

Hon Geoff Brock MP

Government
of South Australia

23MINFOI-0058

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 23 October 2023.

You have requested access to the following:

“For the period 6 December 2022 to 23 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 Member for Waite and the Minister for Local Government, Regional Roads and Veteran Affairs”

There are nine (9) documents that falls within the scope of your application and are those listed in the attached document schedule.

I have determined to release Documents 05, 07, 08 and 09 in full and partially release Documents 01, 02, 03, 04 and 06 under section 20(1)(a), and clause 6(1) of Schedule 1 of the Act which states:

20—Refusal of access

- (1) An agency may refuse access to a document—
- (a) if it is an exempt document;...

6—Documents affecting personal affairs

- (1) A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Clause 6(1)

Documents 01, 02, 03, 04 and 06 contain information that I consider to be the personal affairs of an individual, the release of which would involve the unreasonable disclosure of their personal affairs. I therefore determine the information to be exempt from disclosure under clause 6(1) of Schedule 1 of the FOI Act.

If you are unhappy with this determination you are entitled to apply for an internal review in accordance with section 29 of the FOI Act. To make an internal review application, you can write a letter or send the attached form entitled *Application for Review of Determination* to the Principal Officer of this agency, the Minister for Local Government, Minister for Regional Roads and Minister for Veterans Affairs, the Hon Geoff Brock MP.

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

22 / 11 / 2023

enc Application for Review of Determination form
Document schedule

FOI FACT SHEET

Your Rights to Review and Appeal

South Australian Freedom of Information Act 1991

Please read the information in this fact sheet before completing the attached application form

INTERNAL REVIEW

If you are unhappy with a determination made by an agency (includes South Australian State Government Agency, Local Government Council or University) under the *Freedom of Information Act 1991* (FOI Act) in relation to:

- a freedom of information (FOI) application for access to a document, or
- an FOI application for amendment to your personal records

in most cases, you are entitled to apply for an Internal Review of that determination.

Request an Internal Review

An Internal Review must be lodged within 30 calendar days of you receiving advice of a determination that you are unhappy with.

Applications must be made in writing in accordance with Section 29 or Section 38 of the FOI Act or using the attached *FOI Application Form for Internal Review of a Determination* (Internal Review Form).

An Internal Review application must be made to the Principal Officer of the agency that made the determination you are seeking to have reviewed.

How much does an Internal Review cost?

There is an application fee of **\$39.00** that must be paid when you lodge your Internal Review application if your review request is for access to documents.

There is no application fee for an Internal Review of an FOI application for amendment to your personal records.

Agencies generally accept payment by cash, money order or cheque. If you would like to pay by credit card you will need to ask the agency if they are able to accept credit card payments.

If, as a result of an Internal Review an agency changes or reverses a determination so that access to a document is, or will be, given, the agency will refund the Internal Review application fee paid by the applicant, where applicable.

What if I have a concession card or can't afford to pay?

If you are the holder of a current concession card or if you can satisfy the agency that the payment of the application fee would cause financial hardship, the agency must waive or remit (reduce or refund) it.

If you are a concession cardholder you will need to provide evidence e.g. attach a copy of your concession card when you make the application. Alternatively, you will need to give written reasons as to why the payment of a fee would cause you financial hardship.

How long does an Internal Review take?

You will be advised of the outcome of your Internal Review application within 14 calendar days of it being received by the agency.

If the agency does not deal with your Internal Review application within 14 calendar days (or you remain unhappy with the outcome of the Internal Review) you are entitled to an External Review

by the Ombudsman SA. Alternatively, you may apply for a review by the South Australian Civil and Administrative Tribunal (SACAT). See the External Review section below.

When can't I apply for an Internal Review?

If the original application determination was made by the Principal Officer of an agency rather than another accredited FOI Officer within the agency, you cannot apply for an Internal Review. However, you can apply for an External Review by the Ombudsman SA or apply for a review by SACAT.

