Hon Geoff Brock MP



23MINFOI-0059

Hon Nicola Centofanti MLC
Member of Legislative Council
Parliament House
ADELAIDE SA 5000
centofanti.office@parliament.sa.gov.au

Dear Ms Centofanti

NOTICE OF DETERMINATION – REQUEST FOR ACCESS TO DOCUMENTS UNDER THE FREEDOM OF INFORMATION ACT 1991

I refer to your application made under the *Freedom of Information Act 1991* (the FOI Act) received by this agency on 24 October 2023.

You have requested access to the following:

"For the period 24 October 2022 to 24 October 2023, a copy of all correspondence and meeting documents, including but not limited to hard copy or electronic briefings, minutes, emails, letters, meeting agendas, and any other correspondence between the Whyalla City Council Mayor and the Minister for Local Government"

The 30-day period for processing your application has now passed. Your office agreed to an extension of time until 30 November 2023 and this agency has continued to process your application within this timeframe.

There are eleven (11) documents that falls within the scope of your application and are those listed in the attached document schedule. I have determined to release these documents in full.

In accordance with the requirements of Premier and Cabinet Circular PC045, if you are given access to documents as a result of this FOI application, details of your FOI application, and the documents to which you are given access, may be published in the agency's disclosure log. Any private information will be removed. A copy of PC045 can be found at www.dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars. If you have any objection to this publication, please contact us within 30 days.



Should you require any further information please contact me on telephone (08) 7133 1200.

Yours sincerely

Enza Pullino

Accredited FOI Officer

Office Manager to the

MINISTER FOR LOCAL GOVERNMENT

MINISTER FOR REGIONAL ROADS

MINISTER FOR VETERANS AFFAIRS

29/11/2023

enc Document schedule



DOCUMENT SCHEDULE - FREEDOM OF INFORMATION APPLICATION NUMBER 23MINFOI-0059

Document Number	Description of Document	Date of Document	Author	Determination Release/Refuse Access	Schedule Clause Applied
01	Email	25 October 2022	Minister Brock	Full Release	NIL
02	Letter	9 December 2022	Minister Brock	Full Release	NIL
03	Email	19 December 2022	Minister Brock	Full Release	NIL
04	Email	19 December 2022	Minister Brock	Full Release	NIL
05	Email	23 December 2022	Minister Brock	Full Release	NIL
06	Email	27 January 2023	Minister Brock	Full Release	NIL
07	Email	6 March 2023	Minister Brock	Full Release	NIL
08	Email	14 March 2023	Minister Brock	Full Release	NIL
09	Letter	28 September 2023	Minister Brock	Full Release	NIL
10	Letter	13 October 2023	Minister Brock	Full Release	NIL
11	Letter	16 October 2023	Minister Brock	Full Release	NIL

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A MESSAGE FROM THE
Minister for
Local Government



Congratulations on your nomination

Dear candidate

As Minister for Local Government, I would like to thank you for nominating to serve your community as a member of your council.

Whether you are already serving as a council member or have nominated for the first time, your decision to stand for election—and your commitment to participating in our local democracy—is critical to the strength of our councils.

If you are successful in seeking election, I look forward to working with you to deliver quality governance and services, community, and economic development in your local government area.

As a former councillor and mayor, I know that serving on council can be both a challenging and highly rewarding experience.

I wish you the best of luck in your election campaign, and—regardless of whether you win or lose—I hope you are proud of the fact that your decision to stand is an important part of our democracy.

Whatever the result, I hope you will continue to participate actively in the local affairs of your council and community.

Yours sincerely

Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT

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Hon Geoff Brock MP · Level 10 · 81-95 Waymouth Street · Adelaide, SA 5000 · Australia

Hon Geoff Brock MP



22MINLG-0598

Ms Clare McLaughlin council@whyalla.sa.gov.au

Dear Ms McLaughlin CLDRE

I write to thank you for your contribution to your council and the South Australian local government sector during your time as Mayor.

