236,699</td>
<td>6.7500</td>
<td>15</td>
<td></td>
<td>15/01/2019</td>
<td>-</td>
</tr>
<tr>
<td>WRC17</td>
<td>Balaklava Swimming Pool pipework</td>
<td>15/06/2005</td>
<td>78,000</td>
<td>34,212</td>
<td>6.2000</td>
<td>15</td>
<td></td>
<td>15/06/2020</td>
<td>-</td>
</tr>
<tr>
<td>WRC18</td>
<td>Pt Wakefield Boat Ramp &amp; Channel</td>
<td>15/06/2005</td>
<td>424,000</td>
<td>185,970</td>
<td>6.2000</td>
<td>15</td>
<td></td>
<td>15/06/2020</td>
<td>-</td>
</tr>
<tr>
<td>WRC19</td>
<td>Redevelopment of Pt Wakefield Rec Reserv</td>
<td>15/08/2005</td>
<td>35,000</td>
<td>2,308</td>
<td>6.2500</td>
<td>10</td>
<td></td>
<td>15/08/2015</td>
<td>-</td>
</tr>
<tr>
<td>WRC20</td>
<td>Land purchase Waste Man. Site Everard</td>
<td>16/01/2006</td>
<td>500,000</td>
<td>348,939</td>
<td>6.4000</td>
<td>20</td>
<td></td>
<td>16/01/2021</td>
<td>204,396</td>
</tr>
<tr>
<td>WRC21</td>
<td>Balaklava Golf Club</td>
<td>15/10/2007</td>
<td>200,000</td>
<td>126,426</td>
<td>7.3500</td>
<td>15</td>
<td>Yes</td>
<td>15/10/2022</td>
<td>-</td>
</tr>
<tr>
<td>WRC23</td>
<td>Community Wastewater Management Schemes</td>
<td>15/09/2009</td>
<td>400,000</td>
<td>335,275</td>
<td>6.5500</td>
<td>10</td>
<td></td>
<td>15/09/2019</td>
<td>271,499</td>
</tr>
<tr>
<td>WRC24</td>
<td>Community Wastewater Management Schemes</td>
<td>15/09/2009</td>
<td>400,000</td>
<td>335,562</td>
<td>6.6000</td>
<td>15</td>
<td></td>
<td>15/09/2024</td>
<td>165,216</td>
</tr>
<tr>
<td>WRC8</td>
<td>Balaklava Sports Club</td>
<td>15/03/2001</td>
<td>110,000</td>
<td>11,048</td>
<td>6.5000</td>
<td>15</td>
<td>Yes</td>
<td>15/03/2016</td>
<td>-</td>
</tr>
</tbody>
</table>

**Total Loan Principal Outstanding** | **1,753,435**

**Less Self Supporting Community Loans** | **(137,474)**

**Total Loan Principal excluding Self Supporting** | **1,615,961**
**Attachment 9.2 - Rollover of Existing Fixed Term/Interest Loans**

<table>
<thead>
<tr>
<th>Loan No.</th>
<th>Rollover Date</th>
<th>Rollover Principal</th>
<th>Total Fixed Term Principal Outstanding at Rollover Date</th>
<th>% to Total Loans Outstanding at Rollover</th>
</tr>
</thead>
<tbody>
<tr>
<td>WRC 24</td>
<td>15/09/2019</td>
<td>271,499</td>
<td>1,154,466</td>
<td>24%</td>
</tr>
<tr>
<td>WRC 20</td>
<td>16/01/2021</td>
<td>204,396</td>
<td>989,752</td>
<td>21%</td>
</tr>
<tr>
<td>WRC 25</td>
<td>15/09/2024</td>
<td>165,216</td>
<td>550,120</td>
<td>30%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>641,111</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Note.** The above calculations assume that Council will not take out any new additional Fixed Term Loans in the next 31 years.
**Attachment 9.3 - Borrowing & Investment Statistics**  
(Excluding Self Supporting Loans & Tied Grants)

### Borrowings

<table>
<thead>
<tr>
<th>Borrowing-Weighted Average Interest Rates</th>
<th>30/06/2014</th>
<th>30/06/2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Range Fixed Term Interest</td>
<td>6.2% to 7.35%</td>
<td>6.2% to 7.35%</td>
</tr>
<tr>
<td>Fixed Term Loans Interest Rate for year ending</td>
<td>6.53%</td>
<td>6.54%</td>
</tr>
<tr>
<td>Interest Range Cash Advance Debenture</td>
<td>4.75% to 5%</td>
<td>4.25% to 4.75%</td>
</tr>
<tr>
<td>Cash Advance Debenture Interest Rate for year ending</td>
<td>4.759%</td>
<td>4.588%</td>
</tr>
<tr>
<td>Variance between Fixed &amp; Variable Interest Rates</td>
<td>1.7662%</td>
<td>1.9520%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Borrowing-Principal Outstanding</th>
<th>30/06/2014</th>
<th>30/06/2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fixed Term Loans Principal Outstanding</td>
<td>$2,143,488</td>
<td>$1,615,961</td>
</tr>
<tr>
<td>Cash Advance Debenture</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2,143,488</strong></td>
<td><strong>$1,615,961</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Borrowing-Estimated Average Principal Outstanding</th>
<th>2013/14</th>
<th>2014/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fixed Term/Interest Loans Principal Outstanding</td>
<td>$2,234,475</td>
<td>$1,879,724</td>
</tr>
<tr>
<td>Cash Advance Debenture</td>
<td>$72,300</td>
<td>$828,981</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2,306,775</strong></td>
<td><strong>$2,708,706</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Borrowing-Average Principal Outstanding as a Percentage</th>
<th>2013/14</th>
<th>2014/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fixed Term Loans Principal Outstanding</td>
<td>97%</td>
<td>69%</td>
</tr>
<tr>
<td>Cash Advance Debenture</td>
<td>3%</td>
<td>31%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

**Maximum Cash Advance Debenture Balance reached during the year**  
$640,000 $2,150,000

### Investments

<table>
<thead>
<tr>
<th>Investment Balance</th>
<th>30/06/2014</th>
<th>30/06/2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>At Call Deposits with the Local Government Finance Authority</td>
<td>$598,775</td>
<td>$326,860</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Investment Interest</th>
<th>2013/14</th>
<th>2014/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest range at call deposits with the LG Finance Authority</td>
<td>2.5% to 2.75%</td>
<td>2% to 2.5%</td>
</tr>
<tr>
<td>Estimated average interest at call deposits with the LG Finance Authority</td>
<td>2.5%</td>
<td>2.2%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Investment Average Monthly Balance Excluding Self Supporting</th>
<th>2013/14</th>
<th>2014/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>At Call Deposits with the LG Finance Authority</td>
<td>1,062,811</td>
<td>51,948</td>
</tr>
</tbody>
</table>
To: Council  
Report Date: 15 October 2015  
Reporting Officer: Corporate Services Manager, Steve Jonas  
Responsible Manager: Corporate Services Manager, Steve Jonas  
Subject: Review of Audit Committee Terms of Reference  
File Number: 7.14.1.1  
Previous References:  
Audit Committee meeting 14 October 2015, item 4.3 Review of Audit Committee’s Terms of Reference  
Council meeting 24 April 2013, item 14.4 Review of Audit Committee’s Terms of Reference  
Audit Committee meeting 20 March 2013, item 4.2 Review of Audit Committee’s Terms of Reference

1. **Report Purpose**

   Review the Audit Committee’s Terms of Reference

2. **Statutory Responsibilities** - Nil

   Local Government Act 1999:  
   Section 41 – Committees, and  
   Section 126 – Audit Committee.

3. **Strategic Plan Reference** - Nil

4. **Other Plan or Policy References** - Nil

5. **Report**

   The Audit Committee’s Terms of Reference require it to “review its terms of reference at least once in every two years to ensure it is operating at maximum effectiveness and recommend changes it considers necessary to the Council for approval.”

   The Audit Committee was established in 2007 and the Terms of Reference were last reviewed by the Committee in March 2013. Changes recommended by the Audit Committee at that meeting were adopted by Council in April 2013. While annually reviewing the Terms of Reference was important during the early years of the Committee, it was resolved during the 2013 review that reviewing the Terms of Reference every two years is now appropriate.

   The Audit Committee therefore reviewed its Terms of Reference at its meeting on 14 October. One amendment was recommended by the Audit Committee, being to provide for the appointment of a Deputy Presiding Member of the Committee as an addition to clause 1.8. The purpose of this amendment is to clarify who chairs a meeting of the Audit Committee should the Presiding Member be absent.

   It is therefore suggested that the Terms of Reference should be amended accordingly. No legislative changes that would require any further amendment to the Terms of Reference have been made since its last review in March/April 2013.

   Should Council adopt the Committee’s recommendation, it will need to appoint the Deputy Presiding Member of the Audit Committee. It is suggested that Council could refer the matter back to the Committee to make a recommendation to Council regarding the position.
6. **Recommendation**

That, as recommended by the Audit Committee, the amended Wakefield Regional Council Audit Committee Terms of Reference be adopted by Council.

7. **Financial Implications (of the recommendation)**

7.1 Capital/One Off Cost – Nil
7.2 Recurrent Cost – Nil

8. **Risk Assessment (of the recommendation)**

Low risk of reviewing the Audit Committee’s Terms of Reference in order to continuously improve the information it contains.

9. **Attachments**

Draft Audit Committee Terms of Reference, as amended.
Wakefield Regional Council Audit Committee Terms of Reference

1. Membership

1.1 The Committee shall consist of five members, at least one of whom shall be an independent member, i.e. not a member of Council, at least half the members shall be members of Council and the members of the Committee shall be appointed by Council.

1.2 Independent member(s) of the Committee shall have recent and relevant financial, risk management and/or internal audit experience.

1.3 The Principal Member of Council shall be an ex officio member of the Committee.

1.4 Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for decision. However, Council staff may attend meetings as observers or be responsible for preparing papers for the Committee.

1.5 In accordance with the principles of open, transparent and informed decision making, Committee meetings must be conducted in a place open to the public. The agenda and minutes of the Committee meetings, subject to any items that are discussed in confidence under Section 90 of the Local Government Act 1999 and subsequently retained as confidential under Section 91 of the Act, shall also be made available to the public.

1.6 Council’s external auditors may be invited to attend meetings of the Committee.

1.7 Appointments to the Committee shall be for a period of up to four years, or until the end of the term of Council. Appointees may be reappointed by Council.

1.8 Council shall appoint the Presiding Member of the Committee. A Deputy Presiding Member shall also be appointed by Council.

2. Secretarial resources

2.1 The Chief Executive Officer shall provide sufficient administrative resources to the Committee to enable it to adequately carry out its functions.

3. Quorum

3.1 The quorum necessary for the transaction of business shall be three. A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the Committee.

4. Frequency of meetings

4.1 The Committee shall meet at least four times a year at appropriate times in the reporting and audit cycle and otherwise as required.
5. **Notice of meetings**

5.1 Ordinary meetings of the Committee will be held at times and places determined by the Committee. A special meeting of the Committee may be called in accordance with the Act.

5.2 Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee and observers, no later than 3 clear days before the date of the meeting. Supporting papers shall be sent to Committee members (and to other attendees as appropriate) at the same time.

6. **Minutes of meetings**

6.1 The Chief Executive Officer shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present and in attendance, are minuted and that the minutes otherwise comply with the requirements of the Local Government (Procedure at Meetings) Regulations 2000.

6.2 Minutes of Committee meetings shall be circulated within five days after a meeting to all members of the Committee and to all members of Council and will (as appropriate) be available to the public.

7. **Role of the Committee**

7.1 **Financial reporting**

7.1.1 The Committee shall monitor the integrity of the financial statements of Council, review significant financial reporting issues and the judgements that they contain, and review the Annual Financial Statements to ensure that they present fairly the state of affairs of Council.(3)

7.1.2 The Committee shall review and challenge where necessary:

- the consistency of, and/or any changes to, accounting policies;
- the methods used to account for significant or unusual transactions where different approaches are possible;
- whether Council has followed appropriate accounting standards and made appropriate estimates and judgements, taking into account the views of the external auditor;
- the clarity of disclosure in the Council’s financial reports and the context in which statements are made; and
- all material information presented with the financial statements, such as the operating and financial review and the corporate governance statement (insofar as it relates to the audit and risk management).
7.2 Internal controls and risk management systems

The Committee shall:

- keep under review the effectiveness of the Council’s internal controls and risk management systems; and
- review the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis; and
- review and recommend the approval, where appropriate, of statements to be included in the annual report concerning internal controls and risk management. (Note that it is important that the Committee understand the business of Council to appreciate the risks it manages on a daily basis, and to ensure that there are appropriate management plans to manage and mitigate this business risk. This will include insurance matters, financial reporting, legal and regulatory compliance, business continuity, and statutory compliance. This can be facilitated by discussions with the auditors and by presentations by management on how business risks are identified and managed).

7.3 Whistle blowing

The Committee shall review Council’s arrangements for its employees to raise concerns, in confidence, about possible wrongdoing in financial reporting or other matters. The Committee shall ensure these arrangements allow independent investigation of such matters and appropriate follow-up action.

7.4 External audit

The Committee shall:

- develop and implement a policy on the supply of non-audit services by the external auditor, taking into account any relevant ethical guidance on the matter;
- consider and make recommendations to the Council, in relation to the appointment, re-appointment and removal of the Council’s external auditor. The Committee shall oversee the selection process for new auditors and if an auditor resigns the Committee shall investigate the issues leading to this and decide whether any action is required;
- oversee Council’s relationship with the external auditor including, but not limited to:
  (1) recommending the approval of the external auditor’s remuneration, whether fees for audit or non-audit services, and recommending whether the level of fees is appropriate to enable an adequate audit to be conducted;
  (2) recommending the approval of the external auditor’s terms of engagement, including any engagement letter issued at the commencement of each audit and the scope of the audit;
  (3) assessing the external auditor’s independence and objectivity taking into account relevant professional and regulatory requirements and the extent of Council’s relationship with the auditor, including the provision of any non-audit services;
  (4) satisfying itself that there are no relationships (such as family, employment, investment, financial or business) between the external auditor and the Council (other than in the ordinary course of business);
  (5) monitoring the external auditor’s compliance with legislative requirements on the rotation of audit partners; and
(6) assessing the external auditor’s qualifications, expertise and resources and the effectiveness of the audit process (which shall include a report from the external auditor on the Committee’s own internal quality procedures));

• meet as needed with the external auditor. The Committee shall meet the external auditor at least once a year, without management being present; to discuss the external auditor’s report and any issues arising from the audit;

• review and make recommendations on the annual audit plan, and in particular its consistency with the scope of the external audit engagement;

• review the findings of the audit with the external auditor. This shall include, but not be limited to, the following:
  (1) a discussion of any major issues that arose during the external audit;
  (2) any accounting and audit judgements; and
  (3) levels of errors identified during the external audit. The Committee shall also review the effectiveness of the external audit.

• review the management letter and management’s response to the external auditor’s findings and recommendations.

8. **Reporting responsibilities**

8.1 Pursuant to Section 41(8) of the Local Government Act 1999, the Committee is responsible to and reports directly to Council.\(^{(1)}\)

8.2 The Committee shall make whatever recommendations to the Council it deems appropriate on any area within its terms of reference where in its view action or improvement is needed.