EXTERNAL REVIEW

After an Internal Review has been completed, or where you are unable to apply for an Internal Review, and you are unhappy with the determination, you have the right to apply for an External Review. All applications for External Review should be made to the Ombudsman SA.

How long will an External Review take and how much will it cost?

If you wish to make an application for an External Review you must do so within 30 calendar days after being notified of the determination. However, the Ombudsman SA can extend this time limit at their discretion. There is no fee or charge for External Reviews undertaken by the Ombudsman.

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| Contact Details: |
| Ombudsman SA Phone: 8226 8699 Toll Free: 1800 182 150 (outside metro SA) Email: ombudsman@ombudsman.sa.gov.au |

REVIEW BY SACAT

You have a right to apply for a review by SACAT if you are unhappy with:

- a determination not subject to Internal Review
- an Internal Review determination, or
- the outcome of a review by the Ombudsman SA.

You must exercise your right of review with SACAT within 30 calendar days after being advised of the above types of determinations or the results of a review.

Any costs will be determined by SACAT, where applicable.

For more information contact SACAT.

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| Contact Details: |
| South Australian Civil and Administrative Tribunal (SACAT) Phone: 1800 723 767 Email: sacat@sacat.sa.gov.au |

FOI APPLICATION FORM

For Internal Review of a Determination

Under sections 29 & 38 of the South Australian *Freedom of Information Act 1991*

Please read the attached '*FOI Fact Sheet – Your Rights to Review and Appeal*'
before completing and lodging your Internal Review application

| To the Principal Officer | |
|--|------------|
| Name of the Agency: | |
| Details of Applicant | |
| Surname: | |
| Given Names: | |
| Australian Postal Address: | |
| Suburb: | Post Code: |
| Emails (<i>Optional</i>): | |
| Contact phone numbers: | |
| FOI Application Reference Number (<i>if known</i>): | |
| Details of Internal Review | |
| <p>I am not satisfied with a determination made by your agency and, therefore, seek a review because:</p> <p>(<i>Please place a tick in the appropriate box</i>)</p> <p><input type="checkbox"/> I have been refused access to a document</p> <p><input type="checkbox"/> I have been refused access to part of a document</p> <p><input type="checkbox"/> I have been refused a request to amend a personal document</p> <p><input type="checkbox"/> I have been given access to a document but access has been deferred</p> <p><input type="checkbox"/> I am a third party specified in the documents but have not been consulted about giving access to another person</p> <p><input type="checkbox"/> I have been consulted but disagree with the determination to release the documents</p> | |

