NOTICE OF ORDINARY COUNCIL MEETING

Notice is hereby given that the next ORDINARY COUNCIL MEETING will be held in the Council Office Boardroom, 6-8 Richardson Place, Roxby Downs on WEDNESDAY 29 JANUARY 2020 commencing at 4.00pm.

A copy of the Agenda for the above meeting is attached to this notice.

The meeting is open to the public and members of the community are welcome to attend.

Geoff Whitbread
Administrator

24 January 2020
AGENDA

1. Opening Statement

I wish to acknowledge the Kokatha peoples, the traditional owners of the land on which we meet today and pay my respect to their Elders past and present and extend that respect to other Aboriginal and Torres Strait Islander people who may be present today.

2. Confirmation of Minutes of the Previous Meeting

That the Minutes of the Council Meeting held on 18 December 2019 be confirmed as a true and accurate record of proceedings.

3. Adoption of Council Resolutions

3.1 Municipal Council of Roxby Downs Audit Committee – Appointment of Independent Members

3.2 Community Development Plan 2020-2022

3.3 New Fee – Non Standard Cats

3.4 Community Board Annual Grant 2019/2020

3.5 New Policy – Remotely Piloted Aircraft System Operations

3.6 Policy Review – Equal Opportunity, Discrimination, Harassment and Workplace Bullying

3.7 Policy Review – Expiation

4. Reports for Information

4.1 Regional Health Plan

5. Community Presentations, Petitions and Deputations

Nil

6. Next Meeting

The next Ordinary Council Meeting is scheduled for 26 February 2020 at 4.00pm - Council Office Boardroom, 6-8 Richardson Place, Roxby Downs, unless advised otherwise, by notice on the Council’s website.

7. Closure
1. **Council Opening**

The meeting commenced at 4:00pm.

Mr Whitbread acknowledged the Kokatha peoples, the traditional owners of the land on which we meet today and paid respect to their Elders past and present and extended that respect to other Aboriginal and Torres Strait Islander people who may be present today.

2. **Confirmation of Minutes of the Previous Meeting**

RESOLVED: The Minutes of the Council Meeting held on 27 November 2019 are confirmed as a true and accurate record of proceedings.

3. **Council Business**

The Chief Executive provided the following verbal statement:

**BHP Community Land Revocation Application**

The Council initiated the community land revocation process for the subject land in the southern portion of the land owned by Council and held under licence by the Roxby Downs Golf Club upon application by BHP in October 2019.

Council conducted public consultation on the community land revocation from 11 November to 2 December. The consultation was extensive in reach and I commend Council’s communications and community engagement team on their efforts.

Late this afternoon (18 December 2019) Council received a request from BHP that the community land revocation process be paused. BHP will be releasing further details in due course.

The items within the agenda:

1. Relevant Authority Application to Minister for Planning for Development Application by BHP 692/046/19

2. Authority to Obtain One Independent Valuation of Land
3. Community Land Revocation Proposal

are relevant to today’s request by BHP.

Accordingly my advice to Council is that these three items be deferred for consideration at a future meeting of the Council, pending further consultation with BHP on these matters.

RESOLVED:

That Council after receiving a request by BHP to pause the community land revocation process, defer the below items to a future meeting of the Council, pending further consultation with BHP on these matters:

- Item 3.1 Relevant Authority Application to Minister for Planning for Development Application by BHP 692/046/19
- Item 3.2 Authority to Obtain One Independent Valuation of Land
- Item 3.3 Community Land Revocation Proposal

The Administrator then invited questions from the public, which were answered by the Chief Executive and Administrator.

4. Reports for Information

RESOLVED: The Council receive and notes the following reports:

- Chief Executive Report
- Development Application Decisions

5. Community Presentations, Petitions and Deputations

Nil

6. Next Meeting

The next Ordinary Council Meeting for the Municipal Council of Roxby Downs is scheduled for Wednesday 29 January 2020 at 4:00 pm - Council Office Boardroom, 6-8 Richardson Place, Roxby Downs, unless advised otherwise, by notice on the Council’s website.

7. Closure

The meeting closed at 4:13pm


Geoff Whitbread
Administrator
29 January 2020
REPORT FOR ORDINARY COUNCIL MEETING

Meeting Date: 29 January 2020
Title of Report: Municipal Council of Roxby Downs Audit Committee – Appointment of Independent Members

1. Purpose

To consider the reappointment of 2 (two) independent members to Council's Audit Committee.

2. Recommendation

That Mr Trevor M Starr and Ms Rosina Hislop be appointed as independent members of the Municipal Council of Roxby Downs Audit Committee.

That the sitting fee for Audit Committee Meetings be $1,050.00 per member/meeting and the sitting fee for attendance at meetings to be held in Roxby Downs be $1,550.00 per member/meeting.

3. Background

Pursuant to Sections 36(1)(c) and 126 of the Local Government Act, the Council has established a committee known as the Municipal Council of Roxby Downs Audit Committee.

The role of the Audit Committee is to undertake the functions set out at section 126(4) of the Act. Specifically, the Committee will undertake the following functions:

- Review of Financial Reporting
- Review of Internal Controls and Risk Management Systems
- Review of External Audit Reports
- Review of Internal Audit Reports
- Consider and Comment on Efficiency and Economy Measures
- Review Strategic and Annual Business Plans

The Audit Committee usually meets on a quarterly basis with at least one meeting per year in Roxby Downs.

The terms of 2 (two) current members expire on 28 February 2020.

4. Discussion

The Administrator has determined that he will not be a member of the Audit Committee, but will attend each meeting as an observer.

Trevor Starr has extensive Local Government experience including:
- Senior Management positions in State and Local Government which culminated in 15 years’ experience as Chief Executive of City Councils
- Owner and Director of StarrSolutions Management and Consulting
- State Library of South Australia, Past Member
- Local Government Mutual Liability Scheme, Past Member
- Southern Adelaide Development Board, Past Chair and Member
- YMCA, Hub Recreation Board, Past Chair and Member
- West Beach Trust, Past Member
- Western Waste Management Authority, Past Member
- Arts Advisory Council of South Australia, Past Member
He holds the following qualifications:
- Bachelor of Arts (Accounting)
- Graduate Diploma (Accounting and Public Sector Management)

Rosina Hislop has extensive governance and financial management experience including:
- Chair, SA Health, Southern Adelaide Local Health Network
- Chair, Seymour College
- Deputy Chair, ECH
- Director, GPEX
- Principals Australia Institute
- Accredited Facilitator for the Australian Institute of Company Directors Course
- Independent Chair of the Audit and Risk Committee of Local Government Association of South Australia
- Independent Member of the Risk and Compliance Committee of Prince Alfred College
- Founded RH Advisory
- Chartered Accountant and former partner of Ernst & Young
- Fellow of the Institute of Company Directors

These two nominees provide a strong blend of Local Government experience, public policy and general governance as has been the experience over the past two years.

David Powell, the Chair, appointment expires in 12 months and will remain as Chair for the ensuring 12 months.

5. **Policy Implications**

5.1 **Financial/Budget**

Budget provision for Board Members fees and meeting costs.

5.2 **Resources**

Council Staff supporting the function of the Audit Committee.

5.3 **Legal and Risk Management**

Compliance with the Local Government Act.

6. **Report Authoriser**

Roy Blight
Chief Executive
REPORT FOR ORDINARY COUNCIL MEETING

Meeting Date 29 January 2020

Title of Report Community Development Plan 2020-2022

1. Purpose

To review amendments made to and endorse the Community Development Plan 2020-2022.

2. Recommendation

That Council endorses the amended Community Development Plan 2020-2022 produced by the Roxby Downs Community Board.

