



Reference: AF11/866 SW

4 March 2015

## MEMBERS

**NOTICE** is hereby given that the Operational Services Committee will meet in the following Meeting Room on the day, date and time as follows:

**Operational Services Committee**  
(Conference Room - Level 1):

Tuesday, 10<sup>th</sup> March 2015 at 7:30 a.m.

An agenda for the meeting is enclosed herewith.

**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

## OPERATIONAL SERVICES COMMITTEE

Meeting to be held on Tuesday, 10<sup>th</sup> March 2015 at 7.30 a.m.

### AGENDA

1. COMMITTEES - Internal - Operational Services Committee - re Projects to be undertaken by the Operational Services Department, Engineering Division, during month - Ref. AF11/866
2. ENVIRONMENTAL MANAGEMENT - Backyard Burning within City - Ref. AF11/356
3. COMMITTEES - Environmental Sustainability Sub-Committee - Minutes of Meeting held 24<sup>th</sup> February 2015 - Ref. AF12/377
4. ENVIRONMENTAL MANAGEMENT - Project Management - Assessment of Viability for Solar Power on Other Council Sites - Ref. AF14/95
5. PROPERTY MANAGEMENT - Committees - Report of the Aquatic Centre Management Advisory Group meeting held at 7:00 a.m. Wednesday, 18<sup>th</sup> February 2015 - Ref. AF11/1370
6. GOVERNANCE - Council Development Assessment Panel - Minutes of Meeting held 19<sup>th</sup> February 2015 - Ref. AF14/354
7. OPERATIONAL SERVICES REPORT NO. 10/2015 - Animal Management - Project Management - Enclosed Off-Leash Dog Park - Ref. AF11/138
8. CONSIDERATION FOR EXCLUSION OF PUBLIC

OPERATIONAL SERVICES COMMITTEE

Meeting to be held in the Conference Room, Operational Services Area, Level One of Civic Centre, 10 Watson Terrace, Mount Gambier, on Tuesday 10<sup>th</sup> March 2015 at 7.30 a.m.

AGENDA

PRESENT: Cr I Von Stanke (Presiding Member)  
Crs C Greco, D Mutton, P Richardson and F Morello

APOLOGIES: moved the apology received from be  
accepted.

seconded

COUNCIL OFFICERS: Director - Operational Services, Daryl Sexton  
Engineering Manager, Daryl Morgan  
Team Leader - Administration (Operational Services)

COUNCIL MEMBERS  
AS OBSERVERS:

**WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.**

MINUTES: moved the minutes of the previous meeting held on  
Tuesday, 10<sup>th</sup> February 2015 be taken as read and confirmed.

seconded

QUESTIONS: (a) With Notice - nil submitted.  
(b) Without Notice -

1. **COMMITTEES - Internal - Operational Services Committee - re Projects to be undertaken by the Operational Services Department, Engineering Division, during month - Ref. AF11/866**

The Engineering Manager reported the following works are to be undertaken/are currently being undertaken by the Operational Services Department, Engineering Division, during the month:

<u>Commenced Tasks</u>	<u>% Completed</u>
• Railway Lands Paving Works	15%
• Commerce Place Redevelopment stage	25%
• Wehl Street North (Commercial Street to Jane Street) reconstruction	25%
• Wandaree Court drainage construction	80%
• Caroline Landfill Cell 1 & 2 capping	15%

Completed Tasks

- Pram Ramp Program
- Road Reseal Program

moved the report be received.

seconded

Operational Services Committee Agenda for 10<sup>th</sup> March 2015 Cont'd...

**2. ENVIRONMENTAL MANAGEMENT - Backyard Burning within City - Ref. AF11/356**

<i>Goal:</i>	<i>Environment</i>
<i>Strategic Objective:</i>	(i) <i>Plan and implement infrastructure to protect and enhance the natural and built environment, including in response to climate change influences</i>
	(ii) <i>Support initiatives that value and preserve our unique environment and contribute to environmental sustainability</i>

The Director - Operational Services reported:

- (a) Backyard burning of greenwaste and/or rubbish is an ongoing issue within the City area. This is a particular problem for the fire service and the Environment Protection Authority (EPA) have quite often raised their concerns about air quality due to burning (not necessarily just backyard burning);
- (b) backyard burning during the declared fire danger season is very common and causes concerns to neighbours, the Metropolitan Fire Service (MFS) and Police (SAPOL). In the absence of any clear Council policy prohibiting this practice SAPOL have difficulty with enforcement;
- (c) in November 2014 Council Officers met with EPA, MFS and SAPOL for a round table discussion on this issue. The clear consensus from the attendees was for Council to consider a total, city wide ban on backyard burning all year;
- (d) Council has appropriate waste management facilities and services in place (including greenwaste) and there is no reason for anyone to burn rubbish in their backyard;
- (e) attached to this report is correspondence from the EPA and also a list of the call outs by the MFS from 2012 to 2014 for backyard burning. There is a significant cost to the community for MFS call outs;
- (f) a proposal to completely ban backyard burning may be contentious to some people and applauded by others and Council may wish to seek community input before deciding on a course of action.

moved it be recommended:

- (a) the report be received;
- (b) Council undertake City wide community consultation (in accordance with its public consultation policy) regarding the proposition to ban backyard burning in all areas of the City, year round, and a further report be prepared for Council's consideration following such consultation.

seconded

**3. COMMITTEES - Environmental Sustainability Sub-Committee - Minutes of Meeting held 24<sup>th</sup> February 2015 - Ref. AF12/377**

<i>Goal:</i>	<i>Governance</i>
<i>Strategic Objective:</i>	(i) <i>Demonstrate innovative and responsible organisational governance</i>

Operational Services Committee Agenda for 10<sup>th</sup> March 2015 Cont'd...

moved to be recommended:

- (a) The minutes of the Environmental Sustainability Sub-Committee held on Tuesday, 24<sup>th</sup> February 2015 be received;
- (b) the following recommendations (number 1 to 13) of the Environmental Sustainability Sub-Committee be adopted by Council:

1. ELECTION OF PRESIDING MEMBER

- The report be received;
- the above process to appoint the Presiding Member for the Environmental Sustainability Sub-Committee be adopted.

2. CALL FOR NOMINATIONS OF PRESIDING MEMBER

- The Returning Officer declared Cr Richardson be elected to the position of Presiding Member for the Environmental Sustainability Sub-Committee.

3. SCHEDULING OF MEETINGS

- The report be received;
- The Environmental Sustainability Sub-Committee to meet at 7:30 a.m. on the first Tuesday of each month.

4. TERMS OF REFERENCE

- The report be received;
- the Terms of Reference for the Environmental Sustainability Sub-Committee be reviewed by Council or the Operational Services Committee prior to 31<sup>st</sup> August 2015.

5. ORGANIC WASTE MODELLING AND ADVICE - FUTURE OPTIONS

- The report be received;
- starting in 2015, undertake an ongoing educational campaign to let residents know that they can put food scraps in their organics bin, and can also process it through on-site solutions like home compost or worm farms. A "bulk buy" arrangement for compost bins and worm farms should also be explored;
- also in 2015, conduct a survey of Mount Gambier residents on attitudes and practices in relation to how they manage organic waste;
- in the 2015/2016 financial year, offer free kitchen caddies and bio-bags to the first 2,000 subscribers to the Organics kerbside service who want them, in line with Scenario 2 of the Blue Environment modelling. The approximate cost of \$15,300 to be referred to the 2015/2016 budget. This should be followed up with a survey of users, as well as random anonymous organics bin audits in October 2015 to assess the performance of the system;
- review the results of the above roll out of kitchen caddies and bio-bags, with a view to establishing a universal organics system, in line with Scenario 5 of the Blue Environment modelling. A possible interim step could be giving kitchen caddies to the remaining organics subscribers in

Operational Services Committee Agenda for 10<sup>th</sup> March 2015 Cont'd...

in the 2016/2017 financial year. If the roll out progresses, an Implementation Plan should be formulated.

6. CAROLINE LANDFILL - INCOMING WASTE AUDIT
  - The report be received and contents noted.
7. ENVIRONMENTAL SUSTAINABILITY PROGRAM
  - The report be received;
  - Council endorse the high priority environmental sustainability projects for 2015, as follows:
    1. further development of the next steps from the 2014 Blue Environment report;
    2. establishment of a Materials Recovery Facility in Eucalypt Drive;
    3. Caroline Landfill waste mapping.
8. BIOGAS BASICS SEMINAR
  - The report be received;
  - the Presiding Member of the Environmental Sustainability Committee and the Environmental Sustainability Officer attend the 6<sup>th</sup> March 2015 Biogas Basics seminar on behalf of Council.
9. SOLAR POWER ON OTHER COUNCIL SITES
  - The meeting determined as Cr Mutton had disclosed a Conflict of Interest in Item 9 that there would no longer be a quorum to continue discussion on the Item; therefore Item 9 was not considered and the matter is now referred to the Operational Services Committee.
10. FRUIT AND NUT TREE EXPRESSIONS OF INTEREST
  - The report be received;
  - Council release a competitive Expression of Interest to the community for the planting of \$500 worth of edible plants in a Council reserve, at least 10 metres away from utilities infrastructure and houses, in line with the program as contained in this report.
11. PARTICIPATION IN EARTH HOUR 2015
  - The report be received;
  - Council participate in Earth Hour 2015 by switching off the external lights at Main Corner, City Hall, Vansittart Park, the Library, the Centenary Tower and the Lady Nelson Brig between 8:30 p.m. and 9:30 p.m. on Saturday, 28<sup>th</sup> March 2015.
12. MOUNT GAMBIER: EDIBLE CITY
  - The report be received;
  - Council endorse using the \$5,000 transferred from Opal to Council for the Mount Gambier: Edible City program. Any funds not spent in the 2014-2015 financial are to be carried over to the 2015-2016 financial year.

Operational Services Committee Agenda for 10<sup>th</sup> March 2015 Cont'd...

13. REPORTS FOR INFORMATION

- (a) Clean Up Australia Day
- (b) Park & Stride
- (c) Bin Tagging
- (d) Aquatic Centre Energy Audit
- (e) Environmental Sustainability program 2015 - Project Progress

- The report be received;
- items (a) to (e) as above be received and noted for information.

seconded

4. **ENVIRONMENTAL MANAGEMENT - Project Management - Assessment of Viability for Solar Power on Other Council Sites - Ref. AF14/95**

*Goal:* Environment

*Strategic Objective:* (i) Systematically build Council as an environmentally sustainable organisation

The Director - Operational Services reported:

- (a) At its meeting of Tuesday, 24<sup>th</sup> February 2015 the Environmental Sustainability Sub-Committee referred this item to the Operational Services Committee for resolution (as the Committee did not have a quorum to enable discussion to continue for this item);
- (b) following on from the Renewable Energy Options Investigation conducted in 2014, and the successful installation of a solar system on the roof of the Library, Council has the opportunity to conduct an assessment of its other major facilities for their suitability for solar power;
- (c) the aims of this project are to reduce long term electricity costs for Council, reduce susceptibility to rising electricity prices, reduce Council's greenhouse gas emissions, increase Council's support for and uptake of local renewable energy, and set an example to the local community;
- (d) reducing Council's greenhouse gas emissions, and increasing Council's support for and uptake of local renewable energy is in line with Council's commitment to the Natural Step Framework;
- (e) Council has received three quotes for the assessment of five major sites for their potential for solar power. The prices of the quotes are listed below:
  - Quark Consulting \$10,233
  - Intero Energy Systems \$15,000
  - Sunwiz \$2,500
- (f) the quote from Quark Consulting at \$10,233 is able to be funded from the 2014-2015 Environmental Sustainability budget. It is noted that the Sunwiz proposal is cheaper but did not include site visits or other elements such as costing structures, compliance analysis and onsite reporting. Also, Quark Consulting can provide project management services should any of the sites progress to the installation stage.

moved it be recommended:

Operational Services Committee Agenda for 10<sup>th</sup> March 2015 Cont'd...