8.3 The Committee shall inform Council of its activities on a regular basis. This is by way of specific reports and recommendations documented as minutes of the Committee meetings.\(^{(1)}\)

8.4 The Committee shall inform Council and the Local Government association of SA Mutual Liability Scheme (LGAMLS) of any potential civil liability claim or the development of any “special risk” in accordance with LGAMLS rules.\(^{(1)}\)

8.5 Council may require additional reporting requirements from time to time.\(^{(1)}\)

9. **Other matters**

The Committee shall:

• examine, and provide comment on, the review of Council's Strategic Management Plans, including the Long Term Financial Plan and Infrastructure & Asset Management Plans, and Council’s Annual Business Plan and supporting financial information\(^{(5)}\) prior to community consultation;\(^{(3)}\)

• have access to reasonable resources in order to carry out its duties (Note that this is subject to any budget allocation being approved by Council);

• be provided with appropriate and timely training, both in the form of an induction program for new members and on an ongoing basis for all members;

• give due consideration to laws and regulations of the Local Government Act, 1999;

• make recommendations on co-ordination of the internal and external auditors;

• oversee any investigation of activities which are within its terms of reference;
• oversee action to follow up on matters raised by the external auditors; and review its own performance at least once a year and review its terms of reference at least once in every two years to ensure it is operating at maximum effectiveness and recommend changes it considers necessary to the Council for approval; and
• follow Council Event Risk Management Guidelines when conducting or allowing events to operate under the Committee’s care and control. (1)
1. Report Purpose

Consider a request to rent an unused road reserve between section 183, Hundred of Clinton, and section 150, Hundred of Kulpara, near Beaufort.

2. Statutory Responsibilities


3. Strategic Plan Reference

Strategy 3.4.4 - Facilitate effective roadside vegetation management including the enhancement of native vegetation within Council reserves whilst acknowledging the needs of a rural community.

4. Other Plan or Policy References – Nil.

5. Report

A request has been received from Remo Bria, of Top of the Gulf Enterprises, to rent the unused road reserve between section 183, Hundred of Clinton, and section 150, Hundred of Kulpara. Top of the Gulf Enterprises owns both section 183, Hundred of Clinton, (in the Wakefield Regional Council) and section 150, Hundred of Kulpara, (in the District Council of Barunga West) and was unaware of the unmade road reserve between his two pieces of land. He intends to replace the fences around these properties and, upon discovering that the unused road reserve is within his existing fences, wishes to formalise his occupation of the road reserve by renting it.

Section 222 of the Local Government Act 1999 sets out that a person must not use a public road for business purposes unless authorised to do so by a permit. A permit issued pursuant to section 222 may grant rights of exclusive occupation in relation to part of a public road and must consult the community.

Community consultation was undertaken via Council's July community newsletter and a copy of the newsletter was also forwarded to a number of nearby landowners, who do not reside in the Council area and otherwise may not have received the newsletter. The attached submissions objecting to the proposed road rent were received from Steven Brown, who owns the adjoining section 182, Hundred of Clinton and Tomy Khayech who owns the nearby section 181. Mr Bria was given the opportunity to respond to the two objections and his responses are also enclosed.
Mr Brown opposes the requested road rental. He states “this road reserve is the only way to get to my property in wet weather and the only way to get water to my property.” It is understood that he currently accesses his land on a track which has been developed on the unmade road reserve from the Copper Coast Highway. He believes the unmade road reserve from Mail Road through Mr Bria’s property would offer a better alternative in wet weather.

Mr Brown has also advised he intends to stock his property for the first time and therefore wants to be able to access the property, including during wet weather. Mr Brown’s property is not currently fenced, therefore, before stocking the property he would need to do so. Mr Khayech has also objected to the requested exclusive use by Mr Bria stating this would restrict access to his property.

Mr Bria’s initial request was for a permit providing exclusive use of the unmade road reserve to enable him to lease his property as a whole without the need to fence off the road reserve. A suggested compromise of a non-exclusive road rent, with gates erected at either end of the road reserve, was acceptable to Mr Brown but was not supported by Mr Bria, who would prefer exclusive use of the road reserve.

At Mr Bria’s request, an onsite meeting was held on 1 October. In attendance were Mr Bria, Mr and Mrs Brown, Cr Pain, Cr Williams, Council’s Chief Executive Officer and the Acting Corporate Services Manager. The purpose of the meeting was for the Council representatives to view the site and for the parties involved to discuss issues about the proposed road rental.

The unused road reserve has never been used as a road or as an access to Mr Brown’s or Mr Khayech’s properties. It has historically been contained within Mr Bria’s property. As shown on the attached photograph and viewed by Councillors on the district inspection day, the area is predominantly flat but there are undulations on the road reserve due to low lying depressions in the vicinity. The road reserve surface consists mainly of grasses and small low growing bushes.

It is unlikely that access to Mr Brown’s or Khayech’s properties via the unmade road reserve Mr Bria wishes to rent would offer an improvement on their current access during wet weather, i.e. the track that would develop on this road reserve would probably also not be usable when wet. In addition to the current access, their properties could also be reached via similar unmade road reserves from Station Road (in the District Council of Barunga West) but again these tracks would be inaccessible when wet.

Council has no legal obligation to provide all weather access to Mr Brown’s or Mr Khayech’s properties. In accordance with Council’s road classifications (refer to Infrastructure Services Manager’s report to this meeting, item 14.10 Councillor Infrastructure Forum Outcomes), the unmade road reserve is category 7. All weather access is only provided on category 5, where access to a dwelling is required, or to or higher road categories. Should Council decide to form a road on this road reserve, it would fall into category 6, i.e. roads for paddock access.

Council is entitled to grant a permit to use a public road under Section 222 of the Local Government Act and is also entitled to grant exclusive occupation rights and such conditions as it sees fit. Council may also terminate the permit and resume occupation of a road reserve it has rented to an adjoining landowner should it wish to construct a road on the road reserve at any time in the future.
6. Officer’s Recommendation

That, pursuant to Section 222 of the Local Government Act 1999, Top of the Gulf Enterprises Pty Ltd be granted permission for exclusive use of the unused road between section 183, Hundred of Clinton, and section 150, Hundred of Kuppara, for a period of 5 years.

7. Financial Implications (of the recommendation).

7.1 Capital/One off Cost - Nil.
7.2 Recurrent Income – Minor income to Council of $40 per annum.

8. Risk Assessment (of the recommendation)

Low Risk in granting a permit for rental of road in accordance of Section 222 of the Local Government Act 1999

9. Attachments

9.1 Aerial photograph of area
9.2 Photograph of unmade road
9.3 Request from Top of the Gulf Enterprises to rent road reserve.
9.4 Submission from Steven Brown.
9.5 Further submission from Steven Brown
9.6 Submission from Tomy Khayech
9.7 Response from Top of the Gulf Enterprises.
9.8 Response from Steven Brown to compromise solution (closing gates)
9.9 Response from Top of the Gulf Enterprises regarding Native Vegetation
9.10 Further response from Top of the Gulf Enterprises re compromise
9.11 Further response from Top of the Gulf Enterprise
To Station Road
Current Access to Brown Property
Unmade Road
Reserve in question
Khayech property
Brown property
Bria property
Current Access to Brown Property
Mail Road
Copper Coast Highway
4th JULY 201

TO: CHIEF EXECUTIVE OFFICER
WAKEFIELD REGIONAL COUNCIL
MS CATE ATKINSON
SCOTLAND PLACE,
BALAKLAVA S.A. 5461

FROM: REMO BRIA.
TOP OF THE GULF ENTERPRISES PTY LTD.

DEAR MS ATKINSON,

I WRITE TO EXPRESS MY WISH TO LEASE FROM THE WAKEFIELD REGIONAL COUNCIL A PARCEL OF LAND LOCATED BETWEEN OUR ALLOTMENTS (SEC 183 HUNDRED OF CLINTON) IN THE AREA NAMED BEAUFORT AND (SEC 150 &155 HUNDRED OF KULPARA) IN THE AREA OF SOUTH HUMMOCKS.

I HAVE BEEN ADVISED BY LANDS TITLES OFFICE AS WELL AS BARUNGA WEST COUNCIL THAT THIS LAND LIES WITHIN WAKEFIELD REGIONAL COUNCIL AREA AND THAT THE LAND IS WHAT HAS BEEN DESCRIBED TO ME AS A “PAPER ROAD”. AS YOU CAN SEE BY THE MAP SUPPLIED, THIS LAND RUNS BETWEEN THE TWO BLOCKS THAT WE OWN AND WISH TO PUT TO YOUR ATTENTION THAT THIS “ROAD” HAS BEEN NEVER ACTIVATED NOR USED TO MY UNDERSTANDING BY ANY NEIGHBOURS OR PUBLIC.

I WISH TO LEASE THIS LAND FROM COUNCIL FOR AS LONG A PERIOD AS POSSIBLE WITH THE RIGHTS FOR RENEWAL. I ALSO WISH THAT MY PROPOSAL FOR THE LEASE BE MADE TO GIVE OURSELVES EXCLUSIVE RIGHTS OF ACCESS TO THIS LAND FOR USAGE. I AM AWARE THAT THIS PARCEL OF LAND RUNS BETWEEN ANOTHER FOUR ALLOTMENTS BUT BELIEVE THAT THOSE PROPERTIES HAVE ALWAYS BEEN ACCESSED VIA STATION ROAD AND WILL NOT BE “LAND LOCKED” SHOULD COUNCIL ACCEPT MY LEASE PROPOSAL. I HAVE SUPPLIED MAPS OF THE PROPERTY AND OF THOSE ADJOINING TO ASSIST IN ASSESSING THIS APPLICATION.

I SEEK YOUR EARLIEST ATTENTION TO THIS LEASE PROPOSAL TO ENABLE US TO FULFILL OUR POSSIBLE OWN LEASE INTERESTS OF OUR PROPERTY AS WE WILL NEED TO RE ASSESS OUR POSITION OF OUR DIRECTION FOR THE FUTURE OF THESE PROPERTIES.

PLEASE FEEL FREE TO CONTACT ME SHOULD YOU REQUIRE ANY FURTHER INFORMATION ON

YOURS TRULY

REMO BRIA
TOP OF THE GULF ENTERPRISES PTY LTD
and Services Group

Property Location Browser is available on the Land Services Group Website: www.sa.gov.au/landservices

South Hummocks

alman: The information provided above is not represented to be accurate, current or complete at the time of printing this report. The Government of South Australia accepts no liability for the use of this data or any reliance placed on it.
28/07/2015

Steven Brown

Council’s Corporate Services Manager
Steve Jonas
PO Box 167
BALAKLAVA
SA 5461

Dear Steve Jonas

RE: Road reserve between Section 183, Hundred of Clinton and Section 150, Hundred of Kulpara

I am opposed to the proposal. (I do not want this piece of land to be rented/sold/leased to anyone)

I own Lot 182 Hundred of Clinton and this road reserve is the only way to get to my property in wet weather and the only way to get water to my property. I have only been able to use my property when it is dry.

The road is not used at the moment because there is no gate between lot 182 and lot 183. When I was approach by Remo Bria about the fence, I wanted to put a gate in so I could access my property in the wet and dry weather. Now he wants to deny me access to my property.

This will be the main access to my property as soon as we do the fence and put in a gate, as it is the easiest way to get there. Wet or dry weather. This road will be used.

The only way a stock truck can get to my property in wet weather is down this road reserve. I will be fencing the rest of the property in the further and need access. We can only put stock on the property in winter time.

Please note that I was unable to inform the lot owners of Lot 151,152 Hundred of Kulpara because the Barunga West Council would only past my details onto them and they have not contacted me about the importance of this road reserve and access to their properties.

I hope the Port Wakefield Council, if they go ahead with this, have plans to upgrade the Grade 5 road in front of lot 181 so we can have wet weather access. Please advise me on this.

Thank you for sending me the information as requested by me.

Kind Regards

Steven Brown
10/8/2015

Steven Brown

Council's Corporate Services Manager
Steve Jonas
PO Box 167
BALAKLAVA
SA 5461

Dear Steve Jonas/ Clive Hempel

RE: Road reserve between Section 183, Hundred of Clinton and Section 150, Hundred of Kulpura

I forgot in my other letter dated 28/07/2015 to say when we brought the land locked land, I made sure there were two ways to get there.

If Remo has brought the properties not knowing there is a road there, when it shows it on the Lands Title diagram, that is not my fault.

By not having the access from Mail Road means lot 182 is devalued because the land cannot be access when the land is best to be used. Winter time.

This has come about because I said to Remo we need to put a gate in so we can use my land in the wet weather. He wants to upgrade the boundary fence and not put a gate in. Sorry a gate needs to go in and if you rent/lease him the land the gate still needs to go in.

By renting him and denying me access to my property, this is not going to be a good neighbour situation.

If I get stuck or a stock truck get stuck on the grade 5 road in front of lot 182/152, the council should be made to pay the towing fees as the council have caused this problem by denying access.

As soon as the fence is upgraded and the gate is in the road will be used.

We have not been able to go out there for at least 3 weeks because of the access and the wet weather. If we have stock on the land, we will need to check on them.
I have heard the argument that the gate on Mail Road is in the wrong place, that is not my fault, but we can use the gate that is there now and drive straight to the new gate, line of site, or put in another gate a little further down Mail Road in the correct spot.

If anyone has any questions please call me on ___________ I will be happy to answer them.

I will also be happy to meet on site if required.

Thank you

Kind Regards

Steven Brown
I oppose the rental of the road reserve between S 183 Hundred of Clinton and S 150 Hundred of Kulpara exclusively to Remo Bria.

Giving exclusive access to one person to use this road reserve will restrict access to my property Section 181 Hundred of Clinton and my neighbours. The Council needs to allow access to my property at any given time during the year. In winter and other periods of rain the only access to my property is via the above road reserve. Alternative access to my property is a Farm track provided by the council which is unsuitable for access in winter even with a 4 wheel drive vehicle. This farm track is not regularly maintained and denies any access to my property and therefore the road reserve proposed to be rented is the only way to enter our properties.

No matter the frequency or timing that I visit the property during the year, Council rates are collected for the entire year so too the Council should provide access to my property for any period during the year.

I believe that the council needs to consider how the exclusive use of this road reserve by only one rate payer affects and restricts access to all other rate payers who have neighbouring properties. If the road reserve was not for exclusive use only, then gaining access wouldn’t be an issue. The rental income collected from this proposal may play a factor in this decision but should not be put above the fact that several properties are left without suitable access and other owners will be affected by the decision to exclusive rent this road reserve.

Kind regards,

Tomy Khayech
Director
2ND SEPTEMBER 2015
TO: CORPORATE SERVICES OFFICER
WAKEFIELD REGIONAL COUNCIL
MR CLIVE HEMPEL
SCOTLAND PLACE,
BALAKLAVA SA 5461

FROM: REMO BRIA,
TOP OF THE GULF ENTERPRISES PTY LTD.