All council members play a vital role in our local democracies by representing the views and values of the local community. It is therefore critical that members are provided with the strong and constructive leadership that a good mayor provides to their Council.

As a former mayor, I appreciate the effort required to undertake the mayoral role. I also understand the unique challenges and rewards that come with the position.

At the end of your time in office, I take this opportunity to thank you again for your contributions to your community and our state, and offer you my best wishes for your future endeavours.

Yours sincerely

Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT

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Thank you for serving your community

Dear <<First Name>>

As the 2022 council elections progress, I would like to take this opportunity to thank you for your service to your council as well as to the health and development of your local community. Whether this was your first term, or—like so many across local government—a further addition to many years of service, your participation and contribution has been essential to local government in South Australia.

As a former councillor and mayor, I know that serving on council is not always easy. It takes a great deal of commitment and personal sacrifice of your time and energy.

I also found it to be one of the most rewarding experiences of my life.

I trust that you too have a sense of pride and accomplishment in all that you and your fellow elected members have delivered for your council and community.

If you are choosing to stand again for election to your council, I wish you the best of luck. If it is time for you to retire or to move on to other things, I thank you again for your service and wish you all the best in your future endeavours.

Whatever the case, I hope you will continue to participate actively in the local affairs of your council and community.

Yours sincerely





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Congratulations on your election

Dear <<First Name>>

I write to congratulate you on being elected to your council.

It is often said that councils are the closest sphere of government to the community.

Irrespective of whether you are continuing your role as a council member or stepping into it for the first time, you will attest to the truth of this.

Council members are well poised to understand and represent the views and values of their local community, while making collective decisions about the services and facilities that very much shape and support people's day-to-day lives.

As a council member, you will be part of a team, setting the broader strategic framework that establishes your council's priorities and future directions.

I am confident that you, like other candidates who stood and were elected to their council, are motivated by a real commitment to serving the best interests of your community, and will seek to build positive and constructive relationships with your fellow elected members with this intent.

I have recorded a message to all elected members to provide context for your forthcoming term of office, along with some comments about changes implemented to improve your operating environment on council. Please take a moment to view this video.



Congratulatory Message from the Minister for Local Government

As a former Mayor and councillor, I understand the challenges and rewards that come with representing your community. I thank you for making the decision to put your hand up to undertake this important role.

I trust that you will provide positive leadership for your community and work together with your fellow elected members and lead your council administration to deliver good outcomes for the people you represent.

Yours sincerely

Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT





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Season's Greetings

Dear <<First Name>>

I would like to wish you and your family a Merry Christmas and a Happy New Year.

2022 has been another busy year, with our state rising to meet a range of challenges.

I thank you for your contribution to our success.

As we approach the end of 2022, I'd like to extend my heartfelt thanks to everyone for continuing to work together to keep our state safe and our economy strong.

Wishing you a safe and happy holiday season. I look forward to working with you in 2023.

Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT





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DIT:Minister Brock Invites

From: DIT:Minister Brock Invites

Sent: Friday, 27 January 2023 5:49 PM

Subject: SAVE THE DATE - Friday 24 March 2023 - State / Local Government Economic Partnership

Forum



HON GEOFF BROCK MP MINISTER FOR LOCAL GOVERNMENT

cordially invites you to save the date for the

State / Local Government Economic Partnership Forum

Friday 24 March 2023 Adelaide Convention Centre

The Premier of South Australia, the Hon Peter Malinauskas MP, and the Deputy Premier of South Australia, the Hon Susan Close MP, will be joining me to discuss the State Government's economic agenda and the role of local government in accelerating the economic growth of your council areas and regions.

All mayors, councillors, and chief executive officers from South Australian councils are invited to join representatives from the Local Government Association and Regional Development Australia at this important forum.

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State/Local Government Economic Partnership Forum and Civic Reception

Dear <<First Name>>

By now you should have received your invitation to attend an important upcoming event, the **State/Local Government Economic Partnership Forum**.