- (a) The report be received;
- (b) Council commission Quark Consulting to undertake an assessment of Council's other major facilities for their suitability for solar power.

seconded

**5. PROPERTY MANAGEMENT - Committees - Report of the Aquatic Centre Management Advisory Group meeting held at 7:00 a.m. Wednesday, 18<sup>th</sup> February 2015 - Ref. AF11/1370**

*Goal: Building Communities*

*Strategic Objective: (i) Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc*

The Director - Operational Services reported:

- (a) The Aquatic Centre Management Advisory Group met on Wednesday, 18<sup>th</sup> February 2015 at 7:00 a.m. This meeting was attended by:

- Daryl Sexton, Director - Operational Services
- Peter Collins, Manager - Aquatic Centre

- (b) the matters discussed were as follows:

1. Boiler

- Fuel quality still an issue.
- Issues with dirt/dust etc.
- Really necessary to have very clean fuel of consistent chip size.
- Council still to give Innovative Leisure Management final invoice.

2. Contract

- Contract due 30<sup>th</sup> June 2015.
- 5 x 5 option.
- Innovative Leisure Management to notify intentions by 31<sup>st</sup> March 2015.
- 2015/2016 Business Plan - due for consideration say May 2015.

3. Chlorinator

- Has been de-calcified.
- Still not working correctly.
- Further research required.

4. Attendances

- January down about 15%, income down 20%.
- December - average.
- February - attendances up (due to Schools), should offset January shortfalls.
- Overall: recreational services slightly down.



Operational Services Committee Agenda for 10<sup>th</sup> March 2015 Cont'd...

5. Speaker Cabling

- Five (5) speakers to be re-wired with above ground cabling (\$1,000 - \$1,500).
- Inflatable - patched to a very large extent  
- time to replace.

6. Aqua Aerobics

- Substantial increase in interest with aqua aerobics.
- Quadrupled in last two (2) years with varying demographics.

moved it be recommended:

- (a) The report be received and contents noted.

seconded

6. **GOVERNANCE - Council Development Assessment Panel - Minutes of Meeting held 19<sup>th</sup> February 2015 - Ref. AF14/354**

*Goal: Governance*

*Strategic Objective: (i) Demonstrate innovative and responsible organisational governance*

moved it be recommended:

- (a) Minutes of the Council Development Assessment Panel meeting held on Thursday, 19<sup>th</sup> February 2015 be received;
- (b) the decisions made by the Council Development Assessment Panel be noted.

seconded

7. **OPERATIONAL SERVICES REPORT NO. 10/2015 - Animal Management - Project Management - Enclosed Off-Leash Dog Park - Ref. AF11/138**

*Goal: Building Communities*

*Strategic Objective: (i) Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met.*  
*(ii) Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc.*

moved it be recommended:

- (a) Operational Services Report No. 10/2015 be received;
- (b) Council endorse a 'community build' to assist with internal works at the enclosed off-leash dog park at Hastings Cunningham Reserve;
- (c) Council approve for works to commence for the enclosed off-leash dog park at Hastings Cunningham Reserve.

seconded

Operational Services Committee Agenda for 10<sup>th</sup> March 2015 Cont'd...

**MOTIONS WITHOUT NOTICE -**

**8. CONSIDERATION FOR EXCLUSION OF PUBLIC**

moved that the following item be received, discussed and considered in confidence by excluding the public pursuant to Section 90 (2) of the Local Government Act 1999, and an order be made that the public (with the exception of other Council Members and Council Officers now present) be excluded from the meeting in order for the item to be considered in confidence as the Council is satisfied that the item is a matter that can be considered in confidence pursuant to the grounds referenced in Section 90 (3) of the said Act as follows:

- S.90(3)(a) - information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and
- S.90(3)(i) - information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council.

The Council is satisfied that the information to be received, discussed or considered in relation to this item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person. The information that is to be received, discussed or considered in relation to this item relates to the commencement of prosecution proceedings pursuant to the Development Act 1993.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances as the matter is of a personal nature.

Item No.	Subject Matter	S90 (3) Grounds
Operational Services		
9.	<u>DEVELOPMENT CONTROL</u> - Illegal Development - Demolition of a Contributory Place - Ref. AF11/304	(a) (i)
10.	CONSIDERATION FOR KEEPING MATTERS CONFIDENTIAL	

seconded

The meeting closed at \_\_\_\_\_ a.m.

AF11/866

SW



24 November, 2014

Mr Daryl Sexton  
Director - Operational Services  
City of Mt Gambier  
P.O. Box 56  
MOUNT GAMBIER SA 5290

**Re: 'Backyard Burning' within the City of Mount Gambier**

Dear Mr Sexton,

Thank you for your time and that of your staff to attend the recent meeting to address the issues of 'backyard burning' (burning in the open on domestic premises) within the City of Mount Gambier.

Council officers authorised under the Act, normally Fire Prevention Officers or General Inspectors, are responsible for administering the Policy within their jurisdiction. The EPA does not issue permits or give consent for burning in the open; that responsibility has been delegated to councils by the Act in recognition of their sole responsibility for it in previous legislation (*Public Health Act 1935 & Clean Air Act 1984*). Similarly the EPA does not generally investigate complaints resulting from burning in the open.

As discussed during the meeting, the Environment Protection Authority has for some time been concerned about the impacts on air quality arising from poor waste management practises such as burning of green waste and other wastes within the City boundary.

Burning in the open on domestic properties was prohibited in most metropolitan council areas at the time of the introduction of the *Environment Protection (Burning) Policy* in 1993 (the '*Burning EPP*').

Since the inception of the Burning EPP, additional rural and regional councils have contacted the EPA and requested that they be added to Schedule 1 of the Burning EPP (ie areas in which backyard burning is prohibited). Some councils have requested a total ban (ie the entire council area), or have defined a portion of their council area (ie based on either specific zones from a development plan, or on geographic coordinates/maps) to regulate backyard burning in their community.

The non-metropolitan councils which have prohibited backyard burning as per the provisions of the Burning EPP are listed in Schedule 1 of the Burning EPP (copy attached), and include: Barunga West; Berri Barmera; Copper Coast; The Rural City of Murray Bridge; Light Regional Council; Loxton Waikerie; Port Augusta; and Renmark Paringa (refer to attached map).

Of these councils, all provide a green waste collection service to townships, with the District Council of Barunga West having an opt-in green waste collection, similar to that operated by the City of Mount Gambier.

*Impacts/Complaints:*

Other relevant data relating to 'backyard burning' has been provided by the MFS. Analysis of the MFS call-out data (attached) indicated that since July 2012 they have attended 163 backyard burns within the City of Mount Gambier. As mentioned by Dave



Colliar, Regional Commander MFS, during our meeting, these incidents have a significant financial burden on the MFS as a secondary crew is called in to man the station when the primary crews are despatched to an incident.

Since January 2010, the EPA has received only 24 complaints relating to either smoke or odour impacts arising from backyard burning (ie excluding domestic wood fired heaters). It is acknowledged that the EPA subset of complaints pales in comparison to the MFS incident logs, likely as a result of callers concerns relating to the immediate impacts of a fire and having those concerns addressed, rather than lodging a complaint about the impact.

#### *Health Costs:*

At the conclusion of the meeting, the EPA also undertook to provide the City of Mount Gambier with data regarding the health costs of backyard burning. Unfortunately I must advise that although the EPA recently undertook a costs study associated with health impacts arising from smoke (PM10 and PM 2.5) emissions, it was as part of a Regulatory Impact Statement (RIS) into regulations around domestic wood fired heaters, and this information cannot be directly translated to the health costs associated with backyard burning/burning in the open.

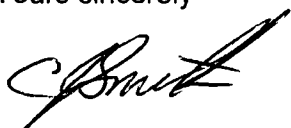
#### *Future Management of 'Backyard Burning'*

If the City of Mount Gambier wishes to play a part in managing the issue of backyard burning, by effectively prohibiting 'backyard burning' on domestic premises in accordance with Clause 5 of the Burning EPP, the process is straight forward. A brief letter to the Minister for Sustainability, Environment and Conservation, requesting that part (as defined by planning zones preferably, or via a map) or all of the council area be added to Schedule 1 of the *Environment Protection (Burning) Policy* is required. Once completed the information is published in the Government Gazette prior to being enacted and becoming part of the Burning EPP.

The power to appoint Authorised Officers to undertake the compliance duties associated with the Burning EPP is outlined in Section 85(3) of the *Environment Protection Act* (1993), and allows for a council to appoint Authorised Officers. Any fines from expiation notices issued by a council appointed Authorised Officer, are retained by the council in accordance with Clause 17(2) of the *Expiation of Offences Act* (1996).

If you have any queries relating to any of the issues raised in this letter, please contact Carl Smith on (08) 8735 1181 or [carl.smith@epa.sa.gov.au](mailto:carl.smith@epa.sa.gov.au).