DEAR MR HEMPEL,
THANK YOU FOR YOUR LETTER DATED 20TH AUGUST 2015 REF OLTL 31455.
I WISH TO MAKE COMMENT ON THE LETTERS FROM THE TWO OPPOSING
LAND OWNERS WHICH HAVE RESPONDED THE ROAD RESERVE LEASE
PROPOSAL SUBMITTED BY US FOR THE ROAD RESERVE LOCATED
BETWEEN SEC 183, HUNDRED OF CLINTON AND SEC 150, HUNDRED OF
KULPARA.
I ACKNOWLEDGE ONE LETTER DATED 12/8/15 FROM MR TOMY KAYECH,
LANDOWNER OF SEC 181, HUNDRED OF CLINTON AND TWO LETTERS
DATED 28/7/15 & 10/8/15 FROM MR STEVE BROWN, LANDOWNER OF SEC
182, HUNDRED OF CLINTON. MY RESPONSE TO THEIR OBJECTIONS ARE AS
FOLLOWS.

TOMY KAYECH LETTER.
FIRSTLY I AM PUZZLED BY MR KAYECH'S COMMENTS WHEREBY HE
STATES THAT THE LAND LEASE PROPOSAL WILL RESTRICT ACCESS TO HIS
PROPERTY AND IMPLIES THAT THE ROAD RESERVE IS THE ONLY WAY TO
GAIN ACCESS TO HIS LAND. I HAVE NOT MET MR KAYECH NOR KNOW
HOW LONG HE HAS OWNED HIS LAND BUT DO KNOW THAT AT NO TIME
HAS A REQUEST BY HIM TO ME BEEN MADE TO GAIN ACCESS TO HIS LAND
VIA THE ROAD RESERVE WHICH LIES BETWEEN SEC 183 AND SEC 150 OF
WHICH I OWN BOTH AND IS FULLY FENCED OFF. I WISH TO MAKE
COUNCIL AWARE IF THE ALREADY ARE NOT THAT HIS PROPERTY HAS A
ROAD FRONTAGE TO STATION ROAD WHICH IS OF ABOUT 500 METRES
LONG. I ASSUME THAT IS THE ROAD TO WHICH HE HAS BEEN ACCESSING
HIS LAND TO DATE. YES WE WOULD ALL LIKE TO HAVE A SHORTER,
EASIER WAY TO GAIN ACCESS TO OUR PROPERTIES BUT THE FACT IS THAT
THE ROAD RESERVE IN QUESTION HAS NEVER BEEN OPENED/MADE. I AM
UNSURE IF MR KAYECH UNDERSTANDS THAT I AM ONLY LOOKING TO
LEASE THE 800 METRE STRETCH OF 2400 METRE ROAD RESERVE WHICH
LIES BETWEEN MY PROPERTIES WHICH WILL IN NO WAY DENY HIM THE
ACCESS TO WHICH HE HAS ALREADY BEEN USING.
I WISH TO INFORM COUNCIL THAT THIS LAND IS NOT SUITABLE FOR
PUBLIC TRAFFIC WITHOUT COUNCIL SPENDING TENS OF THOUSANDS OF
DOLLARS TO GRADE AND SPREAD AND COMPACT ROAD BASE.
WITHOUT DOING THESE WORKS SAFE ACCESS WOULD BE MINIMAL AND WOULD ALSO LIKE TO POINT OUT THAT IF HIS PROPERTY IS INACCESSIBLE IN WINTER, THEN HOW WOULD HE EXPECT TO SAFELY GAIN ACCESS VIA THIS ROAD RESERVE DURING THE SAME PERIOD. I AM QUITE SURE THAT IF HIS PROPERTY IS TO BE WET, THEN SURE ENOUGH SO WILL BE THE ROAD RESERVE.

I DO NOT KNOW WHETHER MR. KHAYECH’S USE FOR THE LAND IS FOR RECREATION OR PRIMARY PRODUCTION ETC. BUT FEEL THAT THERE IS NO SUBSTANCE TO HIS OPPOSING OF MY LEASE REQUEST, I THEREFORE HAVE NO FURTHER COMMENTS TO MAKE OF HIS LETTER.

AS FOR MR. STEVE BROWN’S LETTERS I WISH TO COMMENT AS FOLLOWS.

I AM SOMewhat SYMPATHETIC TO MR. BROWN’S OPPOSITION BUT ONLY DUE TO THE FACT THAT HIS PROPERTY LIES BETWEEN TWO OTHERS WHICH HAVE ROAD FRONTAGES, HOWEVER I WOULD LIKE TO COMMENT THAT MR. BROWN HAS INFORMED ME THAT HE HAS OWNED HIS PROPERTY OF APPROXIMATELY 15 YEARS AND I NOW FIND IT HARD TO SWALLOW THAT HE INSISTS THAT GATES BE PUT IN TO ALLOW ACCESS OVER THIS ROAD RESERVE. THE FIRST I HEARD FROM MR. BROWN IN THE NEARLY 5 YEARS OF OWNERSHIP OF OUR LAND WAS WHEN I MADE CONTACT WITH HIM TO SEE IF HE WOULD BE WILLING TO CONTRIBUTE TO THE REPLACING OF THE EXISTING REAR FENCE. WHY HAS IT TAKEN MR. BROWN 15 YEARS AND THEN ME CONTACTING HIM TO BRING ABOUT THE URGENCY TO USE ANOTHER ENTRY OTHER THAN THE ONE THAT HE HAS BEEN USING FOR ALL THE YEARS PRIOR, I WOULD LIKE TO ALSO STATE THAT MR. BROWN HAS TOLD ME THAT HIS LAND IS USED FOR RECREATIONAL MOTOR BIKE RIDING. I AM NOT SAYING HIS LAND SHOULD BE DISGARDED AND/OR THOUGHT OF BEING AS LESSOR IMPORTANCE THAN OURS BUT THE FACTS ARE THAT HE HAS HAD AND STILL DOES HAVE ACCESS TO HIS PROPERTY, HOWEVER THE CONDITION OF THE ROADS WHICH LED TO HIS LAND IS NOT FOR ME TO COMMENT UPON. IN MR. BROWN’S LETTERS HE STATES THAT THIS ROAD RESERVE IS THE ONLY WAY TO GET TO HIS LAND IN WET WEATHER BUT AS I MENTIONED TO MR. KHAYECH’S COMMENTS, IF HIS LAND IS WET THEN SO WOULD THIS ROAD RESERVE UNTIL COUNCIL ACTIVATES IT AND MAKES A SAFE PASSAGE. HE ALSO STATES THAT THE RESERVE IS THE ONLY WAY TO GET WATER TO HIS PROPERTY. I HAVE BEEN INFORMED BY COUNCIL STAFF AS WELL AS OTHERS THAT HE HAS TWO WAYS TO GET WATER TO HIS PROPERTY AND THAT IS BY CREATING AN EASEMENT THROUGH ‘MY’ LAND OR BY SA WATER EXCAVATING FOR OVER 800 METRES THROUGH THE ROAD RESERVE WHICH I WOULD EXPECT TO COST IN THE TENS OF THOUSANDS. MR. BROWNS TALKS OF WANTING TO BRING STOCK TRUCKS TO HIS PROPERTY VIA THIS ROAD RESERVE ENTERING FROM MAIL RD.
AS MENTIONED PREVIOUSLY UNLESS COUNCIL ARE WILLING TO COMMIT TO CONSTRUCTION OF THIS ROAD RESERVE A SAFE ALL WET WEATHER PASSAGE WILL NOT BE AVAILABLE.
I WISH TO CLOSE ON MR BROWN'S OPPOSING LETTER BY STATING THAT HE AS PREVIOUSLY MENTION HAS HAD ACCESS FOR A LONG TIME AND IT IS UNFAIR TO TRY TO PREVENT A LAND OWNER WHO IS CONTRIBUTING TO THE LOCAL COMMUNITY BY PROVIDING AFFORDABLE AND SIZE USABLE LAND FOR GRAZING. I HAVE SUPPLIED A SATELITE PICTURE OF THE PROPERTIES IN QUESTION FOR YOUR VIEWING AND WOULD LIKE TO POINT OUT THAT THE ROAD IN FRONT OF MR KHAYECH'S PROPERTY LIES NOT ONLY IN WRC ZONE BUT ALSO IN BARUNGA WEST ZONE.
MR BROWN SHOULD BE INFORMED THAT IF HE IS EXPERIENCING TROUBLE ON STATION RD THAT HE MUST ALSO (IF NOT ALREADY DOING SO) SPEAK WITH BARUNGA WEST COUNCIL ABOUT THE CONDITION OF THE ROAD.
I ALSO NOTE THAT THE OWNERS OF SEC 151 AND 152 HAVE NOT MADE ANY OPPOSING COMMENTS TO THIS LEASE PROPOSAL.

I WOULD LIKE TO POINT OUT THE RAMIFICATIONS SHOULD COUNCIL DECLINE OUR LEASE PROPOSAL AS LISTED BELOW.
1; WE WOULD BE REQUIRED TO PUT IN APPROXIMATELY 1600 METERS OF FENCING PLUS GATES TO THE ROAD RESERVE AT A COST OF AROUND $12,500.
2; SUPPLY ANOTHER WATER METER TO SEC 183, HUNDRED OF CLINTON AT A COST OF AROUND $6,000 TO SUPPLY WATER TO STOCK.
3; REDUCE THE RENTAL OF THE LAND FURTHER THAN THE 12% DROP RECENTLY SUFFERED IN JULY 2015 DUE TO THE DIVIDING OF PADDOCKS.
4; LOSS OF OUR CURRENT TENANT WHO WILL NOT EXTEND HIS LEASE BEYOND THE CURRENT AGREEMENT WHICH EXPIRES 30TH JUNE 2016 SHOULD THE PADDOCKS BE DIVIDED DUE TO THE LOGISTICAL/PUBLIC LIABILITY ISSUES IN MOVING THE STOCK ACROSS THE ROAD.
THESE COSTS WOULD BE ADDED TO THE $10,000 THAT WE HAVE COMMITTED TO SPENDING IN THE COMING MONTHS TO UPGRADE THE FRONT BOUNDARY FENCE. SHOULD WE NEED TO SPEND THE MONEY REQUIRED TO FENCE OF THE ROAD RESERVE ETC, WE WILL HAVE TO CONSIDER SELLING OR LEAVING THE LAND UNUSED.
I WISH TO EXPRESS THAT I AM HOPEFUL THAT COUNCIL SEES FIT TO LEASE THE PORTION OF ROAD RESERVE TO ME SO THAT WE CAN CONTINUE WITH OUR INVESTMENT IN A FORWARD FASHION Whilst PROVIDING A SERVICE TO THE LOCAL FARMERS THAT THE CONSUMERS.

YOURS TRULY AND WITHOUT PREJUDICE

REMO BRIA
18/09/2015

Steven Brown

Council's Corporate Services Manager
PO Box 167
BALAKLAVA
SA 5461

Dear Deb Brokenshire

RE; Road reserve between Section 183, Hundred of Clinton and Section 150, Hundred of Kulpara

I am responding about the phone conversation we had on the 17/09/2015.

I would be happy to have a lock on the gate at Mail Road with a key to use when I need to. The gate on the fence line between Lot 182 and lot 183 can also have a lock.

The road would only be used for access in and out of the property and the gate would have to be closed at all times, even when there is no stock in the paddock. Closing gates is not a problem for me as I don’t want stock getting out.

The gate on Mail Road is in the wrong spot so there are two solutions to this problem.

We use the gate that is there and drive line of site to the gate on the fence line between Lot 182 and lot 183.

or

We put in another gate in the Mail Road fence for my access. The farmer uses the gate that is there already and I use the new gate with my lock on it.

Please remember that the land and paper road was fence incorrectly in the first place. When I bought the property on the lands title information shows the public road. It probably shows this on Remo’s title as well. Please see attachment. It is not my fault that Remo has bought the property. He has not his due diligence in the property search. If Remo fences the road in and splits his property, that is his choice that he makes as a businessman.
There should be no gate there on Mail Road because it is a public road but I don't want just anybody going through the properties (Remos or mine) so if a new gate is used in the new spot on Mail Road I am willing to pay half for the gate.

I hope this answers your questions, please call me if you have any queries

Kind regards

Steven Brown
20th SEPTEMBER 2015
TO: CORPORATE SERVICES OFFICER
WAKEFIELD REGIONAL COUNCIL
MR CLIVE HEMPEL
SCOTLAND PLACE,
BALAKLAVA, S.A. 5461

FROM: REMO BRIA.
TOP OF THE GULF ENTERPRISES PTY LTD.

DEAR MR HEMPEL,
I CALLED COUNCIL FRIDAY 18TH TO SPEAK WITH YOU AND WAS PUT ONTO A WOMAN WHO IS INVOLVED IN THIS ROAD RENTAL APPLICATION. I AM SOMEWHAT DISAPPOINTED WITH THE DIRECTION THIS MATTER IS TAKING AND ASK THAT YOU PLEASE READ THE COPY OF THE NATIVE VEGETATION ACT 1991 UPDATED 2013 (ATTACHED). IT APPEARS THAT THE OBJECTIONS WOULD NOT BE ABLE TO GRAZE THEIR LAND AS THEY WOULD BE IN BREACH OF THIS ACT. I APPRECIATE THAT IT MUST BE DIFFICULT TO ASSESS SOME APPLICATIONS TO KEEP THE PEACE WITH ALL PARTIES HOWEVER IN THIS CASE I THINK THAT COUNCIL HAS NO GROUNDS TO DENY ME A PERMIT TO RENT THE ROAD RESERVE.

YOUR TRULY AND WITHOUT PREJUDICE

REMO BRIA
Native Vegetation Information Sheet Vol 1
Undated January 2010

TERMINOLOGY

Native Vegetation Regulations
In South Australia native vegetation is protected by the Native Vegetation Act 1991 (the Act) and the associated Native Vegetation Regulations 2002 (the Regulations). Regulations are exemptions to the Act. They provide a mechanism (if certain criteria are met) to clear native vegetation without a formal clearance application or associated fee.

The Act establishes the Native Vegetation Council (NVC) — an independent body appointed by the Governor of South Australia. The NVC is responsible for making decisions about a wide range of matters concerning native vegetation in South Australia, including whether to approve native vegetation clearance via some of the Regulations.

Significant Environmental Benefit (SEB) Offsets and Management Plans
In some cases, in order to take advantage of an exemption under a regulation, the proponent/landholder must offset the clearance by providing an environmental gain, called a Significant Environmental Benefit (SEB). There is also a requirement for a Management Plan describing how the clearance will be conducted to minimise impacts, how the SEB offset will be provided and how the clearance and on-ground SEB works will be managed into the future. The Management Plan must be endorsed by the NVC.

The landowner may achieve the SEB offset by works on the property, such as managing existing remnant native vegetation, restoring degraded native vegetation or regenerating cleared areas. Alternatively, the proponent may make a payment to the NVC through the Native Vegetation Fund, with the funds enabling similar works elsewhere within the same region of the State.

REGULATIONS RELATED TO AGRICULTURE

5(1)(a) Maintenance of existing dam, 5(1)(b) New dam
Native vegetation may be cleared for the maintenance of an existing dam, for example in situations where the vegetation has weakened the dam.

For the lawful construction of a new dam, native trees with a stem diameter of 150mm or more at the lowest point may be cleared, provided that the surface area of the dam is less than 200 square metres when full. Smaller trees and understorey may not be cleared for this purpose. On land held under pastoral lease, trees and understorey vegetation may be cleared for the lawful construction of a new dam, provided that it is located on a site that minimises clearance.

For the construction of new dams on pastoral lease, a SEB offset and Management Plan are required, as described above. For further information, refer to the Information Sheet related to Dam maintenance and Construction.

These regulations (exemptions) do not apply to the clearance of River Red Gums.