3. Background

In 2018 BHP funded an organisation to assist the Community Board to produce a new Community Development Plan (“Plan”). This Plan replaces the last one which was written in 2005. As part of the process to develop the new plan the organisation conducted consultation sessions between May and December 2018. The consultations included: working with a consultative group of 21 local residents; holding community focus group sessions; conducting interviews with 60 community members; and conducting a community wide survey to identify priority areas. The community survey had 157 respondents.

The organisation completed its work in December 2018 and presented a draft Plan to the Community Board to review and consider. During January to April 2019 the Community Board sought additional feedback from its various subcommittees (Forums) which represented approximately 100 members. This process added further insight from very groups that would be responsible for implementing sections of the Plan. As a result of feedback received further work was undertaken to broaden the scope of the Plan. The Forums endorsed the revised Plan and it was released for public consultation in August 2019.

The new Plan was first released at the August market day and members of the community were invited to identify which actions they felt should be given priority. Approximately 80 people participated in this exercise with a wide mix of young/old, male/female and culturally diverse members contributing. Views were also sought via an online community survey during September which yielded 26 responses.

4. Discussion

As a result of this extensive consultation process the Community Board was confident that the new Plan met the needs of the community and it ratified the Plan at the meeting held on 30 September 2019.

This community driven Plan will help inform Council’s strategic planning processes and it presents opportunities for Council to collaborate with the Community Board and other stakeholders on actions of mutual benefit.

The Community Development Plan was presented to Council for endorsement at the 30 October Council meeting. Before endorsing the Plan Council requested that the Community Board consider the inclusion of the role of volunteers and emergency services within the Community Plan. These recommendations were endorsed by the Community Board at the meeting held on 25 November 2019 and the amendments are reflected in the amended Plan (attached).
The Community Board is a volunteer run organisation and the success of the Plan is entirely dependent on the contribution of volunteers in the implementation and delivery of actions and outcomes. A paragraph acknowledging this critical role has been included in the Plan.

An action to strengthen links between the Community Board and the Roxby Downs Emergency Committee has also been added. This committee comprises representatives from SAPOL, SES, CFS, SA Ambulance, Council and BHP and the Roxby Downs Health Service.

5. Policy Implications

5.1 Financial/Budget

There has been no impact on the budget with the development of the plan. There is an annual budget allocation of $5,000 to support the Board’s operating expenses.

5.2 Resources

Council staff supported the Board during the consultation process and assisted with seeking feedback from the Forums, creating the online survey, setting up for market day, analysing and summarising the results and in producing the final document.

5.3 Legal and Risk Management

There are no risks to Council associated with this Plan

6. Report Consultation

Roy Blight - Chief Executive
Sasha Yantewo - Community Team Coordinator
Roxby Downs Community Board

7. Attachments

Roxby Downs Community Board Community Development Plan 2020-2022

8. Report Authorisers

Michelle Hales
Group Manager Governance and Community
Roxby Downs Community Development Plan 2020-2022

Ratified by the Roxby Downs Community Board
30 September 2019
Background

- During May-December 2018 BHP engaged FSG to support the Community Board to help create a new Community Development Plan ("Plan") as the last one was written in 2005. FSG is an international consulting firm which specialises in social impact strategies and has experience working in other BHP communities in WA, QLD and NSW.

- FSG’s consultation process included: working with a consultative group comprising 21 local residents, holding community focus group sessions and interviews with over 60 community members; and conducting a community wide survey to identify priority areas. The community survey had 157 respondents.

- FSG completed its work in December 2018 and presented a draft Plan for the Community Board to review and consider.

- During January – April 2019 the Community Board sought additional feedback from its various subcommittees (Forums) who represented approximate 100 members. This process added further insight from groups who would be responsible for implementing sections of the Plan. As a result of feedback received further work was undertaken to broaden the scope of the Plan.

- The final version of the Plan was ratified by the Roxby Downs Community Board in September 2019

- The Plan was submitted to the Municipal Council of Roxby Downs for endorsement in November 2019. The Council recommended that the important role of volunteers in delivering the plan and contributing to the betterment of the community be acknowledged in the Plan along with strengthened linkages between the Plan and emergency services.

- The Community Board agreed to Council’s recommendations on 25 November 2019
The Plan

- The Community Board and Forums will drive and support the implementation of the Plan with the assistance of key community stakeholders.

- The Community Board acknowledges the critical role that volunteers will play in delivery of the actions and outcomes and it is through these efforts that community grows and prospers.

- The Plan reflects the key themes of: Leadership, Health and Wellbeing, Youth, Economic Prosperity and Community Vibrancy and focuses on cross-sector collaboration.

- This is a three (3) year plan with activities spread across this time period.

- The Plan will be reviewed annually to monitor progress.

- The Forums will prepare Annual Business Plans and take responsibility for and prioritise actions relevant to their sector each year and report back to the Community Board about progress.
Leadership

**Vision:** Roxby Downs is a thriving community that works together to achieve a sustainable future

**Goals:**
- Advocate on behalf of the Roxby Downs Community to improve services and facilities
- Facilitate the active participation and empowerment of local residents through community development activities
- Recognise and celebrate community achievements

**Activities:**
- Act as the representative voice for different sectors of the community to the Council, other tiers of government, BHP and other key stakeholders
- Advocate to government for increased support services for families
- Drive inclusion of local priorities for Council’s annual budgets and plans
- Engage with and listen to the community through Market days and other events to identify emerging community needs
- Seek solutions to community problems and develop strategies to take advantage of opportunities
- Through a governance framework support the Forums to be well managed with facilitate access to resources and opportunities to apply for grant funding to support forum activities
- Work towards achieving the community’s vision by overseeing the implementation of the Roxby Downs Community Development Plan
- **Recruit community members to join forums and contribute to community development goals**
  - Use local media to increase awareness of what’s on offer for families, new residents, people from overseas and the general community
  - Interact with the community at Market Days to promote various community activities and volunteering opportunities
  - Support philanthropic and benevolent causes
  - Raise the Board and Forums’ profile in the community through improved branding and marketing
  - **Strengthen links between the Roxby Downs Emergency Committee and the Board through participation in meetings**
- Promote positive community spirit and success stories through local media (e.g. RoxFM, Roxby Chronicle and social media)
  - Run the Community Champion Awards to recognize outstanding contributions of volunteers
  - Recognise and promote local sporting achievements and volunteer commitments through the Australia Day Sports Awards
  - Recognise and celebrate the contribution of women within our community (e.g. through the running of the annual International Women’s Day event
  - Promote different cultures and diversity through activities and events that encourage participation and interaction
# Health & Wellbeing

**Vision:** Roxby Downs residents value good physical and mental health and achieve positive health outcomes

## Goals

| Improve access to physical and mental health services through advocacy | Improve linkages to physical and mental health services, activities and local events through collaboration and community participation | Build community knowledge and understanding of physical health, mental wellbeing and safety through education and information |

## Activities

<table>
<thead>
<tr>
<th>Lobby government for additional locally based and visiting health services</th>
<th>Run the biennial Happy Healthy</th>
<th>Monitor changes in local services through service mapping and the Regional Health Service Directory</th>
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</thead>
<tbody>
<tr>
<td>Act as a central point of contact for the community to raise issues of concern relating to health</td>
<td>Work in partnership with Time for Wellbeing, Country SA PHN, SA Health and Council to develop and deliver new health initiatives that support the strategic goals of each organisation</td>
<td>Deliver health awareness programs, workshops and events to strengthen community resilience and build capacity (e.g., suicide prevention and awareness)</td>
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<tr>
<td>Source grants and sponsorship to support health initiatives</td>
<td>Encourage community participation in the Community Foodies Program</td>
<td>Collect data from health services and the community to analyse trends and gaps</td>
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<tr>
<td>Raise health related issues with relevant government bodies on behalf of the community</td>
<td>Collaborate to develop cross sector health initiatives</td>
<td>Promote healthy lifestyles through health awareness and education campaigns using local media (e.g., RoxFM, social media)</td>
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<td>Provide input into the strategic health plans and health policies of other organisations</td>
<td>Raise visibility and profile of sport and recreation to the community</td>
<td>Increase awareness of road safety in the community particularly in the area of vulnerable road users (e.g., pedestrians, children, cyclists and younger drivers)</td>
</tr>
<tr>
<td>Contribute to Council’s Regional Public Health Plan</td>
<td>Promote health and wellbeing within the community through supporting local sporting events</td>
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</table>
Health & Wellbeing