Yours sincerely



Carl Smith  
**SENIOR ENVIRONMENT PROTECTION OFFICER  
REGULATION & COMPLIANCE DIVISION  
ENVIRONMENT PROTECTION AUTHORITY**



## MFS Incidents Attended July 2012 - Nov 2014

			Name	Type	
Jul-12					
Mon.	9th	16:56	Rubbish/Waste	Werona	St.
Tues.	10th	21:29	Rubbish/Waste	Pressy	St.
Sat.	14th	0:04	Rubbish/Waste	Ehret	St.
Sun.	15th	0:45	Rubbish/Waste	Phillip	St.
Tues.	17th	11:22	Rubbish/Waste	Dundee	St.
Thurs.	19th	15:29	Smoke in Area in Area	Byrne	St.
Fri.	27th	13:36	Rubbish/Waste	North	Tce. East
Mon.	30th	9:27	Rubbish/Waste	Elizabeth	St.
Aug-12					
Wed.	1st	14:52	Rubbish/Waste	North	Tce.
Sun.	12th	16:51	Rubbish/Waste	Suttontown	Rd.
Sun.	12th	18:27	Rubbish/Waste	Stafford	St
Sun.	26th	11:57	Rubbish/Waste	Cardinia	St.
Mon.	27th	16:29	Rubbish/Waste	Stafford	St.
Sep-12					
Thurs.	6th	22:20	Rubbish/Waste	Dutton/Playford	St
Sat.	22nd	13:11	Rubbish/Waste	Ehret	St.
Sun.	23rd	6:25	Smoke in Area in Area	Penola/Bay	Rd.
Mon.	24th	16:20	Rubbish/Waste	Canavan	Rd.
Mon.	24th	19:33	Rubbish/Waste	Burcham	St.
Oct-12					
Wed.	3rd	20:50	Rubbish/Waste	Crouch	St.
Fri.	12th	16:31	Rubbish/Waste	Wehl	St. North
Sat.	13th	20:04	Smoke in Area in Area	Tumut	Dr.
Mon.	15th	18:13	Rubbish/Waste	Lachlan	Cres.
Mon.	15th	18:41	Smoke in Area in Area	Burcham	St.
Thurs.	18th	14:29	Rubbish/Waste	Creek	St.
Sun	21st	16:21	Rubbish/Waste	Cardinia	St.
Wed	24th	21:24	Rubbish/Waste	Howard	St.
Wed	31st	19:50	Rubbish/Waste	Brilliant/Ingleby	St.
Nov-12					
Sat.	3rd	23:40	Rubbish/Waste	Maroonga	Cres.
Wed.	7th	21:15	Rubbish/Waste	Thomson	St.
Thurs.	8th	12:05	Rubbish/Waste	Jubilee Hwy East	Crouch St.
Fri.	9th	18:15	Rubbish/Waste	McArthur/Haddy	St.
Fri.	9th	20:39	Rubbish/Waste	Starline	Pl.
Sun.	18th	6:06	Rubbish/Waste	Penola	Rd.
Wed.	21st	13:24	Rubbish/Waste	Thomson	St.
Wed.	21st	18:07	Smoke in Area in Area	Mt Gambier North Primary School	
Thurs.	22nd	14:25	Rubbish/Waste	Newtown	Cres.
Fri.	23rd	21:09	Rubbish/Waste	Queens	Ave.
Tues.	27th	18:47	Rubbish/Waste	Union	St.
Fri.	30th	9:31	Rubbish/Waste	Elm	Ave.
Fri.	30th	11:24	Rubbish/Waste	Wireless	Rd. West
Fri.	30th	17:17	Rubbish/Waste	Tenison	Dr.
Dec-12					
Nil					
Jan-13					
Wed.	16th	5:27	Rubbish/Waste	Anthony St.	
Sat.	26th	7:42	Smoke in Area In Area	East Gambier	Oval
Sat.	26th	22:33	Rubbish/Waste	23 Orr St.	
Feb-13					
Nil					
Mar-13					

Fri.	1st	16:57	Smoke in Area in Area	McDonald Park Primary School		
Sat.	16th	17:31	Rubbish/Waste	Maxwell	St.	
Apr-13						
Sat.	6th	10:17	Rubbish/Waste	Illawong	Dr.	
Fri.	12th	18:09	Rubbish/Waste	Burcham	Pl.	
Sun.	21st	8:03	Smoke in Area	Tanglewood	Cres.	
Mon.	22nd	14:18	Rubbish/Waste	Arbor	St.	
May-13						
Wed.	1st	7:18	Smoke in Area	Birdwood	St.	
Wed.	1st	15:49	Rubbish/Waste	Ct.		
Thurs.	2nd	10:48	Rubbish/Waste	Ehret	St.	
Thurs.	2nd	18:38	Rubbish/Waste	Schinkle	St.	
Fri.	17th	16:54	Smoke in Area	Wehl	St.	North
Sat.	25th	14:07	Smoke in Area	Blackall	St.	
Jun-13						
Fri.	14th	13:39	Rubbish/Waste	Jubilee Hwy East/ Orr	Crouch St.	St.
Wed.	26th	16:26	Smoke in Area			
Jul-13						
Sat.	6th	15:07	Smoke in Area	McArthur	St	
Fri.	26th	15:44	Smoke in Area	Wehl	St.	
Aug-13						
Sat.	3rd	12:58	Smoke in Area	Wireless	Rd.	East
Mon.	5th	22:31	Smoke in Area	Veldarose	Ln.	
Sat.	10th	10:41	Rubbish/Waste	Hoskins	Ave.	
Wed.14th	-	21:00	Smoke in Area	Pick	Ave/Telford	St.
Sep-13						
Tues.	3rd	16:51	Rubbish/Waste	Kurrajong	St.	
Wed.	4th	18:00	Smoke in Area	Union	St.	
Tues.	10th	20:13	Smoke in Area	Werona	St.	
Thurs.	12th	17:30	Smoke in Area	Hart	St.	
Sat.	21st	15:29	Rubbish/Waste	West	St.	
Tues.	24th	12:08	Rubbish/Waste	Suttontown	Rd.	
Tues.	24th	14:45	Smoke in Area	Wehl	St.	North
Wed.	25th	8:47	Rubbish/Waste	Cardinia	St	
Fri.	27th	20:09	Smoke in Area	Cardinia	St.	
Oct-13						
Sat.	19th	0:03	Rubbish/Waste	Grantville	Pl.	
Mon.	28th	13:57	Rubbish/Waste	Jubilee	Hwy	West
Nov-13						
Wed.	13th	11:37	Smoke in Area	Sturt	St/Henty	St.
Thurs.	14th	15:36	Rubbish/Waste	Orr	St.	
Sat.	16th	13:00	Smoke in Area	Pick	Ave.	
Wed.	20th	6:31	Smoke in Area	Davison	Dr.	
Wed.	20th	11:51	Rubbish/Waste	Heath	St.	
Wed.	27th	17:51	Smoke in Area	Schinckel	St.	
Sat.	30th	23:00	Rubbish/Waste	Crouch	St.	
Dec-13						
Wed.	11th	18:20	Rubbish/Waste	Peake	St.	
Thurs.12th	-	17:49	Rubbish/Waste	Umpherston	St	
Sun.	15th	9:53	Rubbish/Waste	Bray	St.	
Sun.	29th		Smoke in Area	Jubilee	Highway	
Jan-14						
Wed.	1st	15:02	Smoke in Area	Lake	Tce.	
Mon.	6th	1:36	Rubbish/Waste	Kennedy Ave	Jubilee Hwy East	

Tues.	7th	16:12 Smoke in Area	Heath	St.	
Wed.	8th	21:42 Smoke in Area	Boree	St.	
Mon.	13th	0:47 Smoke in Area	Monash	Cres.	
Tues.	21st	21:11 Rubbish/Waste	Pressey	St.	
Thurs.	30th	18:33 Smoke in Area	Barwon	Cres.	
Feb-14					
Sun.	16th	19:22 Rubbish/Waste	Douglas	St.	
Mar-14					
Sun.	2nd	9:01 Smoke in Area	Howard	St.	
Tues.	4th	18:37 Smoke in Area	Edward	St.	
Tues.	18th	17:36 Rubbish/Waste	Miller	St.	
Sun.	23rd	23:19 Smoke in Area	Wallace	St.	
Mon.	31st	14:10 Rubbish/Waste	Bellaire	Cls.	
Apr-14					
Sat.	5th	20:58 Smoke in Area	Heath	St.	
Tues.	15th	18:21 Rubbish/Waste	Holloway	Cres.	
Wed.	16th	9:59 Rubbish/Waste	Penola	Rd.	
Sat	19th	17:00 Rubbish/Waste	Renfrey	Pl.	
May-14					
Thurs.	1st	16:28 Smoke in Area	Douglas	St.	
Thurs.	1st	17:38 Smoke in Area	Douglas	St.	
Mon.	5th	18:45 Smoke in Area	Pine	Hall	Ave.
Thurs.	8th	9:56 Rubbish/Waste	Ehret	St.	
Thurs.	8th	11:56 Smoke in Area	O'Leary	Rd.	
Tues.	13th	10:52 Rubbish/Waste	Blackhall	St.	
Wed.	14th	12:20 Rubbish/Waste	Kennedy	Ave.	
Wed.	14th	13:36 Smoke in Area	Nelson	St.	
Wed.	14th	19:21 Smoke in Area	Edward	St	
Sat.	24th	19:38 Rubbish/Waste	Agnes	St./Wehl	
Sat.	24th	20:48 Smoke in Area	Burcham	St.	
Jun-14					
Sat.	7th	16:54 Rubbish/Waste	Wireless	Rd.	East
Sat.	14th	0:48 Rubbish/Waste	Gerloff	St.	
Wed.	18th	14:51 Rubbish/Waste	Waterhouse	St.	
Thurs.	19th	15:23 Rubbish/Waste	McArthur	St.	
Jul-14					
Thurs.	3rd	13:28 Smoke in Area	Queens	Ave.	
Sat.	5th	17:37 Rubbish/Waste	Chestnut	Cl.	
Tues.	8th	13:20 Rubbish/Waste	Marara	St.	
Mon.	14th	20:57 Rubbish/Waste	Barwon	Cres.	
Tues.	15th	20:18 Rubbish/Waste	Jarrah	St.	
Mon.	21st	15:13 Smoke in Area	Maroonga	Ave.	
Tues.	22nd	11:39 Smoke in Area	John	Watson	Dr.
Aug-14					
Mon.	4TH	11:33 Rubbish/Waste	Ehret	St.	
Tues.	19th	17:02 Rubbish/Waste	Eglington	Tce.	
Wed.	20th	13:30 Rubbish/Waste	Myrtle	Cres.	
Sat.	23rd	21:12 Rubbish/Waste	Gumbirra	Ct.	
Sun.	24th	12:04 Rubbish/Waste	Lachlan	Cres.	
Mon.	25th	15:58 Rubbish/Waste	Boandik	Tce.	
Tues.	26th	19:25 Rubbish/Waste	Bray	St.	
Sat.	30th	20:55 Rubbish/Waste	Buronga	Ave.	
Sep-14					
Mon.	1st	16:36 Rubbish/Waste	Watson	Tce.	
Tues.	2nd	19:37 Rubbish/Waste	Bray	St.	
Thurs.	4th	12:15 Smoke in Area	Lindsay	St.	
Sat.	6th	14:21 Rubbish/Waste	Thomson	St.	