| Comments | | | | | | | | | | | | | | | | | | | | |
|--|----------------------------------|-------------------------------|--------------------------------------|--|--|---|---------------------------------|-------------------------------|--------------------------------------|--|------------------------------|------------------------------|-----------------------------|--|--|---|------------------------------|-----------------------------|--|--|
| <p>Include any additional comments you wish to be considered in the review of the determination (<i>attach additional pages if necessary</i>).</p> | | | | | | | | | | | | | | | | | | | | |
| Fees and Charges | | | | | | | | | | | | | | | | | | | | |
| <p>An application fee of \$39.00 must be submitted with the Internal Review application form, unless you are seeking to have the application fee waived. If you are seeking to have the application fee waived, please attach evidence supporting why it should be waived, e.g. attach a copy of your concession card or other evidence as proof of financial hardship.</p> <p>An application fee is not required for an Internal Review of an FOI Amendment Application.</p> <p>In the following section please tick as appropriate</p> <table style="width: 100%; border: none;"> <tr> <td style="padding: 5px;">Is the application fee attached?</td> <td style="padding: 5px;"><input type="checkbox"/> Yes</td> <td style="padding: 5px;"><input type="checkbox"/> No</td> <td colspan="2"></td> </tr> <tr> <td style="padding: 5px;">Application Fee is in the form of <i>(Do not send cash through the mail)</i></td> <td style="padding: 5px;"><input type="checkbox"/> Cheque</td> <td style="padding: 5px;"><input type="checkbox"/> Cash</td> <td colspan="2" style="padding: 5px;"><input type="checkbox"/> Money Order</td> </tr> <tr> <td style="padding: 5px;">Do you require a fee waiver?</td> <td style="padding: 5px;"><input type="checkbox"/> Yes</td> <td colspan="3" style="padding: 5px;"><input type="checkbox"/> No</td> </tr> <tr> <td style="padding: 5px;">Is evidence of the need to waive fees attached? <i>(e.g. a copy of your concession card)</i></td> <td style="padding: 5px;"><input type="checkbox"/> Yes</td> <td colspan="3" style="padding: 5px;"><input type="checkbox"/> No</td> </tr> </table> <p>If you wish to pay your application fee via credit card you will need to ask the agency you are applying to if they accept credit card payments.</p> <p>If no application fee is attached and you do not qualify for fee waiver, the agency cannot process your application until the fee has been paid.</p> <p>If the agency varies or reverses a determination so that access to a document is, or will be, given the agency will refund any Internal Review fees paid by the applicant.</p> | Is the application fee attached? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | Application Fee is in the form of <i>(Do not send cash through the mail)</i> | <input type="checkbox"/> Cheque | <input type="checkbox"/> Cash | <input type="checkbox"/> Money Order | | Do you require a fee waiver? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | Is evidence of the need to waive fees attached? <i>(e.g. a copy of your concession card)</i> | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | |
| Is the application fee attached? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | |
| Application Fee is in the form of <i>(Do not send cash through the mail)</i> | <input type="checkbox"/> Cheque | <input type="checkbox"/> Cash | <input type="checkbox"/> Money Order | | | | | | | | | | | | | | | | | |
| Do you require a fee waiver? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | |
| Is evidence of the need to waive fees attached? <i>(e.g. a copy of your concession card)</i> | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| Applicant's Signature: | | | | | | | | | | | | | | | | | | | | |
| Date / / 20..... | | | | | | | | | | | | | | | | | | | | |

OFFICE USE ONLY

Received on / / 20.....

Acknowledgment sent on / / 20.....

OFFICIAL

DOCUMENT SCHEDULE - FREEDOM OF INFORMATION APPLICATION NUMBER 23MINFOI-0058

| Document Number | Description of Document | Date of Document | Author | Determination Release/Refuse Access | Schedule Clause Applied |
|-----------------|-------------------------|------------------|------------------|-------------------------------------|--|
| 01 | Letter | 20 January 2023 | Member for Waite | Partial Release | Clause 6(1) of Schedule 1 – Personal affairs |
| 02 | Letter | 2 March 2023 | Minister Brock | Partial Release | Clause 6(1) of Schedule 1 – Personal affairs |
| 03 | Letter | 19 April 2023 | Member for Waite | Partial Release | Clause 6(1) of Schedule 1 – Personal affairs |
| 04 | Letter | 8 May 2023 | Minister Brock | Partial Release | Clause 6(1) of Schedule 1 – Personal affairs |
| 05 | Letter | 14 April 2023 | Minister Brock | Full Release | NIL |
| 06 | Letter | 25 May 2023 | Minister Brock | Partial Release | Clause 6(1) of Schedule 1 – Personal affairs |
| 07 | Letter | 14 August 2023 | Minister Brock | Full Release | NIL |
| 08 | Letter | 12 October 2023 | Minister Brock | Full Release | NIL |
| 09 | Letter | 12 October 2023 | Minister Brock | Full Release | NIL |

Catherine Hutchesson MP

MEMBER FOR WAITE



Hon. Geoff Brock MP
Minister for Local Government
Minister for Regional Roads
Minister for Veterans Affairs

By Email: Minister.Brock@sa.gov.au

Dear Minister

I am writing on behalf of **Clause 6(1)** 2023 Anzac Day service.