**Vision:** Roxby Downs residents value good physical and mental health and achieve positive health outcomes

**Goals**

- Advocate for and strengthen local sporting and recreation clubs
- Support development of facilities that encourage increased participation in physical activity and social connections

**Activities**

- Promote Good Sports and drug and alcohol prevention and awareness to local sporting
- Improve governance in clubs through promotion of the STARCLUB club development program
- Encourage community members to take on management roles in clubs
- Provide training and development opportunities through the STARCLUB program
- Support the development of multipurpose change rooms suitable for males and females
- Advocate for the development of the Pump Track and facilitate design and construction and identify future uses (e.g. road safety training)
- **Lobby for more playgrounds, play space, community space, recreational spaces and facilities**
  - Advocate for and support clubs in the development and renewal of sporting facilities to ensure usage and demand is adequately met
  - Lobby for an outdoor gym circuit on suitable land
  - Explore the need and the feasibility of setting up a Community Shed/ Maker’s space/Tool Lending Library/Repair Café as positive mental health initiative
Economic Prosperity

**Vision:** A range of businesses thrive in Roxby Downs and contribute to a strong local economy

**Goals**

- More businesses are established in Roxby Downs
- Increased opportunities for businesses to network and collaborate effectively
- Local businesses are successful and sustainable

**Activities**

- Through business and community surveys identify gaps for certain types of businesses
- Identify and work to address barriers that might be preventing new businesses from coming to town or being established
- Establish demand for pop up shops and liaise with shopping centre management regarding use of empty space.
- Liaise with key stakeholders to improve the visual appeal and vibrancy of the town centre
- Explore opportunities for business incubator workspaces
- Provide support and pathways for women in business and women wanting to enter the workforce
- Research emerging trends to identify Jobs for the Future and required training
- Work with the Kokatha Corporation to explore business development and enterprise opportunities
- Create networking opportunities for businesses to come together in a supportive way to talk about their work, find opportunities to collaborate, and share advice regardless of business type
- **Collaborate with schools and other relevant stakeholders to strengthen education to employment pathways for youth**
  - Collaborate with CEG and MEGT for youth work experience opportunities
  - Work with apprenticeship brokers to promote local opportunities
- Collaborate with TAFE to provide feedback and coordination for required courses
- Work with Regional Development Australia Far North to deliver training programs for all businesses, including home based and microbusinesses, that build skills and capacity in areas such as finance and marketing
  - Introduce RDA Far North to local microbusinesses for individualized advice
  - Actively promote the C-RES program to local businesses to increase local buying power
  - Support local businesses to attract new suitably qualified and locally based employees through Trades and Career Expos
  - Support the growth of a local arts economy by providing opportunities for local artists and arts related businesses to thrive
Youth

**Vision:** Young people are engaged in Roxby Downs and see a bright future for themselves in the community

**Goals**

- Increased awareness of pathways for youth to find careers in Olympic Dam and other local businesses
- Increase awareness of mental and physical wellbeing through provision of information and access to activities
- Increased capacity of youth in Roxby Downs through a diverse range of activities

**Activities**

- **Support the Mining Minds-Pathways Project as required to map and understand education to employment pathways in Roxby Downs**
- Through a Career and Employment Expo raise awareness among students as early as year 7 and their parents about career options in Roxby Downs and the courses necessary to be eligible for pursuing those careers
- Encourage local businesses to advertise existing and upcoming employment and traineeship opportunities at schools
- Raise awareness of issues relating to drug and alcohol use
- Develop initiatives that support health and wellbeing of young people
- Raise awareness of road safety issues relating to young drivers
- Assist and support youth development at a grassroots and elite level through the operations of the Roxby Junior Sports Academy and fundraising to build the Junior Sports Development Fund
- **Work in partnership with local schools on health initiatives that support health and wellbeing of young people**
- Assist in promoting local Youth Health Services to the community
- Create greater awareness about existing activities and facilities that are available to youth in Roxby Downs (including but not limited to sports)
- Survey youth to understand their perspectives on existing services and identify needs for new services
- Through leadership and media training build capacity of youth to advocate for themselves
- **Support the Youth Advisory Committee to organize youth related events that increase participation**
- Celebrate successes in all endeavours through local media (RoxFM and social media)
## Community Vibrancy

**Vision:** Roxby Downs is a vibrant, inclusive, and engaging community that fosters connections between community members

### Goals:

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<td>Create awareness, acceptance and appreciation of cultural diversity in our community</td>
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<td>Recognise and celebrate the different aspects of our community through the arts and events</td>
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<td>Assist local families to strengthen their natural and community support systems</td>
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### Activities:

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<td>• Hold cultural awareness workshops</td>
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<td>• Work with representatives from BHP, SA Police, Strengthening Our Families and SA Health to share information, identify gaps and address needs</td>
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Vision: Roxby Downs is an environmentally friendly town with innovative and educational initiatives beneficial to the community and the preservation of the environment.

Goals:

- Drive environmental initiatives to the community
- Support community members and groups to make environmentally responsible decisions
- Support and advocate for environmental initiatives and the development of open space

Activities:

- Engage schools and pre-schools in learning opportunities about the environment, such as workshops at the Community Garden
- Engage the community in further environment education
- Partner with Arid Recovery in the delivery of the Wildlife Hotline
- Provide support and information on sustainability and gardening in an arid environment and water and power saving strategies
- Support businesses and groups to improve their sustainability practices (e.g. development of sustainability policies, supply chain reviews, bin audits etc.)
- Create, and support the development and redevelopment of community open spaces (e.g. The Emu Walk and Hermit Street Playground a nature play space)
- Manage the development and continued growth of the Community Garden
- Investigate and explore opportunities and technologies that could create or enhance environmental practices in the community (e.g. electric vehicle charging spots around the community)
- Investigate, explore and advocate for new opportunities to improve waste and recycling opportunities within the community
- Support the development of an industrial compost facility in Roxby Downs
- Advocate on behalf of the community on environmental concerns, initiatives and opportunities as the need arises
- Develop a quandong orchard in feature planting at the Community Garden
1. Purpose

To consider the introduction of two new non-standard cat registration fees

2. Recommendation

That Council adopts the following non-standard cat registration fees and includes them in the 2019/2020 Fees and Charges Register:

1. Non Standard Cat (not desexed/not microchipped) $66.00
2. Non Standard Cat Concession $33.00

3. Background

Dog and cat registration fees for 2019/2020 were reviewed and adopted by Council on 29 May 2019. The approved schedule of fees included a registration fee for a standard cat (i.e. one that is both microchipped and desexed) but not for a non-standard cat (i.e. one that is not desexed or microchipped).

Non-standard cat registrations fees are levied by other Councils.