Sun.	7th	17:30 Rubbish/Waste	Willow	Ave./Jarrah	St.
Wed.	10th	10:38 Smoke in Area	Bay	Rd.	
Sat.	13th	18:13 Smoke in Area	Burchan	St.	
Sun.	14th	19:52 Rubbish/Waste	Elder	St.	
Sat.	20th	20:27 Rubbish/Waste	Penola	Rd.	
Sun.	21st	15:29 Rubbish/Waste	McArthur	St.	
Mon.	22nd	19:40 Rubbish/Waste	Crouch	St.	Sth.
Tues.	23rd	12:30 Rubbish/Waste	Blackwell	St.	
Sat.	27th	20:06 Rubbish/Waste	Eldridge	Dr.	
Sun.	28th	17:21 Rubbish/Waste	Barwon	Cres.	
Oct-14					
Thurs.	2nd	16:30 Smoke in Area	Queens	Ave.	
Sat.	11th	11:44 Smoke in Area	Derrington	St.	
Sat.	11th	18:16 Smoke in Area	Barwon	Cres.	
Wed.	15th	1:26 Rubbish/Waste	Hayes	Cres.	
Wed.	15th	16:11 Rubbish/Waste	Derell	St.	
Fri.	24th	10:22 Rubbish/Waste	Burchan	St.	
Fri.	24th	13:12 Rubbish/Waste	Morgan	St.	
Wed.	29th	14:59 Rubbish/Waste	Holloway	Cres.	
Nov-14					
Mon.	3rd	12:16 Smoke in Area	Boandik	Tce.	
Mon.	3rd	17:31 Rubbish/Waste	Blyth	St.	
Mon.	3rd	20:37 Rubbish/Waste	Cockburn	St.	
Sat.	8th	11:34 Rubbish/Waste	Newton	Cres.	
Sat.	8th	21:31 Smoke in Area	Shepherdson	Rd.	
Mon.	10th	16:00 Rubbish/Waste	Pecan	Pl.	
Thurs.	13th	22:27 Rubbish/Waste	Tumut	Dr.	
Sat.	15th	14:48 Smoke in Area	Whel	St./Allison	St

Version: 1.10.2009
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South Australia

## Environment Protection (Burning) Policy 1994

under the *Environment Protection Act 1993*

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### Contents

- 1 Short title
- 3 Interpretation
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Schedule 1—Council areas or portions of council areas in which burning on domestic premises is prohibited

Part 1—

Part 2—Maps

Legislative history

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### 1—Short title

This policy may be cited as the *Environment Protection (Burning) Policy 1994*.

### 3—Interpretation

- (1) In this policy—

*the Act* means the *Environment Protection Act 1993*;

*air pollution* means the emission into the air of any pollutant;

*chimney* means any structure designed or used for the purpose of emitting pollutants from any premises into the air;

*domestic incinerator* means an incinerator that—

- (a) has a capacity of less than 0.25 cubic metres; and
- (b) is used for burning the refuse from a private household or private households;

*domestic premises* means premises used for residential purposes and includes—

- (a) land designated for residential use as shown on the Development Plan pursuant to the *Development Act 1993* that is not currently occupied; and
- (b) premises used for both residential and other purposes,

and *non-domestic premises* has a corresponding meaning;

**Environment Protection (Burning) Policy 1994—1.10.2009**

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***fuel-burning equipment*** means any machine, engine, apparatus or structure in which, or in the operation of which, combustible material is burned, but does not include a motor vehicle;

***motor vehicle*** means any machine, however propelled, that is designed or used for the purpose of transporting goods, materials or persons, but does not include a crane, vessel or railway locomotive;

***occupier***, in relation to premises, means a person who has, or is entitled to, possession or control of the premises;

***premises*** means any land, building or structure, and includes a crane, vessel or railway locomotive;

***vessel*** means any ship, boat or other water craft.

- (2) For the purposes of this policy, a fire that is burning in the open air will be regarded as a fire in the open despite the fact that it is burning in connection with the operation of any fuel-burning equipment, or within a container of some kind, unless the fuel-burning equipment or container has a chimney through which the products of combustion are channelled.
- (3) In this policy, the expression ***Mandatory Provision*** followed by a statement as to the category of an offence is to be taken to signify that contravention of the provision at whose foot the expression appears will be an offence of the category so stated for the purposes of Part 5 of the Act.

**Note—**

Unless the contrary intention appears, terms used in this policy that are defined in the Act have the respective meanings assigned to those terms by the Act.

**4—Fires in the open on non-domestic premises**

- (1) Subject to subclause (2) and to the provisions of the *Country Fires Act 1989*, a person must not cause or permit the burning of matter by a fire in the open on any non-domestic premises without written consent given under this clause by the Authority or another administering agency, or a council or council officer as delegate of the Authority.

Mandatory Provision: Category B offence.

- (2) Subject to compliance with the provisions of the *Country Fires Act 1989*, subclause (1) does not apply to any fire in the open for—
  - (a) disposal of gaseous wastes; or
  - (b) recreational purposes, including barbecuing, picnicking, and scouting or similar outdoor activities; or
  - (c) agricultural purposes occurring outside of the municipalities of Adelaide, Brighton, Burnside, Campbelltown, City of Onkaparinga—all of the area of the City of Onkaparinga, Enfield, Glenelg, Henley and Grange, Hindmarsh and Woodville, Kensington and Norwood, Marion, Mitcham, Payneham, Playford, Port Adelaide, Prospect, Salisbury, St Peters, Tea Tree Gully, Thebarton, Unley, Walkerville and West Torrens, including disposal of dead stock, crop stubble or diseased crops and the clearing of land for farming; or
  - (d) instruction in methods of fire-fighting; or

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**1.10.2009—Environment Protection (Burning) Policy 1994**


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- (e) the prevention and control of bush fires; or
  - (f) any purpose on land or premises outside the area of any council.
- (3) Applications for consent under this clause must be forwarded in writing to the Authority or another administering agency, or a council or council officer authorised to act as delegate of the Authority, and must contain the following particulars:
- (a) the proposed location of the fire in the open;
  - (b) the name of the occupier of the premises or the owner of the land where the fire in the open is proposed to be lit;
  - (c) the reason for wishing to burn in the open;
  - (d) the matter or class of matter proposed to be burned;
  - (e) the quantity of such matter;
  - (f) the period or periods of time for which the consent is sought.
- (4) Where the Authority or another administering agency, or a council or council officer, gives a consent under this clause, the consent must be contained in a written instrument and be expressed to operate for such periods and subject to such conditions as the Authority, administering agency, council or council officer considers necessary or desirable to control or minimise air pollution from the land or premises concerned.
- (5) A person to whom a consent has been given under this clause must comply with any conditions specified in the consent.
- Mandatory Provision: Category B offence.
- (6) The requirements for consent under this clause have effect in addition to the general environmental duty imposed by Part 4 of the Act and the general offences contained in Part 9 of the Act, and hence a consent given under this clause does not bar proceedings for enforcement of that duty or such an offence in connection with the activity to which the consent relates. (Exemptions may be granted by the Authority under Part 6 of the Act for the purposes of burning in the open on non-domestic premises subject to the requirements of the Act).

### **5—Domestic burning and burning on streets, roads or laneways**

- (1) A person must not cause or permit the burning on any domestic premises of wood treated with copper-chrome-arsenate or other chemical preservatives.
- Mandatory Provision: Category D offence.
- (2) A person must not cause or permit the burning of matter by a fire in the open on any street, road or laneway.
- Mandatory Provision: Category D offence.
- (3) A person must not cause or permit the burning of matter by a fire in the open or in a domestic incinerator—
- (a) on any domestic premises situated within a council area or portion of a council area referred to in Schedule 1; or
  - (b) on any other domestic premises except between the hours of 10.00am and 3.00pm on Monday to Saturday (inclusive).
- Mandatory Provision: Category D offence.

**Environment Protection (Burning) Policy 1994—1.10.2009**

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- (4) A person must not cause or permit the burning of matter, other than dry paper, dry cardboard, dry wood or dried gardening prunings, on any domestic premises.  
Mandatory Provision: Category D offence.
- (5) Subclauses (3) and (4) do not apply to—
- (a) any fire within a dwelling; or
  - (b) any fire used principally for the preparation of food or beverages or the heating of a potable liquid; or
  - (c) the burning of charcoal within a brazier principally for the purpose of heating an area used for outdoor entertainment; or
  - (d) burning off by a person for the purpose of reducing the hazard of bushfires, provided that—
    - (i) the Authority or another administering agency, or a council or council officer as delegate of the Authority, has permitted the burning-off by notice in writing, or by notice published in a newspaper or other publication relating to burning-off in the area concerned, and the person complies with the conditions to which the permission is subject; or
    - (ii) the person has a permit under the *Country Fires Act 1989* to carry out the burning-off.
- (6) The Authority, other administering agency, council or council officer, in giving permission under this clause—
- (a) may give permission for such period, not exceeding two months, as the Authority, other administering agency, council or council officer thinks fit; and
  - (b) may impose such conditions in relation to the burning-off as the Authority, other administering agency, council or council officer thinks fit.
- (7) Permission given under this clause may be revoked or varied by the Authority or other administering agency, or the council or council officer responsible for giving the original permission.
- (8) This clause is subject to the provisions of the *Country Fires Act 1989*.
- (9) This clause does not apply to—
- (a) any land or premises located outside the boundaries of any municipality or township situated within a district council area; or
  - (b) any land or premises situated outside the area of any council.
- (10) The requirements under this clause have effect in addition to the general environment duty imposed by Part 4 of the Act and the general offences contained in Part 9 of the Act, and hence a permission given under this clause does not bar proceedings for enforcement of that duty or such an offence in connection with the activity to which the permission relates.
- (11) The Authority may not grant an exemption under Part 6 of the Act in relation to any mandatory provisions of this clause.

**1.10.2009—Environment Protection (Burning) Policy 1994**  
 Council areas or portions of council areas in which burning on domestic premises is prohibited—Schedule 1

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## **Schedule 1—Council areas or portions of council areas in which burning on domestic premises is prohibited**

### **Part 1**

#### **Adelaide**

#### **Barunga West—**

- (a) the following areas of the District Council of Barunga West defined in the relevant Development Plan under the *Development Act 1993*:
- the Settlement Zone at Alford;
  - the Settlement Zone at Bute;
  - the Residential Zone, Town Centre Zone, Industry Zone, Community Zone and Rural Living Zone at Port Broughton;
  - the Settlement Zone at Tickera; and
- (b) the following areas of the District Council of Barunga West:
- the area at Fishermans Bay shown as the hatched area on the map titled "Fishermans Bay" in Part 2;
  - the area at Kulpara shown as the hatched area on the map titled "Kulpara" in Part 2;
  - the area at Melton shown as the hatched area on the map titled "Melton" in Part 2;
  - the area at Mundoora shown as the hatched area on the map titled "Mundoora" in Part 2.

**Berri Barmera**—the area of The Berri Barmera Council excluding the following areas as defined in the relevant Development Plan under the *Development Act 1993*:

- Horticulture Zone;
- Dryland Farming Zone;
- Rural Zone.

#### **Burnside**

#### **Campbelltown**

**Charles Sturt**—all of the area of the City of Charles Sturt

**City of Onkaparinga**—all of the area of the City of Onkaparinga

**Copper Coast**—those zones within the District Council of Copper Coast shown on the Development Plan as—

- (a) land zoned for residential purposes;
- (b) all country township zones;
- (c) Kadina Town Centre Zone;
- (d) Historic (Conservation) Zone—Moonta Town Centre;

**Environment Protection (Burning) Policy 1994—1.10.2009****Schedule 1—Council areas or portions of council areas in which burning on domestic premises is prohibited**

(e) Holiday Settlement (Wallaroo North).

**Gawler**—the whole of the area of the Corporation of the Town of Gawler inclusive of that land zoned RuB of sections 3 and 4 in the Hundred of Nuriootpa, and land zoned RuL of section 3 in the Hundred of Nuriootpa, situated west of the road known as Riggs Hill Road, but excluding other lands zoned RuB, RuA, RuL, and Gawler East Area 2 as shown in the Development Plan under the Development Act 1993.