The **Clause 6(1)** Anzac Day ceremony is a well-attended community event, hosting over 3000 people last year. **Clause 6(1)** has requested we contact you to enquire into the availability of any grants to assist with the cost of holding the event.

Clause 6(1) has plans to host the service at the **Clause 6(1)** then attendees will be invited **Clause 6(1)**

I would also like to extend an invitation to yourself to see my electorate of Waite, with the opportunity of visiting **Clause 6(1)** for lunch when you have availability.

Clause 6(1) was the recipient of a **Clause 6(1)** election commitment from the now Member for Boothby, Louise Miller-Frost MP to have a Masterplan designed for future renovations. I am sure that **Clause 6(1)** would love the opportunity to speak with you about **Clause 6(1)** plans for **Clause 6(1)**

If you would like to further discuss these matters, please contact my office by phone on 8278 5844, or by email to waite@parliament.sa.gov.au.

Kind regards

Catherine

Catherine Hutchesson MP
Member for Waite

20 January 2023



Hon Geoff Brock MP**Government
of South Australia**

23MINVA-0010

Ms Catherine Hutchesson MP
Member for Waite
1/7-9 Young Street
BLACKWOOD SA 5051
waite@parliament.sa.gov.au

Dear Ms Hutchesson *CATHERINE*

Thank you for your correspondence dated 20 January 2023 on behalf of the **Clause 6(1)** regarding the availability of grant funding for upcoming Anzac Day services in 2023.

Requests from sub-branches of the Returned & Services League of Australia (SA Branch) (the RSL South Australia) for funding for Anzac Day related services should be referred to Mr David Grenvold, Chief Executive Officer of RSL South Australia for consideration as part of a three-year funding agreement between the RSL South Australia and the South Australian Government. Please contact Mr Grenvold via email at **Clause 6(1)**

My office has made Mr Grenvold aware that a request for grant funding from the **Clause 6(1)** to support its Anzac Day service in 2023 may be forthcoming.

I very much appreciate your invitation to visit your electorate and to join the RSL South Australia President for lunch at the **Clause 6(1)**. My Executive Assistant, Ms Luisa Halacas, will be in touch to arrange a mutually suitable time for my proposed visit. Should you have any queries in the meantime, please contact Ms Halacas via email at Minister.BrockInvites@sa.gov.au.

Thank you again for your correspondence and for taking the time to write to me.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in blue ink that reads 'Brock'.

Hon Geoff Brock MP
MINISTER FOR VETERANS AFFAIRS

2 / 3 / 2023



Catherine Hutchesson MP

MEMBER FOR WAITE

Hon. Geoff Brock MP
Minister for Veterans Affairs

By Email: Minister.Brock@sa.gov.au

Dear Minister

Geoff.

I would like to offer my full support for **Clause 6(1)** application for the **Clause 6(1)** to receive a grant for the Program **Clause 6(1)**

Clause 6(1) is situated **Clause 6(1)**. It provides a strong community venue for people to come together not only from the veteran community, but from all over the hills and plains. Over the years it has gained a reputation as being family friendly, being supportive to people who are aged, have a disability and or mental health issues and connecting them with the broader community.

In recent times it has become a very dynamic **Clause 6(1)** with attendances increasing, particularly amongst the ever-growing younger population moving to the district.

While **Clause 6(1)** is quite a large community **Clause 6(1)** is the only venue for dining with bar facilities in a hotel like atmosphere. **Clause 6(1)** strengths are its centrality, very competitive meal prices that attract families, friendly atmosphere and its ability to bring the whole community together.

While **Clause 6(1)** has had music, this funding would take it to a whole new level, more professional, more reflective of community interests and needs, reaching a much wider network and make the program offered - consistent.