4. Discussion

To comply with legislation all cats born after the 1 July 2018 must be desexed before 6 months of age or within 28 days after the owner takes possession. An exemption may be granted if desexing poses an undue risk to the health of the cat. For cats born after 1 July 2018 the application of a non-standard cat registration fee will enable Council to collect fees:

- for non-desexed cats which are less than 6 months of age
- when a change of ownership takes place but desexing has not yet occurred
- when an exemption applies

The non-standard cat fee provides for situations which were not envisioned when the fees were initially set by Council and encourages the registration of all cats which is a priority.

Without a nominated fee for a non-standard cat the DACO online system imposes a $0 fee resulting in a loss of income to Council.

The proposed fees are the same as those currently charged for non-standard dogs namely:

1. Non Standard Cat Fee $66.00
2. Non Standard Cat Fee Concession $33.00

5. Policy Implications

5.1 Financial/Budget

Minor increase in income from the registration of non-standard cats
5.2 Resources

Minimal staff time to update the Dog and Cat Online (DACO) register with new fees

5.3 Legal and Risk Management

There are no risks to Council associated with these fees. The aim is to facilitate the registration of all cats regardless of their status so that the environment is protected.

6. Report Consultation

Danielle Moore - Dog and Cat Online (DACO) Administration Officer

7. Report Authorisers

Michelle Hales
Group Manager Governance and Community
REPORT FOR ORDINARY COUNCIL MEETING

Meeting Date 29 January 2020
Title of Report Community Board Annual Grant 2019/2020

1. Purpose

To recommend approval of the annual operating grant for the Roxby Downs Community Board Inc. for 2019/2020

2. Recommendation

That the annual operating grant of $4,000.00 for the Roxby Downs Community Board Inc. be approved for 2019/2020.

3. Background

The Roxby Downs Community Board ("Board") was established by Council in 2005 and separately incorporated as a not for profit association in December 2006. The Association comprises the Board as the governing body and a number of forums. As the governing body the Board is responsible for: insurance; financial; marketing and legal costs; and any other costs that apply to the Association as a whole.

All events, projects and activities operate through the Forums and they source funding from a variety of grant funding bodies and sponsors. They also generate income from ticket and merchandise sales. As a result the Forums receive sufficient funding to meet their program, activity and project costs.

The Board itself does not have any recurrent sources of income to cover insurance and other operational costs. The Board pays for insurance that covers the entire Association comprising public liability, personal accident insurance for volunteers and officials. The public liability policy insures events across the Association involving up to 500 people. The cost of insurance for events in excess of 500 participants is met by Forums when they occur from their funding sources.

Since 2006 Council has provided the Board with an annual grant to support its operations. Council provides a range of in-kind resources to the Board throughout the year including staff time for executive administration, financial management, project and event management. Venues are provided at no cost. This in-kind contribution limits the amount of cash funding required by the Board (i.e. the Association) to operate each year.

4. Discussion

Historically Council has provided funding to the Board to cover operational expenses relevant to each particular financial year. For the 2019/2020 the projected expenses requiring support are:

<table>
<thead>
<tr>
<th>Insurance</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Liability</td>
<td>$1,142.53</td>
</tr>
<tr>
<td>Volunteers Insurance</td>
<td>$ 415.25</td>
</tr>
<tr>
<td>Association Officials Insurance</td>
<td>$ 671.66</td>
</tr>
<tr>
<td>Administration</td>
<td></td>
</tr>
<tr>
<td>Post Office Box</td>
<td>$ 135.00</td>
</tr>
<tr>
<td>Market Day stall</td>
<td>$  80.00</td>
</tr>
<tr>
<td>RoxFM Membership</td>
<td>$  50.00</td>
</tr>
<tr>
<td>Audit Fees</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Better Impact Volunteer Prog</td>
<td>$ 400.00</td>
</tr>
<tr>
<td>Sundry expenses</td>
<td>$  105.56</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$4,000.00</strong></td>
</tr>
</tbody>
</table>
The (unaudited) financial results of the Association for the last 3 years are attached to reflect the current financial position of the Association. These are consolidated accounts representing the entire Association.

5. **Policy Implications**

5.1 **Financial/Budget**

This expense falls within Council’s budget allocation for the Community Board for 2019/2020.

5.2 **Resources**

In-kind support provided by Council staff

5.3 **Legal and Risk Management**

As an incorporated Association the Community Board has a responsibility to protect volunteers and the public participating in its operations and activities. The annual grant is used to cover required insurance premiums and maintain appropriate insurance cover.

6. **Attachments**

Consolidated Financial Results for the last 3 years

7. **Report Authorisers**

Michelle Hales
Group Manager Governance and Community
## CONSOLIDATED FINANCIAL RESULTS OF THE ROXBY DOWNS COMMUNITY BOARD INC
### FOR THE LAST 3 FINANCIAL YEARS

### STATEMENT OF COMPREHENSIVE INCOME

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Income</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grants</td>
<td>64,078.46</td>
<td>67,583.64</td>
<td>122,411.40</td>
</tr>
<tr>
<td>Sponsorship</td>
<td>-</td>
<td>2,000.00</td>
<td>2,636.36</td>
</tr>
<tr>
<td>Ticket Sales</td>
<td>7,965.13</td>
<td>2,702.82</td>
<td>13,804.32</td>
</tr>
<tr>
<td>Other Income</td>
<td>5,971.80</td>
<td>6,642.72</td>
<td>11,663.48</td>
</tr>
<tr>
<td>Other donations</td>
<td>9,700.00</td>
<td>-</td>
<td>0.00</td>
</tr>
<tr>
<td>Sponsorship</td>
<td>-</td>
<td>-</td>
<td>2,545.45</td>
</tr>
<tr>
<td>Ticket Sales</td>
<td>7,079.00</td>
<td>5,952.00</td>
<td>1,037.00</td>
</tr>
<tr>
<td>Total Income</td>
<td>95,118.39</td>
<td>84,881.18</td>
<td>155,598.01</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Insurance</td>
<td>2,468.47</td>
<td>2,191.74</td>
<td>2,387.31</td>
</tr>
<tr>
<td>Venue hire/catering</td>
<td>23,121.60</td>
<td>26,107.43</td>
<td>15,348.23</td>
</tr>
<tr>
<td>Transport/travel/accommodation</td>
<td>4,304.31</td>
<td>2,038.10</td>
<td>10,210.44</td>
</tr>
<tr>
<td>Advertising/marketing</td>
<td>3,525.04</td>
<td>7,905.35</td>
<td>6,185.96</td>
</tr>
<tr>
<td>Event expenses</td>
<td>11,182.48</td>
<td>5,924.93</td>
<td>28,520.92</td>
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<tr>
<td>Materials</td>
<td>2,587.68</td>
<td>2,005.68</td>
<td>-</td>
</tr>
<tr>
<td>Books - printing</td>
<td>2,777.00</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Performers fees</td>
<td>12,733.33</td>
<td>22,964.57</td>
<td>37,758.27</td>
</tr>
<tr>
<td>GST net</td>
<td>7,132.91</td>
<td>7,104.79</td>
<td>2,880.00</td>
</tr>
<tr>
<td>Donation</td>
<td>3,250.00</td>
<td>400.00</td>
<td>800.00</td>
</tr>
<tr>
<td>Membership fees</td>
<td>531.82</td>
<td>722.73</td>
<td>345.45</td>
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<tr>
<td>Audit fees</td>
<td>650.00</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>15,334.88</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sundry</td>
<td>2,000.00</td>
<td>465.45</td>
<td>2,027.64</td>
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<tr>
<td>Website fees</td>
<td>17,934.00</td>
<td>2,429.11</td>
<td>-</td>
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<tr>
<td>Administration</td>
<td>1,597.12</td>
<td>-</td>
<td>440.35</td>
</tr>
<tr>
<td>Hub lease payments</td>
<td>24,999.96</td>
<td>-</td>
<td>24,999.96</td>
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<tr>
<td><strong>Total expenses</strong></td>
<td>136,070.60</td>
<td>80,144.88</td>
<td>131,904.53</td>
</tr>
<tr>
<td><strong>Net Income</strong></td>
<td>- 40,952.21</td>
<td>4,736.30</td>
<td>23,693.48</td>
</tr>
</tbody>
</table>