**Holdfast Bay**—all of the area of the City of Holdfast Bay

**Kapunda and Light**—the following zones, as identified in the Development Plan:

- (a) all areas in the district zoned as either Residential, Recreation or Centre Zones; and
- (b) the Industrial Zone at Freeling; and
- (c) the Town Centre Zone and Town Industry Zone at Kapunda; and
- (d) within Freeling, that land contained within and bounded by a line commencing on the north-western corner of allotment 265 on the corner of Railway Terrace and Daveyston-Templers Road and continuing down Daveyston-Templers Road in a south-westerly direction to the north-westerly corner of lot 101, deposited plan No. 17466, then travelling in a southerly direction to the south-western corner of lot 533, then travelling in a north-easterly direction to the north-western corner of lot 534, then travelling in a southerly direction to the south-western corner of lot 535, along the boundary of that allotment to the south-eastern corner of lot 535, then travelling north along Railway Terrace to join at the commencement point on the corner of Railway Terrace and Daveyston-Templers Road; and
- (e) all of that land contained within section 1822 in the Hundred of Nuriootpa; and
- (f) that land contained within the Rural Living Zone designated at the southern end of the town of Greenoch and bounded by the Residential Zone, Centre Zone, sections 148, 1672 and 166 in the Hundred of Nuriootpa.

**Loxton Waikerie** (areas including Residential (Loxton) Zone, Town Centre (Loxton) Zone, Industrial (Loxton) Zone, Special Uses (Showgrounds) (Loxton) Zone, Residential (Waikerie) Zone, Public Purpose (Waikerie) Zone, Town Centre (Waikerie) Zone, Industrial (Waikerie) Zone)

**Marion**

**Mitcham**

**Mount Barker**—the area of The District Council of Mount Barker excluding the following zones as defined in the relevant Development Plan under the *Development Act 1993*:

- Industry (Kanmantoo) Zone;
- Historic Township (Rural Setting Heritage Area) Zone (HT(4)) at Hahndorf;
- Rural Watershed Protection Zone;
- Rural (Mount Barker) Zone;
- Rural (Kanmantoo and Kondoparinga) Zones;
- Public Purpose Zone abutting the Residential Zone at Brukunga.

**The Rural City of Murray Bridge** (the township of Murray Bridge as gazetted in the Government Gazette, 17 July 1986)

**1.10.2009—Environment Protection (Burning) Policy 1994**

Council areas or portions of council areas in which burning on domestic premises is prohibited—Schedule 1

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**Norwood, Payneham & St. Peters**—all of the area of The Corporation of the City of Norwood, Payneham & St. Peters

**Playford**—the area of the City of Playford excluding the following areas as defined in the relevant Development Plan under the *Development Act 1993*:

- Extractive Industry Zone;
- Horticulture Zone;
- Horticulture West Zone;
- Rural Zone;
- Mount Lofty Ranges Rural Zone;
- Watershed Zone;
- Rural Living Zone;
- Hills Face Zone;
- Recreation (Motor Sports) Zone;
- Moss (Recreation) Zone.

**Port Adelaide Enfield**—all of the area of the City of Port Adelaide Enfield

**Port Augusta**—the area of the City of Port Augusta, but excluding those areas zoned rural, rural living and rural deferred (deferred urban) as described in the Supplementary Development Plan for the City of Port Augusta authorised on 1 March 1990.

**Prospect**

**Renmark Paringa**—the following areas of the Renmark Paringa Council:

- (a) the area at Lyrup shown as the hatched area on the map titled "Lyrup" in Part 2;
- (b) the area at Paringa shown as the hatched area on the map titled "Paringa" in Part 2;
- (c) the area at Renmark shown as the hatched area on the map titled "Renmark" in Part 2.

**Salisbury**—those zones or areas within the City of Salisbury shown on the Development Plan under the *Development Act 1993* as follows:

- (a) land zoned for residential purposes; and
- (b) all Country Township zones; and
- (c) the Rural Living (Bolivar) Zone.

**Tea Tree Gully**—except for the following zones as shown on the Development Plan under the *Development Act 1993*:

- (a) Rural A Zone; and
- (b) Rural Living Zone; and
- (c) Hills Face Zone; and
- (d) Mount Lofty Ranges Rural Zone.

**Unley**

**Walkerville**—all of the area of the Corporation of the Town of Walkerville.

**West Torrens**—all of the area of the City of West Torrens.

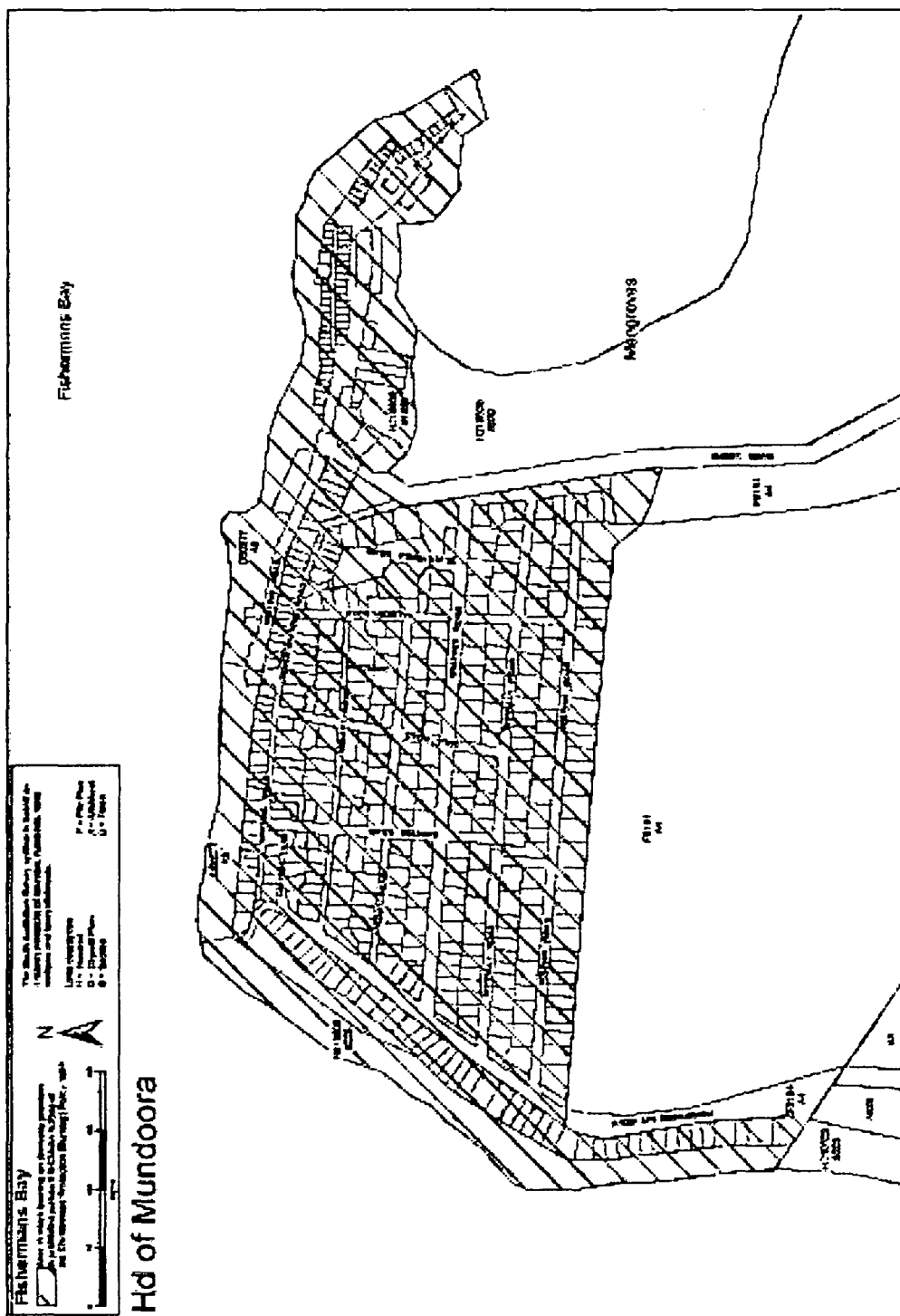


**Environment Protection (Burning) Policy 1994—1.10.2009**

Schedule 1—Council areas or portions of council areas in which burning on domestic premises is prohibited

**Part 2—Maps**

**Fishermans Bay**

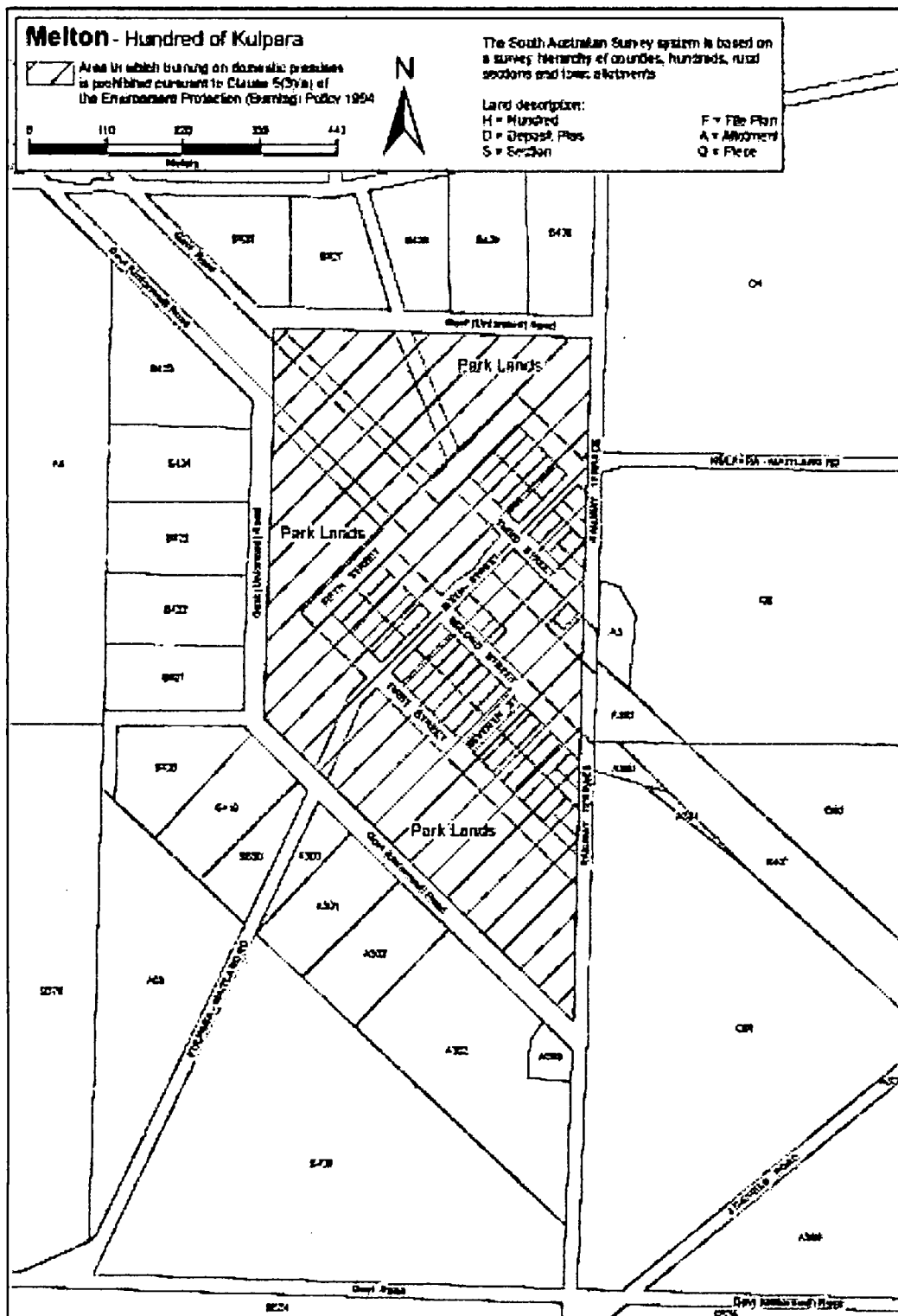






1.10.2009—Environment Protection (Burning) Policy 1994  
 Council areas or portions of council areas in which burning on domestic premises is prohibited—Schedule 1