5(1)(c) Fencing
Native vegetation may be harvested for the construction of permanent fencing or the repair of existing fencing, provided that this has been the practice on the property for the preceding 25 years and that the clearance is undertaken in accordance with a Management Plan. The harvested trees must have a stem diameter less than 200mm, at a point 300mm above ground, and must not be killed as a result of the harvesting but allowed to regenerate. The harvesting of up to two years’ requirements of fenceposts is permitted, and only for use on the landholder’s property.

This regulation (exemption) does not apply to the clearance of River Red Gums.

5(1)(d) Fencing
Native vegetation may be cleared up to five (5) metres on either side of a fence to provide access for maintenance or construction provided that: the fence controls access by people or animals; that there is no practical alternative fence location that would involve less clearance; and that any vegetation that does not impede reasonable access to the fence is retained (i.e. you cannot automatically clear a five-metre strip along a fence).

This regulation (exemption) does not apply to the clearance of native vegetation on road reserves, but does apply to land under a Heritage Agreement.
5(1)(g) Vehicle tracks
A strip of native vegetation no more than five (5) metres may be cleared for the maintenance or establishment of a vehicle track that is reasonably required by vehicles with four or more wheels for fire or general property access. This exemption applies only if there is no practical alternative location that involves less clearance.

This regulation (exemption) does apply to land covered under a Heritage Agreement. It does not apply in the River Murray Floodplain Area, does not apply on road reserves and does not apply to bicycle or motor bike tracks.

5(1)(g) Cultivation, pasture or forestry
On land that has been used for cultivation, pasture or forestry, native vegetation that has grown or regrown in the immediately preceding five (5) years may be cleared. This exemption applies only to plants (other than Yacca or Grass Tree) with a diameter of 150mm or less at the lowest point of the stem.

The intent of this regulation is to allow maintenance for the same level of land use as has been applied in the preceding five years. It does not allow additional clearance that would increase the level, or change the type, of land use.

5(1)(g) Previously cleared land
This regulation applies to native vegetation that has regrown on land that was lawfully cleared previously. In this situation the regrowth may be cleared provided that the land has been used consistently for agricultural purposes and that clearance is undertaken in accordance with a management plan approved by the NVC.

This Regulation has limited application to regrowth of vegetation initially cleared prior to 1994.

5(1)(g) Previously cleared land now degraded
Land subject to regional degradation (such as dryland salinity) can be colonized by native vegetation (such as samphire) that differs from the original vegetation of the area. If the land was previously cleared and used for agriculture, and the degradation has reduced that use, the colonizing vegetation may be cleared. Any such clearance must be undertaken in accordance with a management plan approved by the NVC.

5(1)(g) Management of pasture for grazing
The purpose of Regulation 5(1)(g) is to maintain the value of native vegetation for use as pasture. Native vegetation may be cleared (but not removed) for grazing by domestic animals, provided that it is in accordance with practices used over the previous 10 years and that the aim of the clearance is to maintain the value of native vegetation as pasture. Clearance must be undertaken in accordance with a Management Plan approved by the NVC.

5(1)(g) Grazing of native vegetation
Regulation 5(1)(g) applies in pastoral lands. Grazing of native vegetation by domestic stock may continue provided that the type and rate of grazing remains the same as over the previous 10 years and does not permanently degrade the vegetation. The Regulation also allows for a change in domestic stock type and rate of grazing, provided that there is a Management Plan that complies with any guidelines prepared by the NVC, that both the NVC and Pastoral Board have approved the Management Plan, and that the grazing occurs in accordance with the Management Plan.

5(1)(g) Land management issues
Regulation 5(1)(g) facilitates the clearance of native vegetation that is causing land management problems. It applies to native vegetation (such as mistletoe) that is affecting the health of other native species, and also to native plants (such as certain acacias or reeds at boat ramps) that have regrown on previously cleared land.

A Management Plan relating to the proposed clearance and approved by the NVC is required.

Further information about the above regulations is available in the document *A Guide to Exemptions within the Native Vegetation Regulations 2002*.
20TH SEPTEMBER 2015

TO: CHIEF EXECUTIVE OFFICER
WAKEFIELD REGIONAL COUNCIL
MS CATIE ATKINSON
SCOTLAND PLACE,
BALAKLAVA , S.A. 5461

FROM: REMO BRIA.
TOP OF THE GULF ENTERPRISES PTY LTD.

DEAR MS ATKINSON,

I WRITE TO YOU WITH SOMEWHAT DISAPPOINTMENT WITH REGARDS TO THE WAY IN WHICH A ROAD RENTAL PROPOSAL APPLICATION SUBMITTED ON THE 4TH JULY 2015 BY MYSELF IS BEING HANDLED. IT HAD BEEN MY UNDERSTANDING THAT ONCE COUNCIL HAS GONE THROUGH THE PUBLIC CONSULTATION PROCESS BY WAY OF AN ARTICLE IN THE MONTHLY COMMUNITY NEWSLETTER, THEN PROCESSING ANY OPPOSING LETTERS AND MY RESPONDING TO THESE LETTERS THAT MY APPLICATION FOR THE ROAD RENTAL WOULD BE GOING TO A COUNCIL MEETING FOR VOTE ON THE 23RD SEPTEMBER 2015. IT WAS MY UNDERSTANDING THAT COUNCIL’S RECOMMENDATIONS FOR OR AGAINST THIS APPLICATION WOULD BE MADE PUBLIC ON COUNCIL’S WEBSITE ON THE FRIDAY THE 19TH SEPTEMBER. UPON NOT SEEING ANY COMMENTS IN RELATION TO THIS MATTER I CONTACTED COUNCIL TO SPEAK TO MR CLIVE HEMPEL BUT WAS PUT ONTO A FEMALE STAFFER WHO I DIDN’T GET HER NAME. I WAS INFORMED BY HER THAT COUNCIL WILL NOT BE VOTING ON THIS MATTER AT THE WEDNESDAY 23RD SEPTEMBER MEETING BUT RATHER ASSESSING THIS ISSUE IN HOUSE WITH COUNCIL STAFF AND NOT WITH THE INVOLVEMENT OF ELECTED MEMBERS. SHE INFORMED ME THAT SHE WOULD LIKE TO SEE A COMPROMISE DUE TO THE FACT THAT IT IS UNLIKELY THAT A PERMIT WOULD BE ISSUED FOR EXCLUSIVE USE OF THIS ROAD BECAUSE OF THE OBJECTIONS AND THE FACT THAT ONE OF THE OBJECTORS IS PLANNING TO PUT STOCK ON HIS PROPERTY ONCE HE HAS COMPLETELY FENCED HIS PROPERTY AND WOULD REQUIRE ACCESS FOR “STOCK TRUCKS”. I INFORMED HER THAT IT IS UNLIKELY THAT THE OBJECTOR WOULD PLACE FENCING TO HIS PROPERTY AS WELL HE WOULD NEED TO RUN WATER TO HIS PROPERTY WHICH WOULD BE OF GREAT EXPENSE. I TOLD HER THAT THE OBJECTOR COMMENTED THAT HE WAS LOOKING TO SELL THE PROPERTY IN THE NEAR FUTURE TO WHICH IN THE PRESENCE OF A WITNESS HE WAS OFFERED BY ME COUNCIL VALUATION FOR HIS PROPERTY. I WAS TOLD THAT COUNCIL CAN NOT GO ON HEASEAY.
MS ATKINSON, THESE ARE TRUE COMMENTS AND ARE NOT HEARSAY AS I MENTIONED BEFORE I HAD A WITNESS PRESENT WHO WAS A FENCING CONTRACTOR I HAD ARRANGED TO QUOTE FOR FENCING. I WOULD LIKE TO BRING TO YOUR ATTENTION THAT EVEN IF THE OBJECTION HAD PLACED NEW FENCING TO CONTAIN ANY STOCK ON HIS PROPERTY THAT HE WOULD NOT BE ABLE TO UNDER THE NATIVE VEGETATION ACT 1991 UPDATED 2013. I ASK YOU TO READ THE COPY OF THE ACT THAT I HAVE SENT WITH THIS LETTER AND IN PARTICULAR 5(1)(ZG) AND 5(1)(ZH) ON PAGE 2 OF 2.


UPON DRIVING IN THIS DIRECTION I ENCOUNTERED UNDULATING GROUND AS WELL AS A NUMBER OF STEEP HIGH SPOTS WHICH AS A TRUCK DRIVER MYSELF I WOULD MOST DEFINITELY NOT ATTEMPT IN WINTER AS NEEDED BY THE OBJECTORS OR EVEN IN DRY WEATHER, THE OBJECTOR WOULD ONLY HAVE A CHANCE IF THEY TRESPASSED ONTO MY LAND IF THEY WISHED TO GET FROM ONE END TO THE OTHER.

DURING MY DRIVE ALONG THIS ROAD RESERVE I SUFFERED A STEAKED TYRE DUE TO THE SHRUBS AND SMALL TREES ONE WOULD NEED TO TRAVEL OVER TO GET FROM ONE END TO THE OTHER. THIS ROAD RESERVE IS NOT FIT FOR DRIVING ON IN ITS CURRENT STATE. IF COUNCIL WISHES NOT TO GRANT ME EXCLUSIVE USE PERMIT I WOULD HAVE TO FENCE THIS ROAD AND THEN IT WOULD BE THE RESPONSIBILITY OF COUNCIL SHOURLD SOMEONE GET HURT OR SUFFER DAMAGE.

I ASK THAT YOU PLEASE CONTACT ME ASAP AS I CAN BE AVAILABLE FOR MEETING WITH YOU TO DISCUSS THIS MATTER AND HOPE THAT YOU CAN BE AVAILABLE TO VISIT THE PROPERTY TO SEE FOR YOURSELF THE LAND AND ITS CONDITION. I KNOW THAT THIS MAY BE LAST MINUTE NOTICE BUT IT IS OF A MATTER OF URGENCY THAT I KNOW MY DIRECTION IN RELATION TO THIS MATTER AND ASK THAT TO CAN GIVE ME SOME OF YOUR TIME ON TUES 22ND SEPTEMBER. PLEASE HAVE YOURSELF OR STAFF INFORM ME ON A TIME IF YOU ARE AVAILABLE OR NOT BY CALLING ME OF

YOUR TRULY AND WITHOUT PREJUDICE

REMO BRIA
TOP OF THE GULF ENTERPRISES PTY LTD
Native Vegetation Information Sheet No.1

TERMINOLOGY

Native Vegetation Regulations

In South Australia, native vegetation is protected by the Native Vegetation Act 1991 (the Act) and the associated Native Vegetation Regulations 2003 (the Regulations). Regulations are exemptions to the Act. They provide a mechanism (if certain criteria are met) to clear native vegetation without a formal clearance application or associated fee.

The Act establishes the Native Vegetation Council (NVC) — an independent body appointed by the Governor of South Australia. The NVC is responsible for making decisions about a wide range of matters concerning native vegetation in South Australia, including whether to approve native vegetation clearance via some of the Regulations.

Significant Environmental Benefit (SEB) Tests and Management Plans

In some cases, in order to take advantage of an exemption under a regulation, the proponent/landholder must offset the clearance by providing an environmental gain, called a Significant Environmental Benefit (SEB). There is also a requirement for a Management Plan describing how the clearance will be conducted to minimise impacts, how the SEB offset will be provided and how the clearance and on-ground SEB works will be managed into the future. The Management Plan must be endorsed by the NVC.

The landowner may achieve the SEB offset by works on the property, such as managing existing remnant native vegetation, restoring degraded native vegetation or revegetating cleared areas. Alternatively, the proponent may make a payment to the NVC through the Native Vegetation Fund, with the funds enabling similar works elsewhere within the same region of the State.

Regulations Related to Agriculture

5(1)(a) Maintenance of existing dam: 5(1)(b) New dam: 5(1)(c) Dam on pastoral leases

Native vegetation may be cleared for the maintenance of an existing dam, for example in situations where the vegetation has weakened the dam.

For the lawful construction of a new dam, native trees with a stem diameter of 150mm or more at the lowest point may be cleared, provided that the surface area of the dam is less than 200 square metres when full. Smaller trees and understorey may not be cleared for this purpose. On land held under pastoral leases, trees and understorey vegetation may be cleared for the lawful construction of a new dam, provided that it is located on a site that minimises clearance. For the construction of new dams on pastoral leases, a SEB offset and Management Plan are required, as described above. For further information refer to the information sheet related to Dam maintenance and Construction.

These regulations (exemptions) do not apply to the clearance of River Red Gums.

5(1)(d) Fencing

Native vegetation may be harvested for the construction of permanent fencing or the repair of existing fencing, provided that this has been the practice on the property for the preceding 25 years and that the clearance is undertaken in accordance with a Management Plan. The harvested trees must have a stem diameter less than 200mm, at a point 300mm above ground, and must not be killed as a result of the harvesting but allowed to regenerate. The harvesting of up to two years' requirements of fenceposts is permitted, and only for use on the landholder's property.

This regulation (exemption) does not apply to the clearance of River Red Gums.

5(1)(e) Fencelines

Native vegetation may be cleared up to five (5) metres on either side of a fence to provide access for maintenance or construction provided that: the fence controls access by people or animals; that there is no practical alternative fence location that would involve less clearance; and that any vegetation that does not impede reasonable access to the fence is retained (i.e. you cannot automatically clear a five-metre strip along a fence).

This regulation (exemption) does not apply to the clearance of native vegetation on road reserves, but does apply to land under a Heritage Agreement.
Vehicle tracks

A strip of native vegetation no more than five (5) metres may be cleared for the maintenance or establishment of a vehicle track that is reasonably required by vehicles with four or more wheels for fire or general property access. This exemption applies only if there is no practical alternative location that involves less clearance.

This regulation (exemption) does apply to land covered under a Heritage Agreement, it does not apply in the River Murray Floodplain Area, does not apply on road reserves and does not apply to bicycle or motor bike tracks.

5(1)(e) Cultivation, pasture or forestry

On land that has been used for cultivation, pasture or forestry, native vegetation that has grown or regrown in the immediately preceding five (5) years may be cleared. This exemption applies only to plants (other than Yacca or Grass Tree) with a diameter of 150mm or less at the lowest point of the stem.

The intent of this regulation is to allow maintenance for the same level of land use as has been applied in the preceding five years. It does not allow additional clearance that would increase the level, or change the type, of land use.

5(1)(f) Previously cleared land

This regulation applies to native vegetation that has regrown on land that was lawfully cleared previously. In this situation the re-growth may be cleared provided that the land has been used consistently for agricultural purposes and that clearance is undertaken in accordance with a management plan approved by the NVC.

This Regulation has limited application to re-growth of vegetation initially cleared prior to 1991.

5(1)(g) Previously cleared land now degraded

Land subject to regional degradation (such as dryland salinity) can be colonised by native vegetation (such as sapphire) that differs from the original vegetation of the area. If the land was previously cleared and used for agriculture, and the degradation has reduced that use, the colonising vegetation may be cleared. Any such clearance must be undertaken in accordance with a management plan approved by the NVC.

5(1)(h) Maintenance of pasture for grazing

The purpose of Regulation 5(1)(h) is to maintain the value of native vegetation for use as pasture. Native vegetation may be cleared (but not removed) for grazing by domestic animals, provided that it is in accordance with practices used over the previous 10 years and that the aim of the clearance is to maintain the value of native vegetation as pasture. Clearance must be undertaken in accordance with a Management Plan approved by the NVC.