### BALANCE SHEET

**EQUITY**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Retained Profits - opening</td>
<td>143,202.10</td>
<td>102,249.89</td>
<td>100,663.35</td>
</tr>
<tr>
<td>Retained Profits - current</td>
<td>- 40,952.21</td>
<td>- 1,486.54</td>
<td>20,012.31</td>
</tr>
<tr>
<td><strong>TOTAL EQUITY</strong></td>
<td>102,249.89</td>
<td>100,763.35</td>
<td>120,675.66</td>
</tr>
</tbody>
</table>

represented by

**ASSETS**

**Current Assets**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank accounts</td>
<td>99,357.10</td>
<td>101,792.35</td>
<td>124,720.64</td>
</tr>
<tr>
<td>GST on purchases</td>
<td>9,357.28</td>
<td>5,900.80</td>
<td>10,243.54</td>
</tr>
<tr>
<td><strong>Total ASSETS</strong></td>
<td>108,714.38</td>
<td>107,693.15</td>
<td>134,964.18</td>
</tr>
</tbody>
</table>

**LIABILITIES**

**Current Liabilities**

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>GST on sales</td>
<td>6,464.49</td>
<td>6,924.99</td>
<td>14,288.52</td>
</tr>
<tr>
<td><strong>Total LIABILITIES</strong></td>
<td>6,464.49</td>
<td>6,929.80</td>
<td>14,288.52</td>
</tr>
</tbody>
</table>

**NET ASSETS**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>102,249.89</td>
<td>100,763.35</td>
<td>120,675.66</td>
<td></td>
</tr>
</tbody>
</table>
REPORT FOR ORDINARY COUNCIL MEETING

Meeting Date 29 January 2020
Title of Report New Policy – Remotely Piloted Aircraft System Operations

1. Purpose
   To review and adopt the Remotely Piloted Aircraft System (RPAS) Operations Policy.

2. Recommendation
   That Council adopt the Remotely Piloted Aircraft System Operations Policy as reviewed and that the Policy be published on Council’s website.

3. Background
   At the Council meeting of the 26 September 2019 it was determined that prior to Council Staff engaging in Remotely Piloted Aircraft System Operations that a local Policy and Procedure be approved and adopted.

4. Discussion
   The Municipal Council of Roxby Downs has approved the purchase of a Remotely Piloted Aircraft System (RPAS) / (Drone) to assist in managing day to day business with respect to assets at height and aerial photography / videography.
   It was determined that due to Roxby Downs’ geographical location within the Woomera Restricted Airspace, and to ensure compliance with Local By-laws and South Australian Civil Aviation Safety Authority (CASA) Regulations, a local Policy is required.
   Consultation with the controlling authority (RAAF Woomera) for the airspace was undertaken. Advice received was that compliance with CASA regulations is required, otherwise no additional requirements exist for operation of a RPAS within the Roxby Downs municipality.
   Further consultation was undertaken with CASA that advised that operations must be in accordance with any conditions imposed by the controlling authority.
   The Chief Remote Pilot is responsible for ensuring that operations are not planned or approved for such areas without the permission of the controlling authority.
   The Remotely Piloted Aircraft Systems Policy is intended as a guide for all staff and or contracted operators whose duties may include RPAS (Drone) operations in Roxby Downs. Individuals will be required to complete CASA approved training prior to operation of the RPAS.

5. Policy Implications

5.1 Financial/Budget
   $3858.00 has been approved for the purchase of the Phantom4 RPAS (Drone)

5.2 Resources
   There are no resource implications

5.3 Legal and Risk Management
   This Policy has been adopted to meet or exceed associated Legal requirements and Risk Management principals.
6. **Report Consultation**

   Senior Management Team  
   Greg Mason – Asset Administration  
   Jordon Thompson – ICT Assistant (Drone Pilot)  
   Amanda Astri – Research and Media  
   Joshua Daish – 20 SQN – Base Aviation Safety Officer / Executive Officer RAAF Woomera

7. **Attachments**

   Remotely Piloted Aircraft System Operation Policy

8. **Report Author**

   Greg Mason – Asset Administration

9. **Report Authoriser**

   Stuart Edwards  
   Group Manager Essential Services and Assets
# POLICY – Remotely Piloted Aircraft System Operations

<table>
<thead>
<tr>
<th>TITLE</th>
<th>POLICY – Remotely Piloted Aircraft System Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Latest Review Changes</td>
</tr>
<tr>
<td></td>
<td>Previous Council Reviews</td>
</tr>
<tr>
<td></td>
<td>Previous Audit Committee Reviews</td>
</tr>
</tbody>
</table>

### Applicable Legislation:
- Civil Aviation Safety Authority (Commonwealth)
- Air Navigation Act 1958 (Commonwealth)
- The State Records Act 1997 (SA)

### Related Policies (alphabetical list):
- Privacy Policy
- General Complaints Policy

### Related Procedures:
- RDC - Procedure for Remotely Piloted Aircraft System Operations

### Reference Documents:
- Minutes of Council Meeting 25 September 2019
PURPOSE
The purpose of this policy is to ensure that all legislated and Council requirements for operating a drone (RPAS) on Council Land are adhered to by Council staff and Contractors. The intent of these requirements is to protect people, property and aircraft from injury or damage that could result from a collision. This policy also provides clear guidelines for the internal use of drone technology for Council’s operations.

SCOPE
This policy only applies to drones operated by Council staff and contractors during the course of Council operations. Members of the public must comply with clause 9 of By-law No. 4 (Local Government Land) and seek permission when operating a drone on land owned by or under the care and control of Council.

POLICY
The operation of drones, also referred to as remote piloted aircraft systems (RPAS), is governed by the Civil Aviation Safety Authority (CASA) and determined by the Civil Aviation Safety Regulations. Council staff and Contractors operating Remotely Piloted Aircraft System/s must adhere to the requirements of the Civil Aviation Safety Regulations.

Flying drones from Council Land
Council Staff and Contractors must comply with any relevant CASA requirements and any conditions stipulated by Council before authority will be given for the operation of a drone.

Use of drone technology - Council staff and contractors
The use of drone technology will only be approved when operational efficiencies or benefits are identified and adherence to CASA regulations is demonstrated. Flight path information must be provided and where possible the drone should not operate over private property or alternatively the property owner’s consent in writing should be obtained prior to approval.

The Group Manager Essential Services and Assets must authorise any drone operation. Once authorised, the proposed drone flight can be lodged with CASA.

Data collection and management
All data collected or recorded by Council managed drones, including geospatial data, is owned by Council and is subject to Council’s Privacy Policy and the State Records Act.

Data is collected only for a specific purpose in support of a Council function.

Data gathered will be stored in Council’s Electronic Record Management System, enabling it to be used for operational and/or regulatory purposes.

Access and complaints
Requests by the public to access Council collected drone data will be assessed and managed in line with Council’s Privacy Policy and other relevant legislation.

Complaints regarding the use of drones by Council staff or contractors will be managed in accordance with Council’s General Complaints Policy.

LEGISLATIVE FRAMEWORK
- Civil Aviation Safety Regulations Part 101 (Commonwealth) outlines the rules governing all unmanned aeronautical activities into one body of legislation. It prescribes the rules for the use of unmanned remote piloted aircraft.
- Air Navigation Act 1958 (Commonwealth) Outlines the Law providing for the Application of the Commonwealth Air Regulations to and in relation of Air Navigation within the State of South Australia.
• The State Records Act 1997 (SA) regulates the maintenance of ‘official records’.