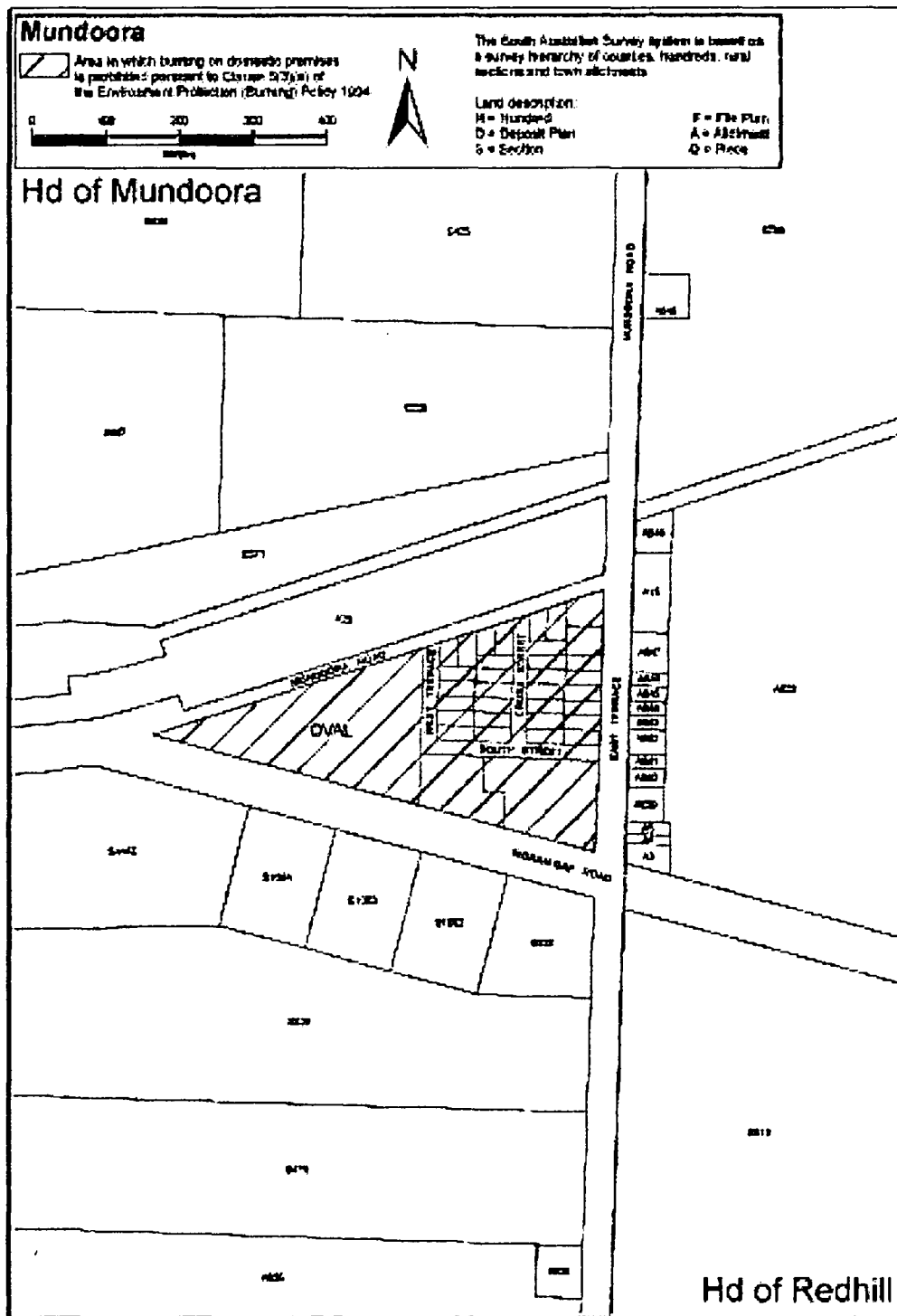
Melton



Environment Protection (Burning) Policy 1994—1.10.2009

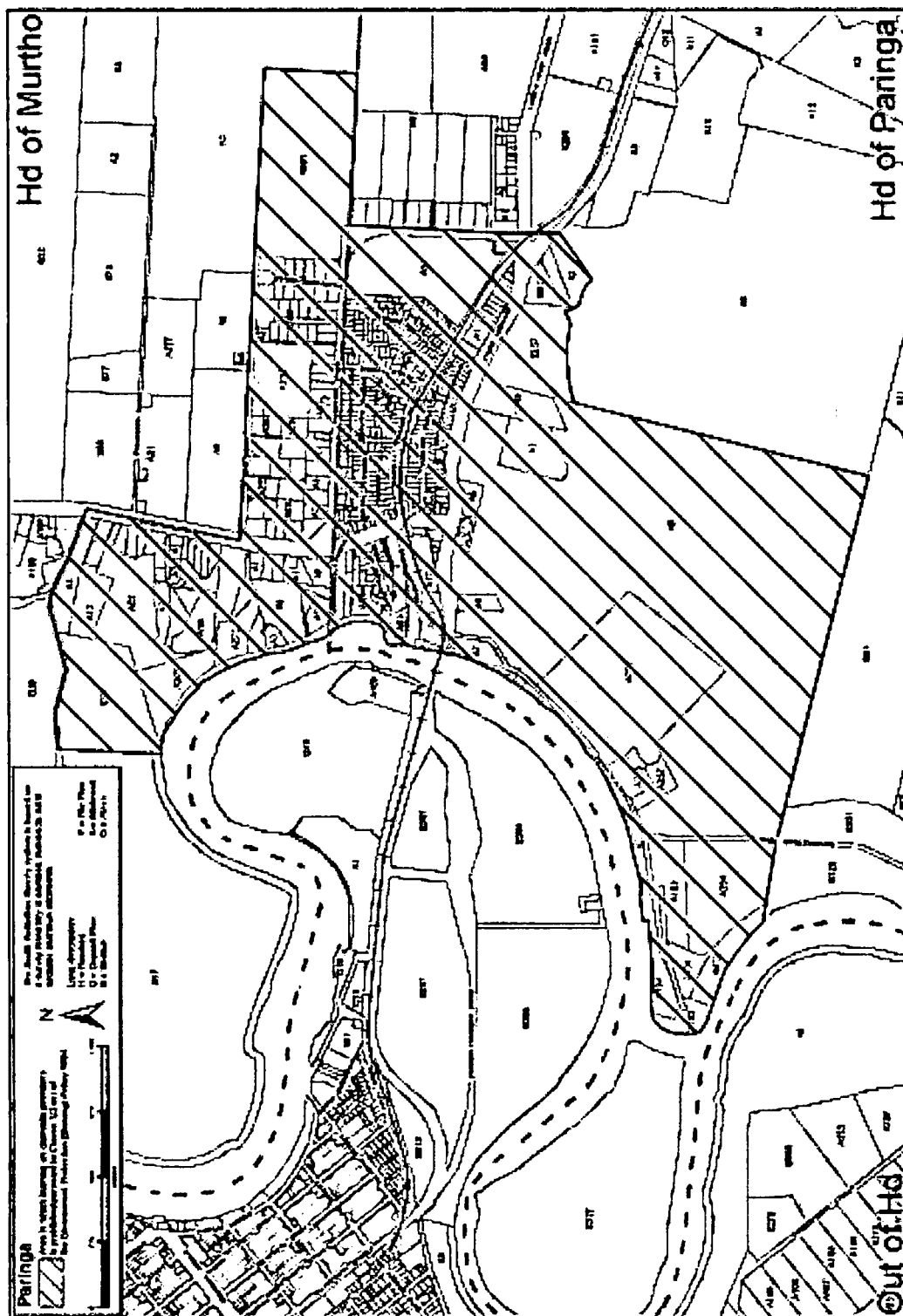
Schedule 1—Council areas or portions of council areas in which burning on domestic premises is prohibited

Mundoora



1.10.2009—Environment Protection (Burning) Policy 1994  
 Council areas or portions of council areas in which burning on domestic premises is prohibited—Schedule 1