The Forum will be held on Friday 24 March 2023 at the Adelaide Convention Centre to explore how the State Government and councils can better work together to grow South Australia's economy.

The Premier of South Australia, the Hon Peter Malinauskas MP, and the Deputy Premier of South Australia, the Hon Dr Susan Close MP, will be attending to speak about the global and national context in which the South Australian economy performs. This is an occasion for you to contemplate how your council can contribute to plans for growth priorities and opportunities in our state.

Members of Parliament, Mayors, and Councillors have been elected to deliver a strong and sustainable future—the Forum will bring us together to consider how we can jointly deliver economic development for our shared communities. Industry speakers and local government representatives will also invite you to envisage opportunities to seek and develop economic activity across our neighbourhoods, regions, and the whole of South Australia. This will also assist you and your fellow elected members to review your council's strategic plan and set a vision for your communities.

You are also cordially invited to a Civic Reception hosted by the Right Honourable the

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Government and the Local Government Association.

Please RSVP to both events <u>via the Humanitix event booking website</u> with any dietary or access requirements by 5pm on Wednesday, 15 March 2023.

I look forward to your contributions at these exciting events.

Yours sincerely

Brock

Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT





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State/Local Government Economic Partnership Forum and Civic Reception

Dear <<First Name>>

The <u>State/Local Government Economic Partnership Forum</u> is now less than two weeks away.

This Forum is an unprecedented opportunity for all elected members across South Australia to come together to explore how the State Government and councils can better work together to grow South Australia's economy.

The Premier of South Australia, the Hon Peter Malinauskas MP, and the Deputy Premier of South Australia, the Hon Dr Susan Close MP, will be attending to speak about the global and national context in which the South Australian economy performs.

If you have not already done so, please RSVP today <u>via the Humanitix event booking</u> <u>website</u> to ensure you don't miss out.

This event is not just for Mayors and CEOs. Councillors are also encouraged to attend both the State/Local Government Economic Partnership Forum and the Civic Reception on the evening before the Forum on Thursday 23 March 2023 at the Adelaide Town Hall.

All attendees must confirm their participation by **5pm on Wednesday**, **15 March 2023** to both events <u>via the Humanitix event booking website</u> and advise any dietary or access requirements.

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Yours sincerely



Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT



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Hon Geoff Brock MP



23MINLG-0515

Mayor Phill Stone Corporation of the City of Whyalla PO Box 126 WHYALLA SA 5600 phil.stone@whyalla.sa.gov.au

Dear Mayor Stone

I am pleased to advise that the recommendations of the South Australian Local Government Grants Commission (the Commission) for the distribution of the Australian Government Financial Assistance Grants (FA Grants) and the Supplementary Local Road Funding for 2023-24 to South Australian councils were approved by the Australian Government Minister for Regional Development, Local Government and Territories, the Hon Kristy McBain MP, on 12 August 2023.

FA Grants across Australia will provide an estimated \$3.1 billion for 2023-24, which is an increase of 5.46 per cent over 2022-23. For South Australia, the total allocation is \$203.27 million, an increase of 5.95 per cent.

South Australia's allocation includes General Purpose Grants of \$150,699,915, an increase of 6.12 per cent from 2022-23, and Identified Local Road Grants of \$52,570,707, an increase of 5.46 per cent from 2022-23. The Identified Local Road component includes formulae-based funding of \$44,684,707 and \$7,886,000 for the Special Local Roads Program.

I am advised by Minister McBain that there was an underpayment of the General Purpose Grants of \$6,876,071 and Identified Local Road Grants of \$2,269,222 in the 2022-23 grants for South Australia. Cash grants received by councils during 2023-24 will be adjusted accordingly in proportion to the approved 2022-23 distributions.

As has been the case in recent years, a brought-forward payment of the 2023-24 FA Grants was made in late June 2023. I understand that 100 per cent of the 2023-24 FA Grants was brought forward, providing a total of \$202.8 million for South Australia. This included \$150.4 million in General Purpose Grants and \$52.47 million in Identified Local Road Grants.