REVIEW AND EVALUATION

This policy will be reviewed and evaluated no less than once every two years or when there is a change in legislation.

AVAILABILITY OF POLICY

This Policy will be available for inspection at the Council office at 6 Richardson Place, Roxby Downs during ordinary business hours and is available to be downloaded, free of charge, from Council’s website: www.roxbydowns.com.au
REPORT FOR ORDINARY COUNCIL MEETING

Meeting Date: 29 January 2020

1. Purpose

To undertake a periodic review of the Equal Opportunity, Discrimination, Harassment and Workplace Bullying Policy.

2. Recommendation

That the updated version of the Equal Opportunity, Discrimination, Harassment and Workplace Bullying Policy, as presented, be adopted.

3. Background

Council policies are regularly reviewed on an annual or biennial basis to ensure that they are up to date and reflect the current operating environment. Council’s Equal Opportunity, Discrimination, Harassment and Workplace Bullying Policy is reviewed every 24 months and is currently due for review.

The purpose of the Equal Opportunity, Discrimination, Harassment and Workplace Bullying Policy is to articulate Council’s commitment to creating a workplace and provide services which are free from discrimination, harassment and bullying and where all people received fair and equitable treatment.

4. Discussion

The following changes have been made to the policy:

- legislation has been updated
- role of an Equal Opportunity Officer has been added.
- procedural matters have been removed

Council has two Equal Opportunity Officers who are trained in the application of this policy.

5. Policy Implications

5.1 Financial/Budget

Council has appointed two new Equal Opportunity Officers to replace the current Officers who have recently resigned. They will be undertaking training about their roles which will be delivered by the Equal Opportunity Commission (or other accredited provider). At the same time a training course is also to be organised in Roxby Downs to familiarise all staff with the requirements of this policy. The aim is to also have this training delivered by the Equal Opportunity Commission. Training costs have been provided for in the budget.

5.2 Resources

Nil

5.3 Legal and Risk Management

6. **Report Consultation**

   Senior Management Team  
   Mellissa Nilsen - Equal Opportunity Officer  
   Kerin Edmonds - Staff representative

7. **Attachments**

   Equal Opportunity, Discrimination, Harassment and Workplace Bullying Policy.

8. **Report Authorisers**

   Michelle Hales  
   Group Manager Governance and Community
# Policy - Equal Opportunity, Discrimination, Harassment & Workplace Bullying

## Responsible Department
Human Resources

## Original Adoption Date
15.09.16

## Current Adoption Date
NA

## Audit Committee Review Date
NA

## Date of Review
29.01.22

## Latest Review Changes
Legislation updated, role of Equal Opportunity Officer added, procedural matters removed

## Previous Council Reviews
15.09.16, 27.09.17

## Previous Audit Committee Reviews
Not applicable

### Applicable Legislation:
- Disability Discrimination Act 1992 (Cth)
- Workplace Gender Equality Act 2012 (Cth)
- Human Rights and Equal Opportunity Commission Act 1986 (Cth)
- Privacy Act 1988 (Cth)
- Racial Discrimination Act (Cth) 1975
- Sex Discrimination Act (Cth) 1984
- Equal Opportunity Act 1984 (SA)
- Racial Vilification Act 1996 (SA)
- Work Health and Safety Act 2012 (SA)

### Related Policies:
- Code of Conduct for Local Government Employees
- Municipal Council of Roxby Downs Code of Conduct
- Municipal Council of Roxby Downs Enterprise Agreement 2017

### Previous Policy:
- Violence bullying in the workplace policy and procedure, discrimination and harassment policy

### Reference Documents:
- Safe Work Australia – Guide for preventing and responding to workplace bullying (2016)
1. PURPOSE

This Policy reflects the Municipal Council of Roxby Downs’ (“Council’) commitment to create a workplace which is free from discrimination, harassment (including sexual harassment) and bullying, where all people receive fair and equitable treatment and employees are permitted equal access and opportunity to progress to the full extent of their ability.

2. SCOPE

This policy applies to any person employed by the Council but includes any volunteers, trainees, work experience students and consultants undertaking work for, or on behalf of Council whether they are working in a full-time, part-time or in a casual capacity.

3. POLICY STATEMENT

The Council endeavours to create a culture where people of all backgrounds and experiences feel appreciated and valued. Council is committed to achieving equality of opportunity in service delivery and employment. People accessing services, job seekers and employees will be treated fairly and without discrimination.

Discrimination on the grounds of race, nationality, ethnic or national origin, religion or belief, gender, marital status, sexuality, disability, age or any other unjustifiable criterion will not be tolerated.

Council is opposed to all forms of unlawful and unfair discrimination (including harassment of any kind). Council will take appropriate action wherever instances of discrimination and harassment occur (Council must be made aware of these instances), both in the delivery of services and in the course of employment.

4. PRINCIPLES

4.1 Equal Opportunity

Equal Opportunity (EO) means fairly treating employees and customers.

Council endeavours to achieve the following for its employees and the community:

- Ensuring that all employees receive fair treatment when applying for jobs, promotion, transfer and training & development;
- Ensuring employment decisions are based on the merit principle. This means that selection will be based on skills, knowledge, qualifications and experience relevant to the job or situation;
- Eliminating discriminatory practices from its services to the community;
- Develop an ongoing Equal Employment Opportunity Program, practical implementation strategies, including training and development and ensure employees are kept well informed about these policies, procedures and implementation strategies.

In accordance with legislation it is unlawful for anyone to be treated unfairly on grounds of:

- Sex
- Marital status
- Pregnancy or medical condition
- Sexuality
- Race or religion
- Physical and intellectual impairment
- Age
4.2 Workplace Harassment and Bullying

Workplace harassment is any form of behaviour (including comments, jokes and innuendo) which is unwelcome and causes a person to feel offended, humiliated or intimidated (refer 4.3 for Sexual Harassment).

Workplace bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety¹.

Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

Unreasonable behaviour means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Examples of behaviour, whether intentional or unintentional, that may be workplace bullying if they are repeated, unreasonable and create a risk to health and safety include but are not limited to:

- Abusive, insulting or offensive language or comments;
- Aggressive and intimidating conduct
- Belittling or humiliating comments
- Victimisation
- Practical jokes or initiation
- Unjustified criticism or complaints
- Deliberately excluding someone from work related activities
- Withholding information that is vital for effective work performance
- Setting unreasonable timelines or constantly changing deadlines
- Setting tasks that are unreasonably below or beyond a person’s skill level
- Denying access to information, supervision, consultation or resources to the detriment of the worker
- Spreading misinformation or malicious rumours

4.3 Sexual Harassment

Sexual harassment refers to any form of behaviour (including physical contact, comments, jokes, threats and innuendo) that has a sexual element to it. That sexual element is unwelcome or uninvited and causes a person to feel offended, humiliated or intimidated. Sexual harassment is determined from the point of view of the person feeling harassed. It is how the behaviour is received, not how it is intended.

Sexual Harassment includes:

- uninvited physical contact or gestures
- unwelcome requests for sex or sexual acts
- intrusive questions or insinuations about a person’s private life
- displays of offensive or pornographic material in all forms
- sex-based insults or taunts
- unwanted invitations
- offensive communications (letters, phone calls, text messages, e-mails, social media posts etc).

5. RESPONSIBILITIES

Council requires all employees to behave in ways that promote equality and are non-racist, non-sexist and non-discriminatory. This applies to the way they behave to members of the public in the delivery of services and to other employees in the course of their work.

Employees should also draw to the attention of management any alleged unlawful or unfair discriminatory acts or practices.