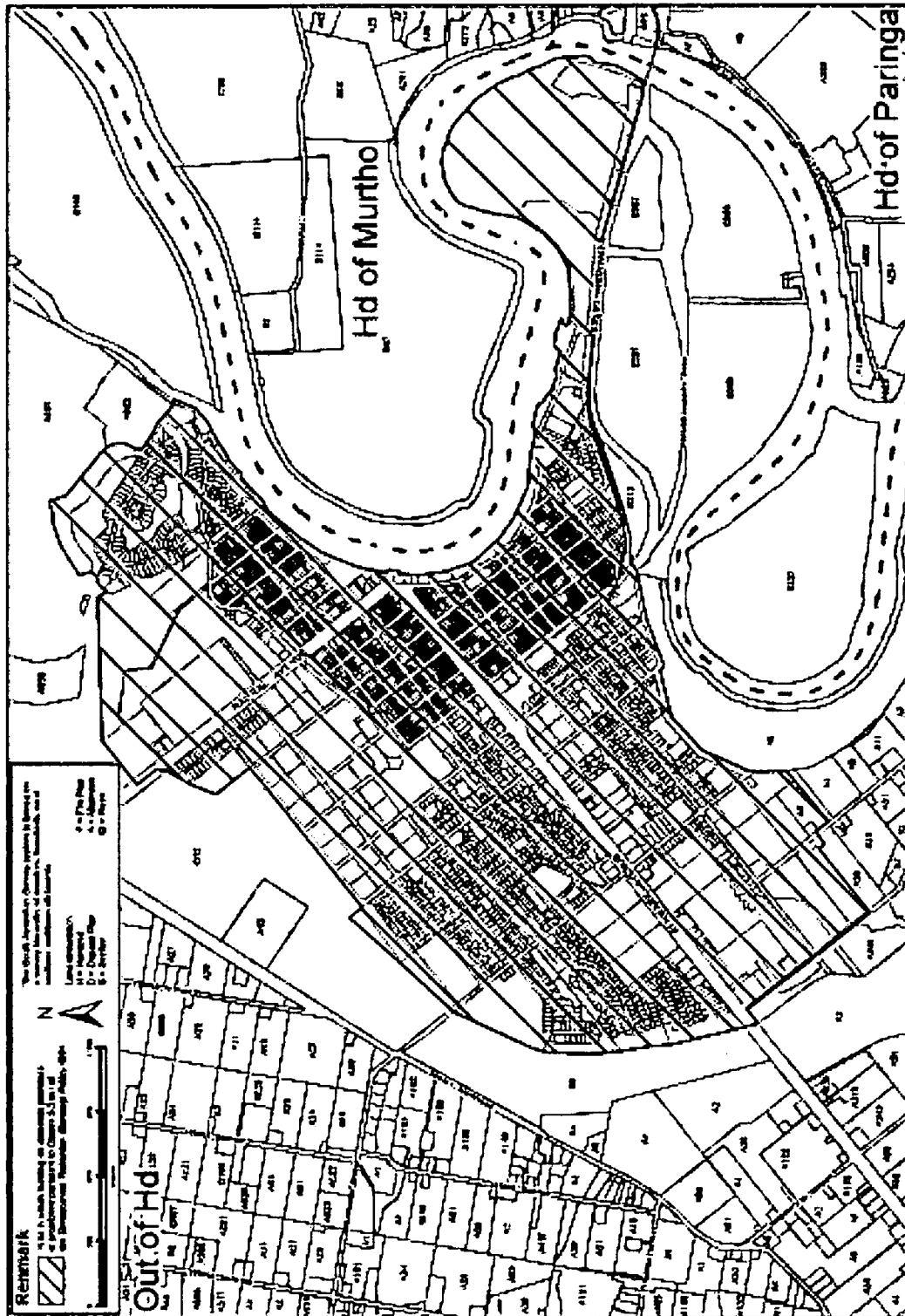
Paringa



**Environment Protection (Burning) Policy 1994—1.10.2009**

Schedule 1—Council areas or portions of council areas in which burning on domestic premises is prohibited

**Renmark**



## Legislative history

### Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of this policy (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal policy and amendments

New entries appear in bold.

Notice	Provision under which notice is made	Publication of policy in Gazette	Commencement
Gazette 27.10.1994 p1352	Sch 2 cl 5	<i>Gazette 27.10.1994 p1359</i>	1.5.1995: cl 2
Gazette 13.6.1996 p2921	s 32	—	13.6.1996
Gazette 17.10.1996 p1362	s 32	—	17.10.1996
Gazette 20.2.1997 p986	s 32	—	20.2.1997
Gazette 12.2.1998 p897	s 32	—	12.2.1998
Gazette 19.8.1999 p886	s 32	—	19.8.1999
Gazette 25.1.2001 p302	s 32	—	25.1.2001
Gazette 13.3.2003 p867	s 32	—	13.3.2003
Gazette 13.5.2004 p1242	s 32	—	13.5.2004
Gazette 13.5.2004 p1246	s 32	—	13.5.2004
Gazette 21.7.2005 p2419	Sch 1 cl 3 of Act 21/2005	—	21.7.2005
Gazette 3.11.2005 p3867	Act 21/2005	—	3.11.2005: cl 2
Gazette 20.4.2006 p1105	s 32	—	20.4.2006: cl 2
Gazette 19.7.2007 p3090	s 32	—	19.7.2007: cl 2
Gazette 3.7.2008 p3199	s 32	—	3.7.2008: cl 2
<b>Gazette 1.10.2009 p4763</b>	<b>s 32</b>	—	<b>1.10.2009: cl 2</b>



**Environment Protection (Burning) Policy 1994—1.10.2009**  
Legislative history

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## Provisions amended

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>cl 2</i>	<i>omitted under the Legislation Revision and Publication Act 2002</i>	<i>13.5.2004</i>
cl 4		
cl 4(1)	amended by 3.11.2005 p3867 cl 5(1)	3.11.2005
cl 4(2)	amended by 13.3.2003 p867	13.3.2003
	amended by 20.4.2006 p1105 cl 4(1), (2)	20.4.2006
cl 4(3)	amended by 3.11.2005 p3867 cl 5(2)	3.11.2005
cl 4(4)	amended by 3.11.2005 p3867 cl 5(3), (4)	3.11.2005
cl 5		
cl 5(1)—(4)	amended by 21.7.2005 p2419	21.7.2005
cl 5(5)	amended by 3.11.2005 p3867 cl 6(1)	3.11.2005
cl 5(6)	amended by 3.11.2005 p3867 cl 6(2)	3.11.2005
cl 5(7)	amended by 3.11.2005 p3867 cl 6(3)	3.11.2005
Sch 1		
Pt 1	Sch 1 redesignated as Pt 1 by 19.7.2007 p3090 cl 4(2)	19.7.2007
Council areas		
Barunga West	inserted by 19.7.2007 p3090 cl 4(1)	19.7.2007
<i>Berri and Barmera</i>	<i>inserted by 20.2.1997 p986</i>	<i>20.2.1997</i>
	<i>deleted by 20.4.2006 p1105 cl 5(1)</i>	<i>20.4.2006</i>
Berri Barmera	inserted by 20.4.2006 p1105 cl 5(1)	20.4.2006
<i>Brighton</i>	<i>deleted by 25.1.2001 p302</i>	<i>25.1.2001</i>
Charles Sturt	inserted by 25.1.2001 p302	25.1.2001
City of Onkaparinga	inserted by 13.3.2003 p867	13.3.2003
Copper Coast	inserted by 19.8.1999 p886	19.8.1999
<i>Elizabeth</i>	<i>deleted by 20.4.2006 p1105 cl 5(2)</i>	<i>20.4.2006</i>
<i>Enfield</i>	<i>deleted by 25.1.2001 p302</i>	<i>25.1.2001</i>
Gawler	inserted by 13.6.1996 p2921	13.6.1996
<i>Glenelg</i>	<i>deleted by 25.1.2001 p302</i>	<i>25.1.2001</i>
<i>Happy Valley</i>	<i>deleted by 13.3.2003 p867</i>	<i>13.3.2003</i>
<i>Henley and Grange</i>	<i>deleted by 25.1.2001 p302</i>	<i>25.1.2001</i>
<i>Hindmarsh and Woodville</i>	<i>deleted by 25.1.2001 p302</i>	<i>25.1.2001</i>
Holdfast Bay	inserted by 25.1.2001 p302	25.1.2001
Kapunda and Light	inserted by 12.2.1998 p897	12.2.1998

**1.10.2009—Environment Protection (Burning) Policy 1994**  
Legislative history

<i>Kensington and Norwood</i>	<i>deleted by 25.1.2001 p302</i>	<i>25.1.2001</i>
Loxton Waikerie	inserted by 13.5.2004 p1246	13.5.2004
<b>Mount Barker</b>	<b>inserted by 1.10.2009 p4763</b>	<b>1.10.2009</b>
<i>Munno Para</i>	<i>deleted by 20.4.2006 p1105 cl 5(3)</i>	<i>20.4.2006</i>
The Rural City of Murray Bridge	inserted by 13.5.2004 p1242	13.5.2004
<i>Noarlunga</i>	<i>deleted by 13.3.2003 p867</i>	<i>13.3.2003</i>
<i>Northern Yorke Peninsula</i>	<i>inserted by 13.6.1996 p2921</i>	<i>13.6.1996</i>
	<i>deleted by 19.8.1999 p886</i>	<i>19.8.1999</i>
Norwood, Payneham & St. Peters	inserted by 25.1.2001 p302	25.1.2001
Playford	inserted by 20.4.2006 p1105 cl 5(4)	20.4.2006
<i>Payneham</i>	<i>inserted by 13.6.1996 p2921</i>	<i>13.6.1996</i>
	<i>deleted by 25.1.2001 p302</i>	<i>25.1.2001</i>
<i>Port Adelaide</i>	<i>deleted by 25.1.2001 p302</i>	<i>25.1.2001</i>
Port Adelaide Enfield	inserted by 25.1.2001 p302	25.1.2001
Port Augusta	inserted by 17.10.1996 p1362	17.10.1996
Renmark Paringa	inserted by 3.7.2008 p3199 cl 4(1)	3.7.2008
<i>St Peters</i>	<i>deleted by 25.1.2001 p302</i>	<i>25.1.2001</i>
<i>Thebarton</i>	<i>deleted by 25.1.2001 p302</i>	<i>25.1.2001</i>
Walkerville	inserted by 19.8.1999 p886	19.8.1999
West Torrens	substituted by 25.1.2001 p302	25.1.2001
Pt 2	inserted by 19.7.2007 p3090 cl 4(2)	19.7.2007
Maps		
Lyrup	inserted by 3.7.2008 p3199 cl 4(2)	3.7.2008
Paringa	inserted by 3.7.2008 p3199 cl 4(3)	3.7.2008
Renmark	inserted by 3.7.2008 p3199 cl 4(3)	3.7.2008

### Historical versions

13.5.2004  
21.7.2005  
3.11.2005  
20.4.2006  
19.7.2007  
3.7.2008

COUNCIL DEVELOPMENT ASSESSMENT PANEL

Meeting held on Thursday, 19<sup>th</sup> February 2015 at 5.45 p.m. in the  
Conference Room, Level One - Operational Services, Civic Centre

MINUTES

PRESENT: Mrs E Travers (Presiding Member)  
Cr C Greco, Ms E Finnigan and Mrs M Trotter

APOLOGY/IES: Ms Finnigan moved the apology received from Cr I Von Stanke and Mr P Seebohm be accepted.

Cr Greco seconded

Carried

NOT PRESENT: Cr M Lovett

COUNCIL OFFICERS: Senior Planner, Simon Wiseman  
Planning Officer, Jessica Porter  
Administrational Officer - Operational Services, Sarah Moretti

**WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THE LAND.**

MINUTES: Ms Finnigan moved that the minutes of the Meeting held on Thursday, 22<sup>nd</sup> January 2015 be taken as read and confirmed.

Mrs Travers seconded

Carried

1. Council Development Assessment Panel Terms of Reference

Ms Finnigan moved it be recommended:

- (a) The Council Development Assessment Panel Terms of Reference (attached to this agenda) be adopted.

Cr Greco seconded

Carried

REPRESENTATIONS: The Presiding Member read the following statement to the Representor and Applicants that attended the meeting:

- Every Council is required to establish a Development Assessment Panel to determine and make decisions on development applications as delegated to the Panel.
- The Panel operates under the Development Act.
- When the Panel is considering an application, it must assess the proposal against Council's Development Plan.
- This will involve a judgement based on whether or not the proposed development meets and satisfies planning principles.
- The Development Assessment Panel consists of four (4) Independent Members and three (3) elected Council Members.
- The meeting itself is informal, however all decisions made by the Development Assessment Panel are formal.
- There will be no talking or interacting from the public gallery. If there is, you may be asked to leave.
- Once the panel has heard your representation we will ask you to leave as the Development Assessment Panel reaches its decision in confidence. You may ring your Council tomorrow afternoon to find out the results of tonight's meeting.

- You will each have five (5) minutes to make your presentation.

Development Application No: 381/0368/2014

- Tanina Morrone (the Representor), spoke in relation to these matters at 5.55 p.m.
- Ken Whitehead and Chris Tzioutziouklaris (the Applicants), spoke in relation to these matters at 5.59 p.m.