The brought-forward payment was distributed on the basis of the Commission's draft recommendations for 2023-24 to give councils immediate access to funds that can help manage the significant financial pressures experienced at the moment.



It is also important to note that the timing of the 2023-24 brought forward payment in June 2023 and the submission of the Commission's final 2023-24 FA Grant recommendations in August 2023 resulted in a number of under and overpayments for councils for 2023-24. Adjustments for these under and overpayments will be made in 2024-25 and the Commission will contact all councils directly to advise of any required adjustments in due course.

Whyalla Council has received a total of \$5,603,755, comprising \$5,130,188 in General Purpose Grants and \$473,567 in Identified Local Road funding.

I am also pleased to confirm that the Commission's recommendations for distribution of the 2023-24 Supplementary Local Road Funding, provided to South Australia to address the inequity in South Australia's share of the Identified Local Road Grants, has also been approved by Minister McBain. This funding will provide \$20 million to South Australia for 2023-24, including 85 per cent or \$17 million in Formula Grants and 15 per cent, or \$3 million, provided to the Special Local Roads Program.

In summary, the total allocation to the Whyalla Council for the 2023-24 financial year consists of:

Estimated FA Grants for 2023-24

Estimated 1 A Grants for 2020-24		
General Purpose Grant (GPG)	\$ 5,202,056	
Roads (Formulae Funding - ILRG)	\$ 474,480	
Roads (Special Local Roads Program - ILRG)	\$ 180,000 *	
Total Estimated Grant for 2023-24	\$ 5,856,536	
Add Adjustment for 2022-23 underpayment (GPG)	\$ 228,976	
Add Adjustment for 2022-23 underpayment (ILRG)	\$ 24,659	
Less Brought Forward Payment Paid in June 2023 (GPG)	\$ -5,130,188	
Less Brought Forward Payment Paid in June 2023 (ILRG)	\$ -473,567	
Remaining 2023-24 Cash Payable (rounded to the nearest dollar)	\$ 326,416	
2023-24 Supplementary Local Road Funding		
Supplementary Local Road Funding (Formulae Funding)	\$ 182,517	
Supplementary Local Road Funding (Special Local Roads)	\$ **	*

^{*} Moneys provided under the Special Local Roads Program (FA Grants) have been allocated for work on the following project: Gulf View Drive, Cultana (Year 1)

^{**} Moneys provided under the Supplementary Local Road funding component of the Special Local Roads Program for 2023-24 have been allocated for work on the following project:

The General Purpose Grants and the Identified Local Road Grants are determined using different assessment methods.

To determine the recommended allocation of General Purpose Grants, the Commission assesses each council's capacity to raise revenue and their expenditure need relative to the average across South Australia.

Greater funding is directed to councils with less capacity to raise revenue from rates, (i.e. typically those councils with lower than average property values), or where services cost more to provide for reasons outside the council's control (i.e. typically those councils with higher than average expenditure needs).

The Identified Local Road Grants are distributed on the basis of road length and population, and for rural councils, road length, population and the area of the council.

The Commission, consisting of the Chair, Mr Rob Donaldson, and the Commissioners, Ms Wendy Campana and Ms Erika Vickery, makes recommendations to me each year based on its distribution methodology. This methodology is reviewed regularly by the Commission. There have been no changes to the distribution methodology for 2023-24.

The FA Grants are untied and the remaining funding for 2023-24 will be paid in four quarterly instalments, with the first instalment recently paid on 17 August 2023 and further instalments to be paid in November 2023, February 2024 and May 2024. The Supplementary Local Road Funding for South Australia for 2023-24 was also passed on to Councils on 31 August 2023.

It would be appreciated if you could forward this information to the relevant Council officers. Should you have any queries regarding your Council's grant funding, please contact Mr Peter Ilee, the Commission's Executive Officer, by telephone on (08) 7133 1414 or via email at grants.commission@sa.gov.au.