The Chief Executive, Group Managers and Operations Managers have specific responsibilities to uphold equal opportunity and work place health and safety principles to prevent discrimination, harassment, bullying and promote equal employment opportunity in the work place and the provision of non-discriminatory services.

Should employees, through the course of their employment, be found to have caused or encouraged discrimination, this will be regarded as a particularly serious offence, rendering them liable to disciplinary action.

6. REPORTING DISCRIMINATION, HARASSMENT AND WORKPLACE BULLYING

Council takes all complaints seriously. All complaints from members of the public and employees will be dealt with promptly, impartially and confidentially.

Members of the public, including job seekers, who feel they have been unfairly treated, have the right to refer to Council’s Complaints Policy (which can be found on the Council’s website).

Employees have a range of options available to deal with equal opportunity, sexual harassment or workplace harassment and bullying issues:

- For sexual harassment/bullying - tell the harasser straight away that you do not want him or her to behave in that way
- Approach your Team Leader, Supervisor or Group Manager and divulge the complaint
- Seek initial advice from Council’s Equal Opportunity Officer
- Lodge a complaint under Council’s Grievance Resolution process (outlined in the Municipal Council of Roxby Downs Enterprise Agreement)
- Contact the Equal Opportunity Commission on (08) 8207 1977 for advice

The victimisation of a person who has lodged a complaint is illegal. Victimisation which results in people ignoring the complainant or treating them unfairly as a result of his/her complaint will not be tolerated and will be investigated accordingly.
Equal Opportunity Officer (EOO)

The EOO acts as a point of contact for employees experiencing difficulties in the workplace. The role of the EOO is to provide information to employees with concerns or complaints of discrimination, harassment or bullying in the workplace. If requested by the employee, the EOO may support the employee if they wish to make a formal complaint. The EOO does not have a role in investigating, arbitrating or resolving the complaint between the parties, but rather, to inform the person with the complaint what options are available.

Training, information and guidelines will be provided to the EOO who will maintain confidentiality and only take further action on specific complaints with specific permission of the person raising the matter, unless there is a threat of self-harm, harm of others or other criminal offences being (or about to be) committed.

7 RECORD KEEPING

Records, notes or reports on all complaints and/or grievances will be kept in accordance with the State Records Act 1997.

8. REVIEW AND EVALUATION

This policy will be reviewed and evaluated no less than once every two years or when there is a change in legislation.

9. AVAILABILITY OF POLICY

This Policy will be available for inspection at the Council office at 6 Richardson Place, Roxby Downs during ordinary business hours and is available to be downloaded, free of charge, from Council’s website: www.roxbydowns.com.au
1. Purpose

To adopt the new Expiation Review Policy which is to replace the outdated Expiation Fines Policy

2. Recommendation

That Council:

1. adopts the Expiation Review Policy as tabled and publishes this policy on the Council website
2. retires the Expiation Fines Policy and removes it from the Council website

3. Background

The Expiation Fines Policy is an old policy that does not reflect current legislation and is no longer relevant and meet the needs of Council. This Policy needs to be retired. It is recommended that this policy be replaced by a new Policy entitled the Expiation Review Policy.

The Expiation Review Policy acknowledges the rights of a person, who has been issued with an expiation under the provisions of the *Expiation of Offences Act 1996* ("the Act"), to seek a review.

The Policy provides a framework for Responsible Officers dealing with requests for review of expiation notices and ensures that requests are dealt with consistently, equitably, fairly and impartially.

4. Discussion

This document has been developed to provide transparent information to the public about the review policies and practices of the Council.

Council may consider withdrawing or waiving an expiation notice under the following circumstances:

- The alleged offender did not commit the offence (e.g. was not the owner of the dog or the owner of the vehicle at the time of the offence); or
- The expiation notice should not have been issued; or
- The expiation notice is defective (i.e. the notice is incorrect or a mistake has been made in issuing the notice); or
- The alleged offender did not receive the expiation notice until after the due date for payment has passed due to an error on the part of Council or the postal system; or
- The alleged offence is trifling; or
- Council is of the opinion that the alleged offender is suffering from a cognitive impairment that excuses the alleged offending; or
- Council decides that the alleged offender should be prosecuted for the offence.
It is a requirement under the Act that the applicant be advised in writing when an expiation notice has been withdrawn or waived and the reasons for the withdrawal or waiver.

If the decision is to not withdraw the expiation notice the applicant must be advised in writing of the reasons for the decision with a clear explanation of the options that remain available to the applicant.

The results of the review and the subsequent decision must be documented in Council’s record management system.

5. **Policy Implications**

5.1 **Financial/Budget**

There are minimal financial implications with the introduction of this policy

5.2 **Resources**

Staff time in dealing with reviews will be minimal

5.3 **Legal and Risk Management**

Compliance with the Expiation Offences Act 1996

6. **Report Consultation**

Stuart Edwards - Group Manager Essential Services and Assets

7. **Attachments**

Expiation Review Policy

8. **Report Authorisers**

Michelle Hales
Group Manager Governance and Community
**POLICY**

**TITLE** | **POLICY – EXPIATION REVIEW POLICY**
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| Latest Review Changes | This is a new policy to replace the Expiation & Fines Policy |
| | |
| Previous Council Reviews | NA |
| Previous Audit Committee Reviews | NA |

**Applicable Legislation:**
- Dog and Cat Management Act 1995
- Local Government Act 1999
- Road Traffic Act 1961 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions (Regulations 2014)
- Food Act 2001
- Public Health Act 2011
- Environment Protection Act 1993
- Fire and Emergency Services Act 2005
- Expiations of Offences Act 1996 and Expiation of Offences Regulations 2011
- Fines Enforcement and Debt Recovery Act 2017
- Local Nuisance and Litter Control Act 2016
- Council’s By-Laws

**Related Policies:**
- Review of Council Decision Policy
- Dog - Cat Management Policy - Procedure

**Related Procedures:**

**Reference Documents:**
- Expiation Notice
1. PURPOSE

The Municipal Council of Roxby Downs ("the Council") acknowledges the right of a person, who has been issued with an expiation notice ("the notice") under the provisions of the Expiation of Offences Act 1996 ("the Act"), to seek a review of Council’s decision to issue the notice.

This Policy provides an avenue for the review of a decision to issue an expiation notice under the Act and the requirements of Section 270 of the Local Government Act 1999.

This Policy is to ensure that all review requests are dealt with consistently, equitably, fairly and impartially. In all situations, the principles of natural justice will be applied.

2. SCOPE

This Policy applies to all expiation notices issued by Authorised Officers on behalf of the Council.

Expiation notices that have moved to the Fines Enforcement and Recovery Office for enforcement do fall within the scope of this Policy.

3. DEFINITIONS

Expiation Notice

An expiation notice refers to the notice issued by Council for (amongst other things):
- Dog and cat management offences pursuant to the Dog and Cat Management Act 1995
- Public realm use and management offences under the Local Government Act 1999
- Parking offences under the Road Traffic Act 1961
- Food safety offences under the Food Act 2001
- Public health offences under the South Australian Public Health Act 2011
- Breaches of the Environment Protection Act 1993
- Breaches of the Fire and Emergency Services Act 2005
- Breaches of the Local Nuisance and Litter Control Act 2016
- Offences against Council’s By-laws

An expiation notice provides the alleged offender with the opportunity to deal with the alleged offence by payment of a fee to Council without having to be summonsed to Court where they risk a fine and a conviction. An expiation notice alleging non-compliance with an Act may only be issued by an Authorised Officer who has been provided with the relevant authority to do so under either the Expiation of Offences Act 1996 or the relevant Act.