Clause 6(1) is very keen to open its doors to a greater number as this would help the funding of much needed and ongoing repairs to what is an ageing building.

With over 3000 people attending the Dawn Service, interest in **Clause 6(1)** has been heightened as has the awareness that it is open to everyone.

Building a resilient community

8278 5844 | waite@parliament.sa.gov.au
1/7-9 Young Street Blackwood SA 5051



I have had the pleasure of visiting **Clause 6(1)** to enjoy their hospitality and to see the work that staff and volunteers do to keep it running. They are focussed on its mission, continuing to offer a warm and family friendly venue for the whole community to enjoy.

If you would like to further discuss these matters, please contact my office by phone on 8278 5844, or by email to waite@parliament.sa.gov.au.

Kind regards



Catherine Hutchesson MP
Member for Waite

19 April 2023

Hon Geoff Brock MP



Government
of South Australia

23MINVA-0069

Ms Catherine Hutchesson MP
Member for Waite
waite@parliament.sa.gov.au

Dear Ms Hutchesson *CATHERINE*

Thank you for your correspondence dated 19 April 2023 offering your support for a grant application by **Clause 6(1)**

I understand that your letter of support relates specifically to the Veterans SA Capacity Building Grant Fund (the Grant).

Grant applications are currently open and will close on 31 May 2023, unless exhausted prior. I recommend you encourage **Clause 6(1)** to submit their application via the online portal on the Veterans SA website prior to this date.

Further information on the Grant is available at veteranssa.sa.gov.au/programs-events/grants-programs or by contacting Veterans SA by telephone on (08) 8226 8541 or email veteranssa@sa.gov.au.

Thank you again for your correspondence and I trust this information will assist you in further supporting **Clause 6(1)**

Yours sincerely

A handwritten signature in blue ink that reads 'Geoff Brock'.

Hon Geoff Brock MP
MINISTER FOR VETERANS AFFAIRS

8/5/2023

Hon Geoff Brock MP



Government
of South Australia

23MINVA-0022

Ms Catherine Hutchesson MP
Member for Waite
waite@parliament.sa.gov.au

Dear Ms Hutchesson

I am writing to you in the lead up to Anzac Day regarding the *Protection of Word 'Anzac' Regulations 1921 (Cth)* (the Regulations), which outline how, where, and when the word 'Anzac' may be used, and to support how you can best respond to requests for support from veterans.

The word 'Anzac' has a unique place within Australian culture as it relates to the bravery and self-sacrifice of the Anzacs who served on the Gallipoli Peninsula.

To prevent the misuse of the word, the Regulations were put in place to ensure it was treated with the respect and dignity it deserved. Broadly, the Regulations prevent use of the word 'Anzac' in an official or corporate manner without permission from the Commonwealth Minister for Veterans' Affairs. For example, this includes selling or producing goods, fundraising, exhibitions, games, and sporting events.

The Regulations and associated guidelines are available on the Department of Veterans' Affairs (DVA) website at www.dva.gov.au/recognition/commemorating-all-who-served/protecting-word-anzac. To apply for permission to use the word 'Anzac', a simple application form is available. There is no cost to apply for a permit.

Thank you for your commitment and support to preserve the significance of this word. If you have any questions, please contact the Community Engagement Team at DVA at usewordanzac@dva.gov.au.

A list of known Anzac Day services is available at <https://www.rslsa.org.au/anzac-day>. I trust this information is of assistance to you.

Yours sincerely

A handwritten signature in blue ink that reads 'Geoff Brock'.

Hon Geoff Brock MP
MINISTER FOR VETERANS AFFAIRS

14 April 2023

OFFICIAL

Hon Geoff Brock MP

Government
of South Australia

23MINLG-0304

Ms Catherine Hutchesson MP
Member for Waite
1/7-9 Young Street
BLACKWOOD SA 5051
waite@parliament.sa.gov.au

Dear Ms Hutchesson CATHERINE

Thank you for your correspondence dated 26 April 2023, on behalf of your constituent **Clause 6(1)** regarding council rates within the City of Mitcham (the Council).