Yours sincerely

Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT

28 / 09 / 2023

Chief Executive Officer, Mr Justin Commons, justin.commons@whyalla.sa.gov.au

Hon Geoff Brock MP



23MINLG-0472

Mayor Phill Stone
City of Whyalla
Civic Building
WHYALLA SA 5600
phill.stone@whyalla.sa.gov.au

Dear Mayor Stone

As I trust that you are aware, the Essential Services Commission of South Australia (ESCOSA) has a new role to provide advice to individual councils every four years in relation to a council's long-term financial plan, infrastructure and asset management plan, and revenue sources as outlined in the council's funding plan.

The intent of the Local Government Advice Scheme (the Scheme) is to increase trust and confidence in councils' financial sustainability through the transparent release of information by an independent authority, that body being ESCOSA. The Scheme was established through amendments to the *Local Government Act 1999* (the Act) by the State Parliament following significant debate on rate capping during the previous term, and ultimately in a form that was supported by the local government sector at the time.

In February 2023, ESCOSA provided its advice to each of the first 15 councils comprising the first tranche, and has subsequently published each advice on its website. This includes a number of common observations that ESCOSA has made to all of these councils regarding the integration of their annual business plans and long-term financial plans, the need for good asset management planning and planning for growth, and the importance of considering rate affordability. I encourage you to take the opportunity to consider these general observations as your council prepares to receive its advice for the first time. Further information is available on the ESCOSA website at www.escosa.sa.gov.au/advice/advice-to-local-government.

It is pleasing to see that ESCOSA advised the majority of the councils in the first tranche that they are financially sustainable. Such independent advice should provide a level of comfort to these councils, their elected members, and their communities that their municipal services are being managed well.

In particular, I expect the councils that received this advice in the first tranche of the Scheme—as well as councils that receive this advice in the future—will actively draw their community's attention to this finding. Making this positive independent advice known will likely increase the trust and confidence of ratepayers in the decisions their council is making about revenue and expenditure, in the context of their council's long-term financial planning.

While the ESCOSA advice does not address any single year's rate increase, this reassurance to communities is particularly important at a time when many councils are implementing rate increases in the range of six to thirteen per cent.

I also note, however, that several councils received advice from ESCOSA where clear risks were identified to their future financial sustainability. Especially in these cases, it is critical that the elected members of these councils are properly briefed by their administrations so that they fully understand the risks ESCOSA has identified, and the actions that are necessary to mitigate them, as recommended by ESCOSA.

Your council has not yet received advice from ESCOSA. When your council receives this advice as part of the subsequent tranches, I strongly encourage you, as a member of the body that is responsible for making the decisions that will ensure the financial sustainability of your council, to ensure that your administration gives you the support you need to understand what the advice provided by ESCOSA under the Scheme will mean for your council.

One of the key intents of the Scheme is to position all elected members to better understand their council's financial position and performance, and I trust that all members will take this opportunity to do just that.

I encourage you and all of your fellow elected members to engage with your council administration to ensure that you are provided with clear explanations as to the content of the ESCOSA advice, and ensure that they work through with you any actions that may need to be taken to respond fully to the advice.

I emphasise that ESCOSA's advice is provided on the basis of each council's financial and asset management planning for the <u>next</u> ten years. Therefore, your council's response should provide you certainty that your administration is making any changes or improvements that are needed to address matters that have the potential to have significant negative impacts on your ratepayers in the future.

The Scheme established in the Act requires ESCOSA to provide its advice to nominated councils before the end of February so councils can consider this advice as they prepare their draft annual business plans for the coming financial year.

The Act requires councils not only to publish the advice they have received but also any response they make to it in their draft and adopted annual business plans. I strongly encourage all councils to publish a considered response to the advice, particularly to recommendations that ESCOSA may make, to assure their communities that the council is taking the steps that are needed to ensure their continuing financial sustainability.

I am aware that some in the local government sector do not support the intent and the implementation of the Scheme. However, it must be remembered that ESCOSA is an independent body that has been tasked by the State Parliament to provide thorough and dispassionate advice to all councils on a matter that is fundamental to their good operation—their financial sustainability.