Trifling

In the context of this Policy an offence will be regarded as trifling and excused on the grounds that:
- There were compelling humanitarian or safety reasons for the offence; or
- The alleged offender could not, in all circumstances, reasonably have averted the offence
- The offence was merely a technical, trivial or petty instance of the offence

Responsible Officer

Responsible Officer refers to the Officers who are responsible for dealing with requests for review. These Officers are the Group Manager Governance and Community, the Group Manager Essential Services and Assets and the Chief Executive.
4. POLICY STATEMENT

4.1 Expiation of Offences Act

The Act provides for circumstances in which a person who has been given an expiation notice may apply to the Council for a review of the notice.

4.2 Review

4.2.1 If a person believes an expiation notice should not have been issued, or was issued without relevant or adequate evaluation of the circumstances surrounding the alleged offence, a request for review may be submitted to Council. The request must be in writing which may be in letter or email form. The request should set out the reasons why the recipient believes the notice should not have been issued and include supporting evidence.

4.2.2 Where the Council receives a request for a review of a notice the Responsible Officer will determine whether the offence to which it relates is trifling and if not, whether there are otherwise grounds to withdraw the notice under Section 16 of the Act.

4.2.3 The Responsible Officer shall consider withdrawing an expiation notice in the following circumstances:

- The alleged offender did not commit the offence; or
- A notice should not have been given with respect to the offence; or
- (in the case of a parking or traffic offence) Council receives a statutory declaration that declares that the alleged offender was not driving the vehicle or the owner of the vehicle at the time of the offence; or
- The alleged offender did not receive the notice until after the due date for payment has passed due to an error on the part of Council or the postal system; or
- The notice is defective; or
- The alleged offence to which the notice relates is trifling; or
- The Responsible Officer is of the opinion that the alleged offender is suffering from a cognitive impairment that excuses the alleged offending; or
- The Responsible Officer decides that the alleged offender should be prosecuted for the offence.

4.2.4 The Responsible Officer will make a determination based on the evidence provided as to the removal, waiver or reinstatement of the expiation notice. Factors that may be considered include, but are not limited to:

- Any errors or omissions of fact;
- Any errors or omissions in procedure; and/or
- Any evidence of extenuating or mitigating circumstances that may ameliorate the offence (such circumstances are considered on their individual merits)

4.2.5 A person’s inattention to their circumstances, or ignorance of the law will not be considered sufficient reason to withdraw an expiation notice.

4.2.6 A declaration of financial hardship is not sufficient grounds for the expiation to be waived by Council. However, in these circumstances the applicant can apply to the Fines Enforcement and Recovery Unit of the Attorney General’s Department to enter into a payment plan in respect of the notice.
4.3 **Completion of Review**

4.3.1 If a decision is made to withdraw the notice, the Responsible Officer must advise the applicant in writing, that the expiation notice has been withdrawn and the reasons for the withdrawal.

4.3.2 If, at the completion of the review, the decision is not to withdraw the expiation notice the applicant must be advised in writing of the reasons for the decision with a clear explanation of the options which remain available to the applicant namely:

- Pay in full the prescribed fee and any associated levies, in accordance with the procedures outlined in the *Expiation of Offences Act 1996*; or
- Enter into a payment plan with the Fines Enforcement and Recovery Unit; or
- Elect to be prosecuted and have the matter determined by a court.

4.4 **Responsibility and Authority**

4.4.1 Only Responsible Officers will be able to withdraw or waive an expiation notice.

4.4.2 A Responsible Officer may refuse to consider and application for review if it appears that the application is frivolous or vexatious.

5. **REVIEW AND EVALUATION**

This Policy will be reviewed and evaluated no less than once every three years or when there is a change in legislation.

6. **AVAILABILITY OF POLICY**

This Policy will be available for inspection at the Council office at 6 Richardson Place, Roxby Downs during ordinary business hours and is available to be downloaded, free of charge, from Council’s website: www.roxbydowns.com.au
REPORT FOR ORDINARY COUNCIL MEETING

Meeting Date 29 January 2020
Title of Report Regional Health Plan Review

1. Purpose

To provide information on the scheduled review of Council’s Regional Public Health Plan

2. For Information

The South Australian Public Health Act 2011 requires that Regional Public Health Plans must be reviewed at least once every 5 years. This is in addition to the progress reports that are prepared every 2 years for the Chief Public Health Officer.

Council’s first Regional Health Plan (“Plan”) was published in 2014 and is now due for review. This is the first 5 year review triggered under the Act. To support councils whose plans were due for review in 2019 the Local Government Association published the Guide to Regional Health Planning in October 2019. This publication is a resource to assist in the maintenance of regional public health plans and provides guidance on the best way to approach the 5 year review.

The review is an opportunity to reflect on whether the current Plan is meeting its objectives and to consider the following:

- Is implementation on track?
- What is working well, what is not?
- What are the opportunities and risks ahead?
- What needs to be retained and what can/should change?
- Have there been significant changes in demographics and/or health profile of the community?
- Have changes to the State Public Health Plan (2019-2024) necessitated changes to the Regional Health Plan
- Engagement and plan governance for the next planning cycle

There is no requirement to develop a whole new plan. By considering these questions councils will be in a position to determine whether their current plan is still relevant and needs no or only minor adjustments or whether significant changes are required.

For Council the review of the Plan is supported by a range of new location specific health data published by Government and other Health bodies in 2018 and 2019 as well as access to the results of two community consultations conducted in 2019 by the Roxby Downs Community Board and the Time For Wellbeing Project. These consultations have yielded valuable insights on local health issues that can help inform the Plan. The review is further supported by input from the Roxby Downs Health Forum and Country SA PHN whose representatives work at the coal face of health. Access to these resources means that data gathering is almost complete with only targeted consultation of priority populations required (including: Aboriginal people, people from culturally and linguistically diverse backgrounds) to complete the Plan.
The Act does not prescribe a timeframe or completion period, however, our aim is to complete the review and have the Plan ready for adoption at the June 2020 Council Meeting. The attached project timeline outlines the steps needed to complete the review prior to adoption by Council. Whilst it is forecast to complete data gathering by the end of March stakeholder consultation (which includes the Minister for Health and Wellbeing and the Chief Public Health Officer) as well as the statutory 3 week period for public consultation will add extra time before the Plan can be ready for adoption.

3. Policy Implications

Financial/budget - there is a budget allocation of $20,000 to undertake external community consultation with priority population groups. This is the only element of the review requiring external resources. It is anticipated that the full budget may not be required as research, data analysis and writing of the Plan will be done internally.

4. Report Authorisers

Michelle Hales
Group Manager Governance and Community
**REGIONAL HEALTH PLAN**

**PROJECT TIME LINE**

**INTERNAL** – **EXTERNAL**

**DECEMBER 2019 TO JANUARY 2020**
- Gather, review and analyse location specific health related data published in reports

**FEBRUARY 2020**
- Write commentary for the Plan based on data collected
- Develop a consultation plan targeting priority populations
- Engage external consultant to undertake consultation with priority populations
- Seek feedback from the Roxby Downs Health Forum on emerging trends

**MARCH 2020**
- Consultation with priority populations

**APRIL 2020**
- Add commentary to the Plan relating to consultation with community. Prepare draft Plan
- Draft to Roxby Downs Health Forum and Country SA PHN to check and add content

**MAY 2020**
- Draft to Minister for Health and Wellbeing - endorsed to release to other parties
- Draft Plan to Chief Public Health Officer for consultation
- Draft Plan to stakeholders - BHP, Roxby Downs Health Forum and Country SA PHN for consultation
- Release draft Plan for public consultation

**JUNE 2020**
- Amend Plan to reflect stakeholder and community consultation
- Plan finalised and adopted by Council