5(1)(i) Grazing of native vegetation

Regulation 5(1)(i) applies to pastoral lands. Grazing of native vegetation by domestic stock may continue provided that the type and rate of grazing remains the same as over the previous 10 years and that the aim of the grazing is not to permanently degrade the vegetation. The Regulation also allows for a change in domestic stock type and rate of grazing, provided that there is a Management Plan that complies with any guidelines prepared by the NVC, that the NVC and Pastoral Board have approved the Management Plan, and that the grazing occurs in accordance with the Management Plan.

5(1)(j) Land management issues

Regulation 5(1)(j) facilitates the clearance of native vegetation that is causing land management problems. It applies to native vegetation (such as mistletoes) that is affecting the health of other native species, and also to native plants (such as certain acacias or reeds at boat ramps) that have re-grown on previously cleared land.

A Management Plan relating to the proposed clearance and approved by the NVC is required.

Further information about the above regulations is available in the document: A Guide to Exemptions within the Native Vegetation Regulations 2002.
21st SEPTEMBER

WAKEFIELD REGIONAL COUNCIL
TO: CEO
MS CAT ATKINSON
SCOTLAND PLACE,
BALAKLAVA .S.A. 5461

FROM: REMO BRIA.
TOP OF THE GULF ENTERPRISES PTY LTD.

DEAR MS ATKINSON,
I WRITE TO YOU TO INFORM YOU OF MY JOURNEY WITH REGARDS TO A ROAD RENTAL APPLICATION WHICH IS CURRENTLY BEFORE COUNCIL. I HAVE FOR YOUR INFORMATION PROVIDED COPIES OF ALL MY LETTERS AS WELL AS THOSE RECEIVED FROM COUNCIL WHICH INCLUDES LETTERS FROM OBJECTORS. I ASK THAT YOU PLEASE READ MY LETTER WHICH CAPTURES MY VERSION OF EVENTS WHICH HAS LEAD ME TO MAKING APPLICATION TO LEASE THE ROAD RESERVE AS WELL AS THE EVENTS OF RECENT WHICH I THINK WILL BE OF INTEREST TO YOU. PLEASE FULLY READ THIS LETTER PRIOR TO THE DOCUMENTS THAT I HAVE ATTACHED AS I FEEL THAT IT WILL HELP GIVE YOU A BETTER UNDERSTANDING OF THIS MATTER.

IN LATE MAY, EARLY JUNE. THE LESSEE OF MY PROPERTY WAS CONTACTED BY MYSELF AS HIS 3 YEAR LEASE AGREEMENT WAS ABOUT TO EXPIRE AND I WAS TO FIND OUT IF HE WAS WILLING TO TAKE UP ON A 3 YEARS RENEWAL OPTION AS PART OF OUR ORIGINAL LEASE AGREEMENT. I WAS TOLD THAT HE WOULD CONSIDER ANOTHER 3 YEAR TERM IF I WAS WILLING TO REPLACE A LARGE MAJORITY OF THE FENCES WHICH WERE IN NEED OF REPAIR. I AGREED TO INVEST IN THE FENCING DUE TO THE FACT THAT IT WOULD SECURE A 3 YEAR LEASE AS WELL AS THE FACT THAT THE FEDERAL GOVERNMENT HAD INTRODUCED NEW DEPRECIATION LAWS ON SPENDING UP TO 20K. WITH THIS IN MIND I THEN PROCEEDED TO GET IN CONTACT WITH LOCAL PROPERTY OWNERS THAT I KNEW TO GAIN INFORMATION ON MY NEIGHBOURS THAT I HAD NO CONTACT NAMES OR NUMBERS FOR. I CALLED A MAN WHOM I WILL CALL (MR Z) FOR PRIVACY REASONS WHO IN TURN GAVE ME THE NUMBER TO A MR STEVE BROWN (ONE OF MY 3 REAR NEIGHBOURS). (MR Z) MADE COMMENT TO ME THAT MR BROWN HAD OFFERED HIS LAND TO (MR Z) TO USE FREE OF CHARGE IF (MR Z) WAS WILLING TO PAY FOR HIS FENCING. (MR Z) WAS UNSURE IF MR BROWN WOULD BE A WILLING CONTRIBUTOR TO THE FENCING COSTS BUT SAID THERE WAS NOTHING TO LOSE BY ASKING. I MADE CONTACT WITH MR BROWN IN LATE JUNE TO ENQUIRE IF
HE WOULD BE WILLING TO CONTRIBUTE TO THE FENCING AND WAS TOLD BY HIM THAT HE WOULD ENTERTAIN THE IDEA IF THE COSTS WERE REASONABLE WHICH IS FAIR ENOUGH. I THEN MADE ARRANGEMENTS FOR A FENCING CONTRACTOR, MR. BROWN AND MYSELF TO MEET AT SITE TO DISCUSS THE FENCES AND OBTAIN A QUOTE. MR. BROWN WAS MET AT MY REAR FENCE LINE AND THE THREE OF US BEGAN TO TALK ABOUT THE FENCE AND HOW IT CAN BE CONSTRUCTED. I TOO WAS OFFERED FREE USE OF MR. BROWN'S LAND IF I WAS WILLING TO PAY FOR HIS COMPLETION FENCE LINES TO ALL HIS BOUNDARY. AN OFFER I DECLINED. MR. BROWN COMMENTED THAT HE HAD PURCHASED HIS PROPERTY SOME 14 YEARS PRIOR FOR MOTORBIKE RIDING AND RECREATIONAL USE AND COMMENTED THAT HE INTENDED TO SELL HIS LAND IN THE FUTURE. I THEN MADE OFFER TO PURCHASE HIS LAND FOR COUNCIL VALUATION TO WHICH I WAS RESPONDED WITH IN ROUND ABOUT TERMS “WHAT DO YOU WANT TO DO WITH THIS LAND ITS WORTHLESS AND FULL OF NATIVE BUSH” MY THOUGHTS WHERE AT THE TIME THE MORE LAND THE BETTER AND ONE LESS OBJECTOR IN THE FUTURE IF IT WAS SOLD TO ME FOR THE RIGHT PRICE. OUR DISCUSSION SOON HEADED BACK TO THE FENCE AND IData was THEN SHOWN A BOUNDARY PEG WHERE MR. BROWN STATED THAT THIS IS WHERE THERE IS A GOVERNMENT RD AND THAT WE HAD TO PUT A GATE IN SO THAT HE HAD ACCESS TO MAIL RD. I WAS TAKEN BACK AS I HAD NEVER HEARD OF SUCH A THING. IT WAS MY UNDERSTANDING THAT I HAD EXCLUSIVE USE OF THE WHAT I CALL THE “PAPER ROAD” UNTIL SUCH TIME THAT COUNCIL WISHES TO ACTIVATE IT. I ASKED MR. BROWN WHY HE HAD IT TAKEN ME CONTACTING HIM TO RENEW A FENCE TO ALL OF A SUDDEN WANT TO PUT A GATE IN WHEN I HAVE OWNED THIS PROPERTY FOR NEAR ON 5 YEARS AND THE FACT THAT HE HAS BEEN GAINING ACCESS TO HIS PROPERTY FROM ANOTHER WAY. I THEN TOLD MR. BROWN THAT I WOULD HAVE TO LOOK INTO THE MATTER AND ALSO SEEK LEGAL ADVICE, SO UNTIL SUCH TIME I WOULD NOT BE TOUCHING THE FENCE LET ALONE BE INSTALLING A GATE FOR HIM TO ACCESS AT THE PRESENT TIME. WE ENDED THE MEETING ON SOMEWHAT GOOD TERMS AND ASKED EACH OTHER TO STAY IN TOUCH. CONTACT WAS MADE BETWEEN MR. BROWN AND MYSELF WHICH RESULTED IN MR. BROWN BEING MORE INSISTANT THAT GATES GO IN, WHICH RESULTED IN ME AGAIN REFUSING. MR. BROWN THEN INFORMED ME THAT HE WOULD BE SPEAKING TO COUNCIL ASAP TO HAVE THE ROAD OPENED. I THEN PROCEEDED TO SEEK ROAD RENTAL APPROVAL FROM COUNCIL. LETTERS WERE WRITTEN ON THE 4TH JULY 2015 TO REGISTER MY INTEREST IN LEASING THE ROAD RESERVE AND SUBMITTED TO COUNCIL. THE LESSEE OF THE PROPERTY WAS INFORMED OF THE POSSIBILITY THAT A ROAD WILL BE OPENED UP THROUGH MY PROPERTY AND POSSIBLE FENCING TO THE ROAD WAY WHICH WILL DIVIDE THE PADDocks INTO 2 WHICH WOULD LEAVE WATER ACCESSIBLE IN ONE PADDock ONLY.
THE LESSEE WAS NO LONGER INTERESTED IN THIS PROPERTY HOWEVER UPON NEGOTIATING AGREED TO A 1 YEAR TERM AT A REDUCED RATE OF ABOUT 12% P.A. DUE TO THE MATTER AT HAND.
COUNCIL THEN PLACED AN ARTICLE IN THE LOCAL NEWSLETTER WHICH RESULTED IN 2 OF THE 4 PROPERTY OWNERS WHICH ALSO ADJOIN THIS ROAD RESERVE MAKING OBJECTIONS, RESULTING IN 3 LETTERS, UPON RECEIPT OF THE OBJECTORS LETTERS I MADE COMMENT WHICH WAS RETURNED TO COUNCIL BY DUE DATE.
I WAS INFORMED BY COUNCIL STAFF THAT ALL GOING WELL THIS MATTER WOULD BE BROUGHT UP AT THE SEPTEMBER COUNCIL MEETING SCHEDULED FOR THE 23RD AND THAT ON FRIDAY THE 18TH COUNCIL WILL POST ON ITS WEBSITE ITS RECOMMENDATION SHOULD I WISH TO SEE IT. COUNCIL WAS CALLED ON FRIDAY THE 18TH AFTER NO NOTICE WAS POSTED TO SPEAK TO A STAFFER TO FIND OUT THE RESULTS OF THEIR RECOMMENDATION. I WAS PUT ONTO A FEMALE STAFFER WHOM I CANT RECALL HER NAME AND WAS TOLD THAT THIS APPLICATION WOULD NOT BE GOING TO A COUNCIL MEETING AS I HAD EXPECTED BUT RATHER DEALT WITH IN HOUSE AND THAT A COMPROMISE WAS TO BE SORT IN RELATION TO THIS MATTER. REASONS WERE GIVEN THAT AN OBJECTOR WAS LOOKING TO PLACE STOCK ON HIS PROPERTY AND NEEDED ACCESS VIA THIS ROAD WAY TO RUN A STOCK TRUCK IN. I WISH TO MAKE NOTE THAT THE STAFFER DID NOT NAME THE OBJECTOR AT ANY TIME.
I EXPRESSED MY DISAPPOINTMENT IN RELATION TO THE HANDLING OF THIS MATTER AND STATED TO HER THAT THE OBJECTOR THAT I BELIEVE SHE IS TALKING ABOUT HAS INTENTIONS IN THE FUTURE TO SELL AS HE HAD TOLD ME HIMSELF. I WAS THEN TOLD THAT MY COMMENTS WERE HEARSAY AND THAT COUNCIL CANNOT GO ON HEARSAY. WELL A WITNESS WAS PRESENT WHEN THAT COMMENT WAS MADE AND I DON'T BELIEVE MY COMMENTS ARE HEARSAY. I WAS THEN INFORMED THAT THE OBJECTOR AGREED TO CLOSE AND LOCK THE GATES BEHIND HIM ON INGRESS AND EGRESS AND THAT THIS WAS A GOOD COMPROMISE. I THEN ASKED HER TO CONSIDER TO GRANTING ME A PERMIT UNTIL SUCH TIME THE OBJECTOR FULLY FENCES HIS PROPERTY AND GIVES ME 2 MONTHS NOTICE TO MAKE ARRANGEMENTS, TO WHICH SHE COMMENTED 3 MONTHS SOUNDS BETTER. I THEN COMMENTED TO HER THAT THIS WOULD PUT HIS MONEY WHERE HIS MOUTH IS IF HE IS SERIOUS AND GIVE ME TIME TO ASSESS MY INVESTMENT POSITION, HOWEVER THAT I WAS NOT FULLY COMMITTED TO ACCEPTING THIS COMPROMISE.

I DECIDED TO TRAVEL FROM ADELAIDE TO MY PROPERTY ON SATURDAY 19TH SEPTEMBER TO TAKE SOME PHOTOS AND TRY TO FIND THE OTHER BOUNDARY PEGS OF THIS ROAD RESERVE OTHER THAN THE ONE SHOWN TO ME MR BROWN. I TOOK WITH ME A SURVEYERS MEASURING WHEEL AND LOCATED THE APPROXIMATE LOCATION OF THE ROAD RESERVE TO FIND THAT SOMEONE HAS ALREADY BEEN ATTEMPTING TO SEARCH FOR THESE SURVEY PEGS WITH A SHOVEL.
I THEN PROCEEDED TO TRAVEL INTO MY PROPERTY ALONG WHAT APPEARED TO BE A TRACK USED BY MY TENNANT AND MADE MY WAY TO THE REAR BOUNDARY AND THE SURVEY MARKER THAT MR BROWN HAD SHOWN ME MONTHS EARLIER. I THEN PROCEEDED TO TRAVEL FROM THE REAR FENCE IN A 90 DEGREE ANGLE TO THE FRONT BOUNDARY ON MAIL RD ALONG WHAT I AM ASSUMING IS THE GOVERNMENT RD.

IN MY TRAVELS ALONG THIS PATH I ENCOUNTERED LOW GROUND AREAS WHICH WOULD HOLD WATER IN WET WEATHER FOLLOWED BY SHORT STEEP INCLINES WHICH AS A TRUCK DRIVER FOR THE PAST 23 YEARS WOULD NOT ATTEMPT IN WET WEATHER, THE TIMES WHEN THE OBJECTORS SAY THEY NEED USAGE THE MOST. UPON STOPPING MY 4WD TO TAKE SOME PHOTOS, I EXITED THE VEHICLE TO FIND THAT I HAD ENCOUNTERED A STAKED TYRE ALONG THIS ROUTE. THE SMALL BUSHES AND TREES HAVE HARD DRIED BRANCHES AND TRUNKS WHICH CAUSE PUNCTURES RESULTING IN PEOPLE POSSIBLY BEING STRANDED ON THE LAND. I LEFT MY PROPERTY WITH MANY QUESTIONS AND FEW ANSWERS.

LATER THAT MORNING I CALLED (MR Z) TO DISCUSS THE RECENT EVENTS. I WAS GIVEN INFORMATION THAT MORNING THAT HEADED ME STRAIGHT HOME AND TO THE INTERNET TO FIND THE NATIVE VEGETATION ACT. IT APPEARS THAT THE OBJECTORS WILL NOT BE ABLE TO FULFILL THEIR INTENT TO PLACE STOCK ON THEIR PROPERTIES AS IT WILL BE IN BREACH OF THE NATIVE VEGETATION ACT 1991 UPDATED 2013. (REFER DOCUMENTATION ATTACHED) WHICH STATES BASICALLY THAT IF NO STOCK HAS BEEN GRAZING ON THE LAND DURING THE PAST 10 YEARS THEN IT WILL BE PROHIBITED. (MR Z) HAS OFFERED TO CONFIRM THAT THE OBJECTORS HAVE NOT RUN STOCK ON THE PROPERTY DURING THE PAST 10 YEARS AS IT IS A LOCAL LAND OWNER FOR LONGER THAN THAT. I HAVE DECIDED TO KEEP (MR Z) IDENTITY ANONYMOUS EVEN THOUGH HE HAS GIVEN ME PERMISSION TO NAME HIM SO TO PREVENT ANY ILL RELATIONS WHICH MAY BE CREATED BETWEEN THE OBJECTORS AND HIM. HOWEVER HIS IDENTITY WOULD BE FORWARDER UPON REQUEST IF CONFIDENTIALITY WAS GUARANTEED.