2. Development Number:	381/0368/2014
Applicant:	Whiteheads Timber Sales Pty Ltd
Owner:	D J & M A & K A & S E Whitehead
Description:	To install a timber spray system for the treatment of timber within the existing Dry Mill building
Address:	2 Eucalypt Drive, Mount Gambier
Nature of Development:	Consent / Category 3
Zoning:	General Industry
Report:	Council Development Assessment Panel Report No. 5 / 2015
Correspondence:	Correspondence from Applicant L.07, Statement of Representation from T, J & A Morrone L.08, Response from Applicant L.09, Correspondence from Applicant L.10, Correspondence from Environment Protection Authority L.11

The Council Development Assessment Panel moved it be recommended:

- Council Development Assessment Panel Report No. 5 / 2015 be received;
- The applicant and owner be advised that having regard to the Development Plan and all supporting documentation, that the proposed development is considered not to be at serious variance with the relevant Development Plan and is granted Development Plan consent, subject to the following conditions:
  - The development shall be carried out in accordance with the Plan/s as approved by the Council and with the Conditions of Approval.
  - The building and land shall not be used for purposes other than those approved by Council.
  - The use of the property shall not create a nuisance and/ disturbance for any person/s and/or property in the immediate area.
  - The buildings and surroundings shall be maintained in a state of good repair and tidy condition at all times.

#### PLEASE NOTE

- The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
  - The applicant is reminded that construction must be undertaken in accordance with Division 1 of Part 6 of the *Environment Protection (Noise) Policy 2007* at all times.
- (c) The applicant and owner be advised that the reasons for Council's Conditions of Development Plan Consent are:
- To ensure that the proposed development is used for purposes associated with the existing industrial land use of the subject site.

Council Development Assessment Panel Meeting Minutes held on Thursday 19<sup>th</sup> February 2015 Cont'd....

- 2. To ensure orderly and proper development.
- 3. The proposed development is not at serious variance to Council's Development Plan.

Carried

The meeting closed at 6:12 p.m.

20 February 2015  
AF14/354  
SM

CONFIRMED THIS DAY OF 2015.

.....  
PRESIDING MEMBER

SUBJECT: ANIMAL MANAGEMENT - Project Management - Enclosed Off-Leash Dog Park - Ref. AF11/138

Goal: *Building Communities*  
 Strategic Objective: (i) *Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met.*  
 (ii) *Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc.*

Goal: *Community Well-Being*  
 Strategic Objective: (i) *Advocate for the health needs of the community by encouraging partnerships in the provision of affordable and viable facilities and infrastructure.*

Budget line: 7680.5799 - RECREATION: Parks, Gardens & Reserves Program; (1) Dog Park (HCR)

Budget: \$35,000.00

CONCEPT: To establish a fully enclosed off-leash dog park with walking paths and exercise equipment for animals.

AIM: To create a functional public space which encourages dogs and dog owners to exercise and socialise in a safe environment.

BACKGROUND

The City of Mount Gambier invited public consultation to review and comment on design plans prepared for the Enclosed Off-Leash Dog Park facility at Hastings Cunningham Reserve on Shepherdson Road.

Public consultation closed at 5pm, Monday 23<sup>rd</sup> February 2015.

BRIEF SUMMARY OF PUBLIC CONSULTATION

In total 73 written responses were received. Overall 97% of respondents supported the concept of an Enclosed Off-Leash Dog Park at Hastings Cunningham Reserve. The highest mentioned reasons for supporting this concept included; socialisation of pets, ability for dogs to run off-leash, increased safety and approval of a fenced facility.

Feedback on the design plans was positive, 50% of respondents provided comments for consideration. Out of comments provided, 25% related to ensuring essential provisions such as dog waste bags, bins, shade, seating, appropriate fencing, signage and water is provided. All of these items have been considered in the planning process. Additional comments related to; how will the park be supervised, increasing the size of the park and including other infrastructure such as a covered BBQ area and sealed road on reserve.

See Attachment 1: Public Consultation Summary - Enclosed Off-Leash Dog Park for further details.

Operational Services Report No. 10/2015 Cont'd...EXPRESSION OF INTEREST – COMMUNITY BUILD

Both the Rotary of Mount Gambier Lakes and the Mount Gambier Lions Club have responded and expressed interest to participate in a 'community build' approach to complete internal works at the enclosed off-leash dog park over a weekend with volunteers.

RECOMMENDATION

- (a) Operational Services Report No. 10/2015 be received;
- (b) Council endorse a 'community build' to assist with internal works at the enclosed off-leash dog park at Hastings Cunningham Reserve;
- (c) Council approve for works to commence for the enclosed off-leash dog park at Hastings Cunningham Reserve.

sighted:



**Kate FIFE**  
COMMUNITY HEALTH OFFICER



**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

26 February 2015  
KF:SW

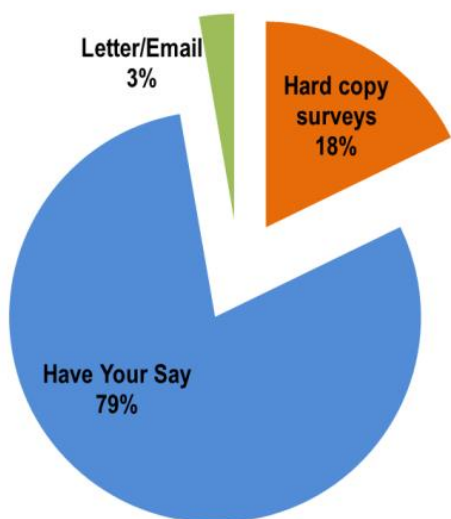
Attachment 1: Public Consultation Summary - Enclosed Off-Leash Dog Park

(Refer Item of Operational Services Committee Minutes)

# ATTACHMENT 1 - OPERATIONAL SERVICES REPORT NO. 10/2015

## Public Consultation Summary - Enclosed Off-Leash Dog Park

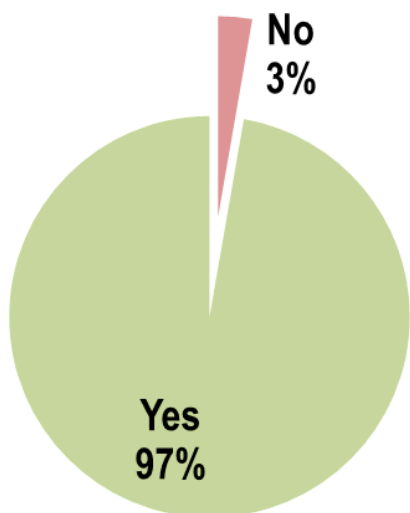
### Method survey was received:



### Number of responses:

- Letter/Email: 2
- Hard copy survey: 13
- Have Your Say: 58

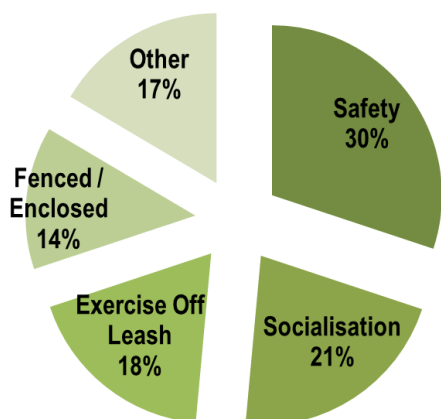
### Do you support the concept of an Enclosed Off-Leash Dog Park at Hastings Cunningham Reserve?



### Number of responses:

- Yes: 71
- No: 2

### If Yes, you do support this concept please tell us why.

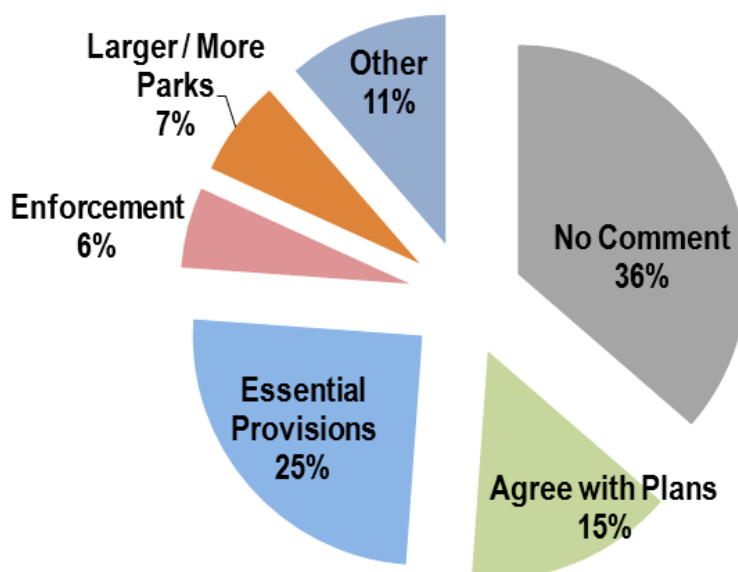


- Other: 17 responses
  - Have used them in other cities
  - Great facility for Mount Gambier
  - Dogs need exercise and brain stimulation
  - I would use this enclosed off-leash dog park
  - I feel there is a need for a place that dogs can run free within the city

*Please note the above are not all direct quotes, some have been grouped with similar responses.*



## Do you have any feedback on the design plans prepared for the Enclosed Off-Leash Dog Park?



- Essential provisions: 22 responses
  - Waste bags/bins
  - Seating and shade
  - Appropriate fencing, entry/exit gates
  - Drinking water
  - Signage of park rules
  - ➔ *All of these elements have been considered by staff.*
- Enforcement: 5 responses
  - Supervision
  - Management and reporting of incidents
- Larger / More Parks: 6 responses
- Other: 10 responses
  - Covered BBQ area within the park
  - My dogs love the water.. a shallow pond
  - Car parking / a decent sealed road leading to the park
  - Separate the small and large parks
  - What if someone has a big dog & a little dog too
  - Perhaps a general run area where all the dogs big and small can run freely and just socialise
  - Treated pine logs may get slippery when wet, consider rubberise coating.
  - Ensure style of obstacles and spacing is considered. Animals should be trained to correctly to use certain agility equipment.

*Please note the above are not all direct quotes, some have been grouped with similar responses.*

**If No, you don't support this concept please tell us why.**

For all responses received that did not support the concept of an Enclosed Off-Leash Dog Park at Hastings Cunningham Reserve, all comments are listed below:

- 'I believe it causes more dog fights and issues as people see it as an easy option for untrained dogs and undesexed dogs too. I love the idea, just don't think it should be enclosed'.
- 'It is too close to residents homes'.

**Do you have any feedback on the design plans prepared for the Enclosed Off-Leash Dog Park?**

For all responses received that did not support the concept of an Enclosed Off-Leash Dog Park at Hastings Cunningham Reserve, all comments are listed below:

- 'Plans are awesome, equipment a good idea. Just don't believe it should be fully enclosed'.
- 'Do it further back near the BMX track as it is too close to peoples homes'.

**Staff Feedback**

In addition to public consultation, staff members provided individual feedback. This highlighted that use of this location should be taken into account when planning future events.