To my mind, it is difficult for a council to argue that this advice is of limited value, particularly when significant risks are identified that could have detrimental impacts on ratepayers in the future.

I have always been clear that I do not support policies that seek to impose formal restraints on the ability of councils to determine what services should be provided within the context of their ratepayers' ability and willingness to pay for them. However, I also acknowledge that ratepayers' lack of understanding and trust in the decisions that their council is making in this regard underpins the broad appeal of policies such as rate capping. The Scheme was aimed directly at addressing this issue, and I urge councils to use the independent advice they receive to support their decision-making.

I strongly encourage any council or elected member with questions about the Scheme, including its costs, to contact ESCOSA by telephone on 08 8463 4444 or by using the contact form on its website at www.escosa.sa.gov.au/engage/contact to discuss these matters. ESCOSA has expressed to me its desire to work with those in the local government sector to ensure that the advice provided is well-informed by council information, and is constructive and useful.

It is also worth bearing in mind that the Scheme is still in its early stages. I intend to await the full four-year rollout before considering whether changes are warranted and deserving of future consideration by the State Parliament. I also note that any suggestion for improvement of the Scheme from councils must be informed by community consultation that is open and truthful about the advice being received, and does not simply seek to remove an independent level of monitoring of the local government sector.

I also emphasise that mature governments understand independent oversight and transparent decision-making are fundamental to the quality of the decisions we make, and for the assurance of our residents and ratepayers that these decisions are made in their best interests and for the public good.

I trust that you and your fellow elected member colleagues will use the advice and recommendations from ESCOSA to improve decision-making within your council, as well as to ensure that your community has confidence that their council is financially sustainable and is making decisions about the rates that they contribute to your council for the greatest public good now and for the future.

Yours sincerely

Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT

131/012023



Hon Geoff Brock MP



23MINLG-0684

Mayor Phill Stone City of Whyalla PO Box 126 Whyalla SA 5600 council@whyalla.sa.gov.au

Dear Mayor Stone

You may be aware that in recent months I have been grappling with some personal health issues.

Regrettably, this has meant that I have been unable to get out to meet with as many Mayors and their councils as I would have liked.

Initially, I took formal leave from my Ministerial duties for several weeks. Though I am still on a slow road to full recovery from the quadruple bypass heart surgery, I am now discharging my Ministerial responsibilities with support from my office.

I can advise that, in the next week or so, the Office for Local Government will release a wide-ranging discussion paper as part of the Participation and Elections Review.

The paper will seek submissions and comment from the public about improving voter participation, increased diversity of candidates, and general improvements in the conduct of council elections. I expect significant interest and constructive suggestions from the sector and look forward to reading the contributions of councils in particular.

I am also progressing the preparation of the draft State/Local Government Accord (the Accord). The Accord will aim to provide a practical framework for councils to propose initiatives and projects, beyond a determined threshold, where they wish to partner or collaborate with State Government and seek to fast track processes in State Government that assist with the implementation of agreed proposals.

When the draft Accord is sufficiently well developed from my perspective, it will be forwarded to councils for comment and input. Subsequently, further amendments will be incorporated based on feedback received and final negotiation with the Local Government Association (LGA).

I will be talking about these and other issues when I address the LGA's Annual General Meeting on 26 October 2023.



Despite my ability to pursue portfolio policies through meetings and discussions with officers and relevant stakeholders and deal with matters as they arise, I am writing to you because I am not yet as mobile as I would like to be.

Much like my approach as a local Member of Parliament for the Stuart Electorate, my personal preference is—wherever possible—to visit and meet with people "on their own turf" so I can see and get an understanding for their circumstances and operating environment. I regret that I have not been able to do that, but I want to say to you that it is my intention to get out to meet with you as soon as I am able.

In the meantime, I thank you and your council colleagues for your commitment and the work you do for your community.

Yours sincerely

Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT

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