A MEETING WITH THE CEO HAS BEEN MADE FOR 1PM ON TUESDAY 22ND SEPTEMBER HOWEVER BY THE TIME YOU READ THIS LETTER THE MEETING WOULD HAVE ALREADY TAKEN PLACE.

I THANK YOU FOR YOUR TIME IN READING THIS LETTER AND THE DOCUMENTS ATTACHED AND SHOULD YOU HAVE ANY QUESTIONS PLEASE FEEL FREE TO CALL ME ON P.H.

YOURS TRULY AND WITHOUT PREJUDICE

REMO BRIA
1. **Report Purpose**

Authorise the use of consultants to undertake the condition rating and revaluation of land and building assets.

2. **Statutory Responsibilities**

Section 12 of the Local Government (Financial Management) Regulations; Australian Accounting Standards AASB 116 Property Plant & Equipment; and Australian Accounting Standards AASB 13 Fair Value.

3. **Strategic Plan Reference**

Objectives
2.1 Support infrastructure assets that are sustainable and maintain Asset Management Plans in line with resources;  
4.3 Comprehensive practices and processes to meet legislative and compliance responsibilities; and  
4.4 Effective management of our financial resources

4. **Other Plan or Policy References**

Policy C1 Accounting for Assets

5. **Report**

Council’s adopted 2015/16 budget includes an expenditure allocation of $33,000 for condition rating of major community buildings on Council owned/controlled land. A suitable consultant will be required to visit each site making a detailed inspection of the buildings in order to provide a condition rating for each building. Council staff has completed an inspection of buildings on Council land to determine those that require condition rating.

On completion of the condition rating, Council will have detailed information on future requirements for repair, maintenance and capital renewal expenditure for each of the buildings inspected. This information will provide improved financial data about our building assets in both the Building Asset Management Plan and the Long Term Financial Plan. It will also possibly assist in prioritising expenditure on our various community buildings through grants allocated by our Community Grants program.
Council also has a legislative requirement to revalue all its assets on a regular basis. Australian Accounting Standard AASB 116 (31) states “revaluations shall be made with sufficient regularity to ensure that the carrying amount does not differ materially from that which would be determined using fair value at the end of the reporting period.” Council policy C1 Accounting for Assets requires that land, buildings and associated structures are required to be revalued at least once every 5 years.

The last revaluation of buildings took place as at 1 July 2011 so the next revaluation for buildings was to be budgeted for the 2016/17 financial year. Valuation of building assets for insurance purposes would be also updated as part of the revaluation exercise. The estimated cost of these valuations, i.e. for both asset and insurance purposes, is expected to be in the range of $25,000 to $30,000.

It is anticipated that a total cost of bringing forward the revaluation of buildings into the 2015/16 financial year and combining the building condition rating and the building revaluation into one tender would be in the order of $50,000. This would result in savings of approximately $5,000 to $10,000 compared to a budget allocation of $33,000 in 2015/16 and $25,000 to $30,000 in 2016/17. The September Budget review would therefore require an additional expense allocation of approximately $20,000 for the purpose of funding the revaluation of buildings in 2015/16, instead of $25,000 to $30,000 in the 2016/17 financial year.

6. Officer Recommendation

That Council,
1. endorses an additional $20,000 expense allocation in the September budget review for the AASB 116 & 13 revaluation of buildings and insurance valuations; and,
2. authorises staff to engage the services of consultants, following the appropriate tender process, to perform the condition rating of major community buildings on Council land and the revaluation of buildings as per Accounting Standards AASB 116 & 13 and for insurance purposes.

7. Financial Implication (of the recommendation)

7.1 Capital/One off Cost - Additional operating expense of $20,000 in 2015/16 but reduction of $25,000 to $30,000 costs in 2016/17.
7.2 Recurrent Cost – Nil.

8. Risk Assessment (of the recommendation)

Low risk as the revaluation is a legislative requirement.

9. Attachments - Nil
1. **Report Purpose**

To provide an overview of the recent Infrastructure Forum undertaken with Council Members.

2. **Statutory Responsibilities** - Nil

3. **Strategic Plan Reference**

2.1 Assets that are sustainable.

4. **Other Plan or Policy References**

Infrastructure and Asset Management Plan for Transport.

5. **Report**

A Council Infrastructure Forum was held on 23 September 2015 which was well attended by Councillors and provided staff and Rod Ellis from Tonkin Consulting an opportunity to inform and discuss matters pertaining to the operations of the Infrastructure Services Department.

The objective of the forum follows on from road forums held with the previous Council Members as a basis for information sharing and updating the prioritisation and allocation of works. This follows the “introduction” of the Infrastructure Services Department to the new Council delivered at the February 2015 meeting of Council.

The September 2015 forum provided an overview of the department and its activities and programs that are undertaken within the resourcing and service levels that can be applied.

In brief, Council’s programing of works is by way of;

- scheduled works; annual works program,
- cyclic works; patrol grading, parks and gardens etc.,
- seasonal and proactive work; cemeteries, mowing, drainage etc and
- re-active works; storms, accidents, non scheduled works.

The allocation of staff to undertake the above works highlight that the Field Staff are heavily committed to various projects throughout the year at any time in a manner to achieve Council main goal of the annual works program. General maintenance works are also scheduled to best suit the resources and the optimum time for undertaking.
An in-depth demonstration of Council’s asset management system by Rod Ellis provided the evidence that produces an accurate roads program which commences by way of inspection, assessment and data collection of each road asset and the prioritisation of roads within Council’s road hierarchy and road use. This is in line with Council Infrastructure and Asset Management Plan for Transport to maintain an existing asset first. Council’s Road Surface Manager program collates and prioritises all the attributes of each road asset and this information, together with the set priorities gives rise to various modelling of construction programs which are extracted based on funding determinations.

At present Council has an accelerated road resealing program and is forecast to commence an unsealed resheeting program in line with the adopted Long Term Financial Plan. As Council has approximately 2700km’s of road network infrastructure totalling $206 million, these roads are categorised into 7 areas of hierarchy and a 3 year rolling program for capital works is provided for Council deliberation on year 1 of the program annually.

A review of road categorisation occurred previously where 4 categories were extended into 7 categories and this review aligned with the “road use” and re-rated some roads to the acceptable standard.

Councillors have indicated that assets should be rationalised broadly across Council’s asset base and to assist in this process, road category maps were provided to all Councillors based on the idea to review and possibly rationalise the Council road network. It is proposed that to individually review the unsealed road network and the possible scenarios of either road closure of thoroughfares be undertaken or the reclassifying and down rating of roads is the best avenue to reduce overall liability. To close or review a category 6 or 7 road has no material expense or minimal maintenance expenditure therefore the roads that require significant consideration to review are 1-5 with the effort being toward categories 3, 4 and 5 type roads. There are of course road reserves that are not identified (paper, unmade, closed or leased road reserves) and these are classed within categories 7 and may not have been captured within the field data.

A summary of the total length of each category, estimated average cost of reconstructing each category, and the defined “road purpose” or “road use” is as follows;

**Category 1 – Rural Arterial Local Road.**

- Total 242.63kms
- Estimated value per kilometre $60,000

- Major unsealed sheeted roads within the Council area that operate as local arterial roads. They carry traffic through the Council area and are the higher trafficked roads. Main linkage roads with high traffic movement inclusive of freight that link to the sealed road network.
- Generally these roads have high traffic volumes as linkages between townships and outside of urban/built up areas and are used as a collector road with a higher speed environment.
- High local volume usage
Category 2 – Rural Collector Road.
Total of 257.15kms Estimated value per kilometre $60,000

- Medium use unsealed sheeted collector road carrying high priority localised traffic.
- Medium localise traffic usage

Category 3 – Local Access (High use)
Total of 227.3kms Estimated value per kilometre $50,000

- Moderate use sheeted road network for traffic use between townships and focal points.
- Localised freight and social transport uses

Category 4 – Local Access (Medium Use)
Total of 614.26kms Estimated value per kilometre $35,000

- Rural residential linkages sheeted road for access to several properties or to wider road network.
- Localised social transport usage

Category 5 – Local Access (Low Use)
Total of 188.69kms Estimated value per kilometre $25,000

- Rural residential access only (sheeted only to house gate).
- Sheeted only in one direction to gain weathered access to the remainder of Councils road network.
- Localised low traffic usage

Category 6 – Formed Graded Roads
(not sheeted or not to be sheeted)
Total of 827.11kms

- Local tracks, paddock access only.
- Generally not all weather road for local transport, plant/machinery or paddock traffic use only.
- Coastal tracks, may be formed or unformed, access via these tracks can be seriously impaired due to soft surfaces and during or after wet weather and or high tides.
- Minimal traffic usage

Category 7 – Unformed/unmade Roads/reserves
Total of 173.36kms

- Any track, trail, undefined road reserve or other access route in a road reserve not covered by the above standards shall be designated as an unmade road.
- Rented road for arable use.
- Closed roads.

The proposal is to again validate the road network and identify the purpose of the road asset and categorise the asset to seek opportunities of further rationalisation or road closure to reduce the overall liability of the network. To undertake this effectively the consideration should be for this proposal to be undertaken in road categories 1-5 as category 6 and 7 has minimal to no liability due to no capital investment within these categories of roads.
As a supplement process and recognised in Council budget workshops, a strategy for the upgrading of township roads was suggested and therefore a prioritisation system is currently being drafted for future tabling at Council.

It is therefore proposed that a schedule of meetings be convened between Ward Councillors and Infrastructure Services Staff to discuss each ward relevant to the Councillors area.

6. Recommendation

That a meeting schedule to convene discussions on Council unsealed road hierarchy be undertaken with a view to rationalise the road network and provide the information to Council in a further report.

7. Financial Implication (of the recommendation)

7.1 Capital/One Off Cost – Minimal cost in undertaking a review
7.2 Recurrent Cost – reduction of asset liability to be determined

8. Risk Assessment (of the recommendation)

Minimal risk in undertaking a review of the road network.

9. Attachment

Schedule of Meetings
Road Forum – Unsealed road review

Discussion meetings

South Ward Councillors and Mayor
3 November, 4pm Phil Barry Chambers

Central Ward Councillors
4 November, 4pm Phil Barry Chambers

North Ward Councillors
5 November, 4pm Phil Barry Chambers

Mayor and all Councillors
19 November, 4pm Phil Barry Chambers
1. **Report Purpose**

To inform Council of matters pertaining to street trees in Bruce Drive, Balaklava.

2. **Statutory Responsibilities**

Local Government Act 1999

3. **Strategic Plan Reference**

2.1.1 Develop sustainable assets across the Council

4. **Other Plan or Policy References**

Tree Removal Policy E16
Roadside Tree and Vegetation Planting Policy E14

5. **Report**

Council is in receipt of correspondence from various property owners pertaining to damage caused to road infrastructure and potential property damage within Bruce Drive, Balaklava from street trees within this road reserve.

The trees on Bruce Drive are predominately Plane Trees and have previously had root barrier treatment installed at several locations which has in turn failed. Council, through the Central Ward Councillors, in its previous term, sought to survey the residents on the removal or retention of the Plane Trees within Bruce Drive. The resulting survey provided direction to remove and replace the trees therefore a supplement survey was initiated that outlined the costs for root barrier treatment or the removal of and replacement with a more suitable street tree. This supplement survey was provided to give the residents indicative costs of the treatments in order to give the Central Ward Councillors at the time a preference to the appropriate treatment to be undertaken.

A summary of survey 1 results are as follows:

16 Properties were surveyed

- Existing Plane Trees to remain: 31.25%
- Remove and replace with an appropriate species: 50.0%
- Remove with no replacement: 12.5%
- No response: 6.25%

A summary of survey 2 results are as follows:

16 properties were surveyed

- Existing Plane Trees to remain – root barrier installation: 50.0%
- Remove and replace with an appropriate species: 37.5%
- Remove with no replacement: 6.25%
- Retain with no treatment: 6.25%
Of these responses only a few owners changed their responses.

As the Tree Removal Policy E16 is quite specific and states:
That prior to the removal of any trees in urban areas an assessment of the tree must be made, based on standard criteria as follows;
- Obvious signs that the tree is dead
- Signs of borers or white ants
- Damage to infrastructure or property; or
- Splitting in the main trunk.

On the basis of this assessment and in most cases there is damage to infrastructure and potential property intrusion. An arborist was engaged to undertake an assessment of the trees to provide a clearer direction for a decision on these trees. Given that there are concerns raised by residents, and that root barriers that were installed have failed (mainly through roots following service trenches) and that infrastructure is damaged, there is cause for concern long term. The arborist report in short states;
- Planes tree are located in smaller roads than Bruce Drive
- The trees will or can spread wide and form a crown over the road and can be managed
- Roots will be difficult to manage and barrier can be used but may not always be effective.
- Potential for damage will occur and cannot be dismissed and dwellings have the potential for damage but considered unlikely
- that all large growing trees have associated benefits and detriments

A copy of this report is attached.

The “avenue” of Plane trees was intended to provide a pleasant ambience. However the existing and potential future damage by these trees to Councils infrastructure would be addressed with their removal and the planting of a more suitable tree such as the Manchurian Pear, which are planted on the adjacent Christopher Street. An alternative option would be placement of root barriers however this may not address the root intrusion which may not be obvious until significant ground movement has occurred. The last option is to remain “as is” and accept the liability to any damage that could occur.

6. Recommendation

That Council remove all trees within Bruce Drive, Balaklava and re plant ornamental Manchurian Pears as a replacement.

7. Financial Implication (of the recommendation)

7.1 Capital/One Off Cost - as budgeted
7.2 Recurrent Cost – Medium as the infrastructure will need programming for repairs in any case

8. Risk Assessment (of the recommendation)

A reduction of risk will occur by replacing the trees on Bruce Drive

9. Attachment

Arborist Report
Tree Appraisal

23 July 2015

Prepared for:
Wakefield Regional Council
PO Box 167
Balaklava SA 5461
Site Details:
Street Tree Appraisal
Bruce Drive
Balaklava SA

Prepared by:
Project Green Pty Ltd
25-27 Ceafield Road
Para Hills West SA 5096
ABN: 78 088 402 706
ACN: 088 402 706
Tel: (08) 8283 1300
Fax: (08) 8258 1933
admin@projectgreen.net.au
CONTENTS

INTRODUCTION......................................................................................................................... 3

METHOD...................................................................................................................................... 3
  Limitations & Disclaimer........................................................................................................... 3

SITE DESCRIPTION.................................................................................................................... 4

SPECIES PROFILES................................................................................................................... 4
  Platanus x acerifolia / Platanus orientalis ............................................................................ 4
  Eucalyptus gomphocephala .................................................................................................... 5
  Hymenosporum flavum ........................................................................................................... 5

SPECIES APPRAISALS............................................................................................................... 5
  Platanus x acerifolia / Platanus orientalis ............................................................................ 5
  Eucalyptus gomphocephala .................................................................................................... 7
  Hymenosporum flavum ........................................................................................................... 8

CONCLUSIONS.......................................................................................................................... 10

GLOSSARY.................................................................................................................................. 12

BIBLIOGRAPHY.......................................................................................................................... 12

Acknowledgement

Species review and report by:

Ross Greene
B.App.Sc.(Horticulture)
Dip.Hort.(Arboriculture)
Certified Tree Risk Assessor (ISA)
INTRODUCTION

Project Green was commissioned by the Wakefield Regional Council to undertake a review of the suitability of tree species used as street trees along Bruce Drive, Balaklava, South Australia.

METHOD

A site visit was undertaken on the 10th of July 2015 to inspect the site and the trees. The species of trees along the street were identified in a walk-by assessment. The trees were assessed for health and structural integrity from a ground-based perspective.

Limitations & Disclaimer

The trees were inspected visually from the ground only. No aerial inspections were performed. Information contained in this report is based on observations taken on the day of inspection and material provided only. It is possible that changes in environmental conditions or subsequent information may affect these findings. This report has been prepared on behalf of, and for the exclusive use of, the Project Green client.

Fig. 1. Shows Bruce Drive bordered by Plane trees.
SITE DESCRIPTION

Bruce Drive is located at the north-eastern extent of Balaklava in a recently developed area. The character of the locality is modern urban, defined by medium-sized residential allotments. The setback of dwellings is generally in the region of 8-10 metres from the curb but a few dwellings are estimated to be closer to 20 metres. There is still undeveloped land on the south side of the road. The street features twenty-one specimens of Plane tree, one eucalypt and one Native Frangipani. Lined services in Bruce Drive been installed underground therefore street trees can grow unencumbered by the need for clearance pruning.

SPECIES PROFILES

The dominant street tree within Bruce Drive is the Plane. Most are Platanus x acerifolia but two specimens of Platanus orientalis feature in the mix. The characteristics of the two species as amenity trees are very similar and they are often mixed together on streets. Identification of the eucalypt was hampered by the lack of ground-based tree litter, notably mature fruits, however the flower buds in the upper crown imply Eucalyptus gomphocephala, the Tuart, from Western Australia. The tree adjacent to the eucalypt is a specimen of Hymenosporum flavum, or Native Frangipani. The species profiles of these trees are as follows. (For the purpose of this review Platanus x acerifolia and Platanus orientalis have been grouped together into one profile).

Platanus x acerifolia / Platanus orientalis

The Plane tree is a large-growing, deciduous tree which is found as an amenity tree in temperate climates all over the world. It is particularly successful in challenging, urban situations due to its considerable list of environmental tolerances. Plane trees are fast-growing and long-lived, and therefore can eventually grow large, both above and below ground. This characteristic needs to be considered when installing them in confined settings. Plane trees are highly tolerant of almost any type of pruning, including pollarding, therefore managing the above ground part of the tree is usually straightforward. Below the ground, however, Plane tree roots have been implicated as being invasive and they can eventually outgrow their environment if space is limited. Damage to built infrastructure is well documented in Melbourne where Planes were once commonly planted as street trees a few metres from buildings.

The leaves of Plane trees, especially the London Plane, are large in size, and whilst this affords good shade provision it can be problematic where the shed leaves accumulate in autumn. In recent times Plane tree leaves and fruits have come under scrutiny by allergy sufferers. It has been suggested, but
not conclusively shown, that Planes are responsible for allergic responses to air-borne pollen and leaf hairs. The leaf hairs (known botanically as trichomes) are shed from the underside of the leaves. As a result the season of shedding potential irritants is relatively long, beginning with pollen from early to mid-spring and trichomes from mid-spring to early summer. It should be acknowledged that numerous wind-pollinated plants can cause allergic irritation and that research has not shown Planes to be major contributors to the spring allergen load.

**Eucalyptus gomphocephala**

The Tuart is a medium to large tree native to Western Australia. It is a commonly planted street tree in temperate parts of Australia and as an urban tree it tends to retain a modest size. The wood of Tuarts is strong and durable, and as a result it has shown to be a reliable amenity tree with a low risk of branch failure compared to other eucalpts. The hard fruits of the Tuart could be a slip hazard when lying on a hard surface such as a footpath.

**Hymenosporum flavum**

The Native Frangipani is a medium growing, evergreen tree which is a popular ornamental native to the east coast of Australia. It has generally been used in residential settings but is occasionally seen as a street tree, usually with differing levels of success. It prefers a tropical climate but has shown to be tolerant of all but the coldest of conditions. It can defoliate during periods of dryness but usually bounces back after rain. It is generally thought of as a low risk tree but it can reportedly drop branches if exposed to strong wind. Litter shed from this tree is small in size and low risk.

**SPECIES APPRAISALS**

**Platanus x acerifolia / Platanus orientalis**

All the Plane trees were assessed as showing good health and structure. They have been subjected to minor formative pruning to remove low, laterally-orientated branches and facilitate clearance for vehicles but this has not affected their form. Lined services within the street are apparently underground therefore the environment is conducive to growing well-structured street trees of natural form. The projected appearance of the mature Plane trees is of a large canopy which extends to the middle of the road forming a tree tunnel (refer Fig.2). A period of twenty to thirty years would be required to reach this result. Considering the distance of some of the dwellings on Bruce Drive from the trees, the prospect of them growing to their full potential without protests from some residents about growth extending over their properties is unlikely. The street canopy can be managed and modified with pruning however. Few trees are able to adapt to the extent of pruning that a Plane tree can. Management options would include regular crown reduction or the trees
could be pollarded (refer Fig.3). The cost of maintenance pruning needs to be considered within the scope of tree retention or removal.

Fig.2. Shows Plane trees planted at a similar span distance to Bruce Drive. The canopy will eventually cover the road unless regular pruning is applied.

Fig.3. Shows a street in Richmond, Melbourne where pollarding is used to control the size of Plane trees. The location of the pollard heads is indicated.
Trees which grow large above the ground generally grow large below the ground as well. The Plane tree is no exception. Part of the success of the species in difficult sites is attributable to an extensive root system. In locations where mature Planes are growing near to terrestrial or subterranean infrastructure the effects of root incursion are commonly seen. The root system of the Plane establishes early in the life of the tree thus facilitating vigorous growth from a young age. It is anticipated that the roots of the Planes on Bruce Drive will eventually extend under the road, but more likely will establish in the irrigated front yards of the adjacent residences. They may also encounter underground services where their removal could prove problematic and costly. These types of outcomes, however, could be expected from numerous large growing amenity trees.

**Eucalyptus gomphocephala**

The single specimen of Tuart shows good health and a fair structure. As a street tree it displays similar attributes to most eucalypts; evergreen leaves, tolerance of heat and drought, and the tendency to shed parts, both small (leaves and fruits) and sometimes not so small. The Tuart is not a tree considered to be predisposed to excessive limb shedding but this behaviour is common in the genus. The tree on Bruce Drive has a long remaining life and is well suited to the location. As an isolated single specimen, along with the adjacent Native Frangipani, it does tend to look somewhat detached from the avenue effect created by the Plane trees which dominate the rest of the street.

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**Fig.3. Shows the Tuart at the southern end of Bruce Drive.**

**Fig.4. Shows an expected outcome for an urban Tuart (source Google).**
**Hymenosporum flavum**

The single specimen of Native Frangipani shows good health and a good structure. The form has been pruned to a single trunk to around 4 metres supporting a small rounded crown. The 'lollipop' form could not be said to be typical of the species but it can be achieved with pruning. The deep green, glossy leaves indicate the tree is healthy and performing well, and further suggests it might be suitable for use elsewhere in the district. The species thrives in heat but is somewhat drought sensitive. This tree also tends to look somewhat detached from the avenue effect created by the Plane trees which dominate the rest of the street.

![Fig.5. Shows the Native Frangipani at the southern end of Bruce Drive.](image1)

![Fig.6. Shows an expected outcome for an urban Native Frangipani (source Google).](image2)
<table>
<thead>
<tr>
<th></th>
<th>Benefits</th>
<th>Detriments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Platanus spp.</strong></td>
<td>(i) long lived</td>
<td>(i) the large and spreading crown may extend over properties in the street</td>
</tr>
<tr>
<td></td>
<td>(ii) fast growth rate</td>
<td>(ii) shade and root competition may affect the gardens of street properties (living and</td>
</tr>
<tr>
<td></td>
<td>(iii) tolerant of environmental extremes</td>
<td>non-living parts)</td>
</tr>
<tr>
<td></td>
<td>(iv) provides dense shade to reduce heat in summer</td>
<td>(iii) root expansion may affect infrastructure such as gutters and the road</td>
</tr>
<tr>
<td></td>
<td>(v) deciduous nature allows for penetration of winter sunlight</td>
<td>(iv) potential to enter underground services</td>
</tr>
<tr>
<td></td>
<td>(vi) tree size is in scale with the street</td>
<td>(v) autumn leaf drop creates green-waste which may cause blockages etc</td>
</tr>
<tr>
<td></td>
<td>(vii) low potential for limb drop</td>
<td>(vi) some potential for allergen production</td>
</tr>
<tr>
<td></td>
<td>(viii) provides shelter for avian species</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ix) low weed potential</td>
<td></td>
</tr>
<tr>
<td><strong>Eucalyptus gomphocephala</strong></td>
<td>(i) long lived</td>
<td>(i) roots and the allelopathic effects of leaf exudates may affect the garden of the adjacent</td>
</tr>
<tr>
<td></td>
<td>(ii) fast to moderate growth rate</td>
<td>property</td>
</tr>
<tr>
<td></td>
<td>(iii) tolerant of environmental extremes</td>
<td>(ii) root expansion may affect infrastructure such as gutters and the road</td>
</tr>
<tr>
<td></td>
<td>(iv) tolerance of highly alkaline soil</td>
<td>(iii) potential to enter underground services</td>
</tr>
<tr>
<td></td>
<td>(v) the hard wood shows some resistance to termites</td>
<td>(iv) sheds parts all year due to the evergreen nature</td>
</tr>
<tr>
<td></td>
<td>(vi) provides shelter and food source for avian species</td>
<td>(v) hard round fruits are a potential slip hazard</td>
</tr>
<tr>
<td></td>
<td>(vii) low weed potential</td>
<td>(vi) some potential for limb failure</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Hymenosporum flavum</strong></td>
<td>(i) long lived</td>
<td>(i) could be considered small in maturity for the scale of the street</td>
</tr>
<tr>
<td></td>
<td>(ii) moderate growth rate as an unirrigated street tree</td>
<td>(ii) roots may extend into the adjacent property</td>
</tr>
<tr>
<td></td>
<td>(iii) upright habit; will not over-extend laterally over properties</td>
<td>(iii) some potential to enter underground services</td>
</tr>
<tr>
<td></td>
<td>(iv) low volume of green-waste produced</td>
<td>(iv) may show signs of stress during temperature extremes (leaf drop and/or yellowing)</td>
</tr>
<tr>
<td></td>
<td>(v) produces attractive, fragrant flowers</td>
<td>(v) attracts bees when in flower</td>
</tr>
<tr>
<td></td>
<td>(vi) low probability of damage to infrastructure such as gutters and the road</td>
<td>(vi) the species is not usually consistent in form and crown structure can differ markedly between individuals</td>
</tr>
</tbody>
</table>
CONCLUSIONS

Platanus spp. (Planes)

1. The Plane trees are performing well as street trees on Bruce Drive. Planes have been successfully employed as street trees on streets much smaller than Bruce Drive.

2. With minimal pruning intervention the projected appearance of the street environment in 20-30 years is of large, wide-spreading trees creating a tree tunnel over the road and extending over the front yards of the residences. The shape and size of the crowns of the trees can be managed with pruning.

3. Managing the growth and directional orientation of roots is more difficult than managing the crown. Roots can be excluded with root barrier but the efficacy of a root barrier is liable to be limited due to the number of underground services which would need to pass through the barrier. Each service would involve breaching the barrier, opening an opportunity for roots to enter. In the absence of any barrier it is highly likely that roots will eventually find their way into the irrigated front gardens of the residences.

4. It is feasible that root incursion could eventually cause damage to infrastructure/hard landscape. The potential for roots to damage foundations of dwellings cannot be dismissed but is considered as unlikely.

5. All large-growing trees will have associated benefits and detriments. Any decision to replace the Planes should be well-researched in relation to species/cultivar selection, and it would be advisable to include the residents in any decision making process.

Eucalyptus gomphocephala (Tuart)

1. The Tuart is performing reasonably well as a street tree on Bruce Drive, however the somewhat random form of the single tree detracts from the strong structure and uniform avenue effect of the Plane trees.

2. Native trees add a ‘sense of place’ to environments where they tend to be excluded in gardens.

3. All eucalypts have some potential to drop limbs. Assessing for this type of behaviour is difficult.

4. The roots of this tree are reportedly shallow and therefore there will be some potential for root incursion into areas near the tree.

5. The removal of a single tree, if deemed as appropriate by council, should not prove too contentious provided a suitable replacement tree is installed.
Hymenosporum flavum (Native Frangipani)

1. The Native Frangipani is performing very well as a street tree on Bruce Drive, however the single tree detracts from the strong structure and uniform avenue effect of the Plane trees.
2. The species could be considered as somewhat small growing for the scale of the street.
3. The species is generally structurally sound. The requirement for maintenance pruning is minimal.
4. Given the rainforest origin of the species, the roots of this tree are usually shallow and therefore there will be some potential for root incursion into areas near the tree.
5. The removal of a single tree, if deemed as appropriate by council, should not prove too contentious provided a suitable replacement tree is installed.
GLOSSARY

**Allelopathy**
The release of chemicals from a plant that are detrimental to other plants to inhibit the growth of nearby plants, including its own progeny, to reduce competition (Draper & Richards, 2009).

**Health**
Includes the tree's vigour exhibited by density of crown, cover, leaf colour etc.

**Pollarding**
A specialised pruning technique that establishes branches ending in a pollard head of buds and vigorous shoots. Trees are cut back to just above the same point every 1 to 3 years resulting in the production of multiple shoots. When removing shoots pollard heads should not be injured. Cuts should be made as close as possible to the swollen collars that surround each shoot (Australian Standard 4373-2007 Pruning of amenity trees).

**Size**
Tree height and canopy diameter measured in metres.

**Species profile**
Attributes and characteristics of the species which includes size, longevity, structural integrity, shedding behaviour etc.

BIBLIOGRAPHY


1. **Report Purpose**

   For Council to consider a request from the District Council of Barunga West (DCBW) for a joint submission to upgrade the Wokurna Road.

2. **Statutory Responsibilities** - Nil

3. **Strategic Plan Reference**

   Partner key stakeholders.  
   Infrastructure Assets that are sustainable.

4. **Other Plan or Policy References**

   Infrastructure and Asset Management Plan for Transport.

5. **Report**

   Council has received a request from DCBW seeking its support to jointly submit a funding application under the Special Local Roads Program to upgrade and seal the Wokurna Road from the Augusta Highway to the Bute Road.

   The Special Local Roads program seeks strategic projects from each Council throughout the state through the relevant Local Government region and as such Council’s generally lodge various individual and joint projects to the Central Local Government Region which are then assessed and prioritised at a region level for forwarding at a state level for the transport to Local Government Transport Advisory Panel (LGTAP). The LGTAP committee then prioritise all regions recommended priorities and prioritise projects for funding.

   The projects that are lodged require details of there strategic significance at either a state or local level and require significant justification and criteria to be met and due consideration to the funding of the lifetime of the new asset needs to be supported in the submission.

   Council previously supported the joint submission with DCBW for consideration of sealing the Wokurna Road formerly Broughton Road, in which Council has the care, control and management of approximately 14 kilometres and DCBW has the responsibility of the remainder of this road being approximately 10 kilometres. The previous joint submission in 2007 was a project cost in the vicinity of $4,481,000.
As the previous joint submissions for the Wokurna Road did not rate as a high regional priority and was never funded and in 2008/09 both WRC and DCBW opted to fund individual projects which for WRC included the upgrade re sheet of Saints Station Road and for DCBW the project submitted was Bypass Road, which diverted heavy vehicles from the Port Broughton main street.

As Council has re allocated its priorities from the Wokurna Road and following the funding of the Saints Station Road re sheet the focus for Special Local Roads has remained on current deficient bridge infrastructure as projects of priority due to the localised freight movements required over council’s road network. The joint submission is a substantial project that would require a form of regional significance and would increase the future liability of council in the continued re sealing of the road network as being currently provided for on the re sealing program in line with the long term financial plan.

Council is currently in receipt of a DCBW resolution seeking WRC support to again joint fund an application to the Special Local Roads to seal the Wokurna Road from ‘Cream Puff Corner’ (Bute Road) to Augusta Highway.

As Council would recall and as detailed in the recent Council road forum, significant funds have and are forecast to be expended on Council’s sealed road network to maintain the current asset of council in a sustainable manner. The roads forum also provided the long term objectives for Council’s unsealed road network for accelerated funding and the provision of all the accelerated programs is in line with the adopted long term financial plan. Should Council give consideration to the sealing of its portion of Wokurna Road the funding through Special Local Roads is 2/3:1/3 funded it would require staging over several years and a revisit to the cost estimation from the 2007 submission which was in excess of $4million total.

In giving due consideration to road projects under the Special Local Roads Program, Council will need to consider specific strategic projects which comply with the criteria of the Special Local Roads requirements and as such Council is experiencing significant deterioration of transport routes to the intensive farming industries. Investigations will need to be undertaken to seek further partnerships pertaining and specific to chicken farm activities and seek third party funding (as has been the past practice) however, this would be for major upgrades involving council and the third party for then lodgement with the Special Local Roads Program.

A forum scheduled with industry providers and Council and the road access topic will be raised at the forum with industry key stakeholders. This will seek the objectives of all parties for opportunities to co fund upgrades of Councils own local freight networks which are deteriorating ahead of their life estimation.

6. **Recommendation**

That Council advise the District Council of Barung West that the Wokurna Road upgrade is not Council’s priority for the Special Local Roads submission and will not be lodging a joint submission for the upgrade and seal the Wokurna Road.

7. **Financial Implication (of the recommendation)**

7.1 **Capital/One Off Cost** – minimal cost in advising the DCBW of Council’s position to key projects.

7.2 **Recurrent Cost** – Nil
8. **Risk Assessment (of the recommendation)**

   Minimal risk in advising DCBW of its position pertaining to Special Local Road projects.

9. **Attachment –**

   Map of requested and proposed joint submission
To: Council  
Report Date: 8 October 2015  
Reporting Officer: Infrastructure Services Manager, David Hassett  
Reporting Manager: Infrastructure Services Manager, David Hassett  
Subject: Temporary Road Closure – Port Wakefield Hotel – Radelaide Show and Shine  
File Number: 20.16.1.1  
Previous References: -

1. Report Purpose

To consider a request from the Port Wakefield Hotel for a Temporary Road Closure for the Radelaide Show and Shine.

2. Statutory Responsibilities

In accordance with the provisions of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 23 August 2013.

3. Strategic Plan Reference - Nil

4. Other Plan or Policy References - Nil

5. Report

The Radelaide Show and Shine is a vintage BMX “show and shine” promotion that will support fund raising for cancer. The Port Wakefield Hotel is holding the Radelaide Show and Shine event and requests Council to approve a Temporary Road Closure to a portion of Burra Street, Port Wakefield to assist with the Radelaide Show and Shine to be held on Saturday 5 December 2015 between 8.00 am and 6.00 pm. The event is a static display and has been held previously on the premises and fundraising has been forwarded suitable causes. The funds raised from the entry fees per bike will be forwarded to the Cancer Council.

Council undertakes road closures for community events at no cost to the event. However this event which promotes raising money for cancer is being held by a commercial establishment and Council may seek the reimbursement of all costs associated with the road closure. Therefore the recommendation provides an avenue for this and is for Council determination.

6. Recommendation

That, subject to the Port Wakefield Hotel bearing the costs for the advertising and implementation of the road closure, the Council exercises the power pursuant to Section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 22 August 2013 to:

1.1 Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the event described below (“The Event”) that is to take place on the road described below (“The Road”) is an event to which Section 33 of the Road Traffic Act 1961 applies: and

1.2 Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an order direction that the Road on which the event is to be held and any adjacent or adjoining roads specified below, be closed to traffic for the period commencing on Saturday, 5 December 2015 at 8 am and expiring on Saturday 5 December 2015 at 6 pm.
ROADS: Burra Street, Port Wakefield, from West Street junction to a point approximately 50 metres east and adjacent to the eastern boundary of the Port Wakefield Hotel.

EVENT: Port Wakefield Hotel, Radelade Show and Shine.

1.3 Pursuant to Section 33(1)(b) of the Road Traffic Act 1961, make an order directing that persons taking part in the Event be exempted, in relation to the Road, from the duty to observe the Australian Road Rules specified below subject to any conditions described below and attaching the exemption.

Australian Road Rules Exemption and Conditions:

Rule 230: Crossing a road – general [no condition]
Rule 238: Pedestrians travelling along a road (except in or on a wheeled recreational device or toy) [no condition]

7. Financial Implications (of the recommendation)

7.1 Capital/One Off Cost – Approximately and up to $1,000 (Advertising est $250-$300), Implementation est $400-$500etc).
7.2 Recurrent Cost – Nil

8. Risk Assessment (of the recommendation)

Low risk in adopting the recommendation, the event has legal status for the road entry of pedestrians and illegal access of vehicles. Otherwise, by not adopting the recommendation the event would be required to be held off road in an alternate area.

9. Attachment - Nil
1. **Report Purpose**

   Requesting Council approval, for the closure of Edith Terrace, Scotland Place and George Street, Balaklava to undertake Christmas Eve Celebrations and the exclusive road usage of parts of May Terrace, Wallace Street, George Street, Scotland Place, Edith Terrace for a Christmas Parade.

2. **Statutory Responsibilities**

   In accordance with the provisions of the Road Traffic Act 1961.

3. **Strategic Plan Reference:** - Nil

4. **Other Plan or Policy References** – Nil

5. **Report**

   Council is in receipt of correspondence from the Balaklava Area Committee requesting that Council authorise the closure of portions of Edith Terrace and George Street, Balaklava, between the roundabout to Scotland Place and includes a portion of Scotland Place and the exclusive road usage of parts of May Terrace, Wallace Street, George Street, Scotland Place, Edith Terrace for a Christmas Parade. The Parade is proposed to commence at the Library car park (off May Terrace) at 5.45pm and progress for approximately 15 minutes to its destination at the town Triangle.

   The requested time for this closure is Thursday, 24 December 2015 between the hours of 5.00 pm and 9.00 pm.

   To accommodate this request it is appropriate to undertake a broader approach to the closures and prevent traffic and pedestrian conflict and restrict parking on the roads adjacent to the Triangle. This will enable the safe passage of the Parade and the attendees to the function within the precinct. Previously vehicles have parked against the Triangle and have left the function during the closure period. Signage will need to be purchased to implement the temporary parking controls for all the parking sites within this precinct.

   The road closure for the Parade route will be discussed with SAPOL for this best implementation.

6. **Officer Recommendation**

   That the Council exercises the power pursuant to Section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval of the Minister dated 22 August 2013 to:
1.1 Pursuant to Section 33 (1) of the Road Traffic Act 1961, declare that the event described below (“The Event”) that is to take place on the road described below (“The Road”) is an event to which Section 33 of the Road Traffic Act 1961 applies; and

1.2 Pursuant to Section 33 (1) (a) of the Road Traffic Act 1961, make an order directing that the Road on which the event is to be held and any adjacent or adjoining roads specified below, be closed to traffic for the period commencing on Thursday, 24 December 2015 at 5.45 pm and expiring on Thursday, 24 December 2015 at 6.15 pm.

ROAD: May Terrace, Balaklava – From Scotland Place to Wallace Street.
Wallace Street, Balaklava – From May Terrace to Edith Terrace.


1.3 Pursuant to Section 33 (1) of the Road Traffic Act 1961, declare that the event described below (“The Event”) that is to take place on the road described below (“The Road”) is an event to which Section 33 of the Road Traffic Act 1961 applies; and

1.4 Pursuant to Section 33 (1) (a) of the Road Traffic Act 1961, make an order directing that the Road on which the event is to be held and any adjacent or adjoining roads specified below, be closed to traffic for the period commencing on Thursday, 24 December 2015 at 5.00 pm and expiring on Thursday, 24 December 2015 at 9.00 pm.

ROAD: Edith Terrace, Balaklava – From Howe Street to Scotland Place.
George Street, Balaklava – From Edith Terrace to Scotland Place.
Scotland Place, Balaklava – From Edith Terrace to George Street.

EVENT: Balaklava Area Committee – 2015 Christmas Eve Pageant and Street Gathering.

And that temporary parking controls be implemented on the above roads as defined in 1.4

1.5 Pursuant to Section 33 (1) (b) of the Road Traffic Act 1961, seek from the Commissioner of Police an order directing that persons taking part in the Event be exempted, in relation to the Road, from the duty to observe the Australian Road Rules specified below subject to any conditions described below and attaching to the exemption.

Australian Road Rules Exemption and Conditions:
Rule 221: Using hazard warning lights [no condition]
Rule 230: Crossing a road – general [no condition]
Rule 237: Getting on or into a moving vehicle [provided the speed of the vehicle does not exceed 5kph]
Rule 238: Pedestrian travelling along a road (except in or on a wheeled recreational device or toy) [no condition]
Rule 264: Wearing of seatbelts by drivers [provided the speed of the vehicle does not exceed 25kph]
Rule 265: Wearing of seatbelts by passengers 16 years old, or older [provided the speed of the vehicle does not exceed 25kph]
Rule 266: Wearing of seatbelts by passengers under 16 years old [provided the speed of the vehicle does not exceed 25kph]
Rule 268: How persons travel in or on a motor vehicle [provided the speed of the vehicle does not exceed 25kph]
Rule 269: Opening doors and getting out of a vehicle etc [provided the speed of the vehicle does not exceed 5kph]
Rule 298: Driving with a person in a trailer [provided the speed of the vehicle does not exceed 25kph]

7. **Financial Implications (of the recommendation)**
   
   7.1 Capital/One Off Cost – Signage and advertising of temporary parking controls
   
   7.2 Recurrent Cost – Annual event – Approximately above $1,000 ($250-$300 Advertising, $800 Implementation etc)

8. **Risk Assessment (of the recommendation)**

   Low Risk, Public Liability insurance sighted.

9. **Attachment – Nil**
To: Council
Report Date: 9 October 2015
Reporting Officer: Infrastructure Services Manager, David Hassett
Responsible Manager: Infrastructure Services Manager, David Hassett
Subject: Infrastructure Services Quarterly Report
File Number: -
Previous References: -

1. Report Purpose
   To inform Council on works undertaken in the 2015/16 Annual Works Program.

2. Statutory Responsibilities - Nil

3. Strategic Plan Reference
   2.1 Support infrastructure assets that are sustainable and maintain Asset Management Plans in line with resources.

4. Other Plan or Policy References
   Asset Management Plan for Transport

5. Report
   The following is a summary of works undertaken in the previous quarter in relation to the 2015/16 Annual Works Program.

Sealed Roads
   • Catherine Street, Port Wakefield – cul-de-sac
   • Korreng Court, Port Wakefield – cul-de-sac

Unsealed Roads
   • Wheat Road - resheet
   • Burnsfield Road - resheet
   • Salter Springs Road - Rip and reform
   • Old Mallala Road - Rip and reform and and trial seal type from existing seal
   • Bumbunga Road
   • Barunga Top - Rip and reform
   • Burnsfield 2nd section - resheet

Maintenance
   • Patrol Grading (as attached)
   • Maintenance - patching/repairs and reseal preparation including kerb
   • Signage
   • Tree Trimming and stump mulching
   • Parks and Gardens
   • Footpaths – aligned with reseals and new works
   • Weed spraying
   • Transfer Stations
   • Street furniture
   • DrumMuster
   • Ripping of tree lines – Rocks reserve

Cemeteries
   • General maintenance and cemetery activities
Projects
Funding application
- DPTI have advised that Black Spot Funding is available for rail crossing upgrades and have highlighted six potential projects for Council. The first round of black spot funding seeks federal funding to fully fund any upgrade and as such a submission has been lodged for the Kallora railway crossing (North of Avon) RLX 753 to the value of $203,300. Should this submission be successful, the project will incorporate the realignment of the approach roads to provide a 90 degree T junction road alignment to the railway corridor from both directions.

Shamus Liptrot Trail
- Vegetation removal along rail corridor alignment.

Railway Terrace Balaklava
- As previously advised, DPTI where to undertake works on Railway Terrace Balaklava and in conjunction with Council and the parking lanes. The project has been delayed by DPTI for planning and design work and then tendering. It is proposed that more information about this original project will be discussed with Council once DPTI have completed their scope of works.

Road realignment
- As adopted in Council’s annual works program and viewed on the Councillor bus tour 12 October 2015, a proposal for road linear distance reduction is catered for with the potential closure of Days Hill Road at the Owen Road junction and the upgrade of a supplement section of Wandel Road, Owen to the Owen Road. This project would reduce the risk of vehicular conflict due to the alignment of both junctions and improved visual access to the Owen Road. It is proposed to consult in Council’s newsletter on this proposal following liaison with DPTI on the rail corridor crossing points.

Boundary Signage
- As reported at the August 2015 meeting of Council and as resolved, 14 boundary signs have been ordered, however a supplement sign (x1 totalling 15) has now been included to accommodate the Twin Rivers Road (Stockport Road) at Hamley Bridge which was not detailed in the report and resolution. This project will still remain within the current budget allocation and installation will occur accordingly.

Road safety treatment
- Guard railing on the corner above Lochiel on the Ninnes Road inclusive of shoulder sealing and widening.

6. Officer Recommendation

That Council;
1. note the report and
2. endorse the provision of a supplement Council boundary sign.

7. Financial Implications (of the recommendation)

7.1 Capital/One off Cost – In line with budget allocations
7.2 Recurrent Cost – In line with budget allocations

8. Risk Assessment (of the recommendation)

Low risk as the report details operations.
9. **Attachment**

Patrol Grading Report
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15. CONFIDENTIAL ITEMS

CLOSURE