Under the *Local Government Act 1999* (the Act), all councils are required to adopt an annual business plan and budget prior to setting their rates each year. Through this process, councils determine the total amount of revenue needed, including rates, to deliver the services and functions that, in its view, are desired by its community.

Once a council has made this decision, it then uses property valuations to determine the proportion of rates that will be paid towards this total by each ratepayer. It is often mistakenly thought that property valuations drive the level of rates; that is, that council rates automatically increase or decrease in line with changes to property value. The total amount of a council's rate revenue is determined by its annual budget. Property valuations are then the mechanism to distribute the rates burden across ratepayers.

Property valuations are used by councils to apply a rate in the dollar to generate the total amount of rate revenue required by councils. If property values increase, councils can decrease this rate in the dollar to ensure the amount collected is what is needed, rather than using increased values to generate a 'windfall' for a council.

For example, I note from **Clause 6(1)** 2021-22 and 2022-23 rate notices that were enclosed with your correspondence, that—while the capital value increased by 36 per cent over these two years—the residential rates increased by 5.6 per cent over this period. This is due to the reduction of the rate in the dollar that the Council applied in 2022-23.

Importantly, councils must be accountable to their communities for their rating decisions. A key element of this is the requirement under the Act for councils to consult with their community on their draft annual business plan, which includes information on proposed rating decisions.

This assists each council to strike an appropriate balance between community demands for services and infrastructure, and raising the revenue needed to pay for them. I would therefore encourage Clause 6(1) to make Clause 6(1) views known to the Council during the consultation process on the Council's 2023-24 draft annual business plan.

I note that the Council is currently inviting its ratepayers to provide feedback on its draft Annual Business Plan, Budget and Long-Term Financial Plan by 10 June 2023. An online survey is available on the Council's website at www.mitchamcouncil.sa.gov.au.

The system of property taxation relies on the progressive taxation principle that the relative value of a property is an approximate guide to its owner's capacity to pay. Of course, this principle does not always hold true. That is why there are mechanisms in the Act to give rate relief when property valuation is not a reliable indicator of capacity to pay.

I appreciate the difficulty that ratepayers on low and fixed incomes may have in paying increased rates. Under the Act, councils have considerable flexibility to provide rate relief to ratepayers, including the discretion to postpone payment or remit the rates in whole or in part in cases of financial hardship.

I note with concern that Clause 6(1) enclosed 2022-23 rate notice includes an amount of arrears. I would strongly encourage Clause 6(1) to contact the Council to discuss what rate relief might be available in Clause 6(1) personal circumstances.

Additionally, the Essential Services Commission of South Australia (ESCOSA) has a new role in providing independent, transparent, and public advice to councils on their revenue and rating decisions within the context of their long-term financial planning. This assessment will assist communities and ratepayers to have greater confidence that their councils are financially sustainable, and that council rates are reasonable. Further information is available at www.escosa.sa.gov.au by searching 'advice to local government'.

Furthermore, eligible State Seniors Card holders can apply to a council to postpone payment of a large part of their council rates. The scheme helps older ratepayers who have a high level of equity in their home but are on limited incomes.

As you are aware, the State Government provides the Cost of Living Concession to pensioners and other South Australians with low and fixed incomes, to help with council rates and other costs. You may wish to advise Clause 6(1) that information on this is available at www.sa.gov.au by searching 'cost of living concession'.

I am also advised that Clause 6(1) contacted my office to express concern regarding delays with the receipt of Clause 6(1) first rates notice, which prevented Clause 6(1) from lodging an objection to her property valuation. As you may be aware, objections must be lodged with the Valuer-General within 60 days of receiving the first rates notice. Further information on lodging an objection is available at www.sa.gov.au by searching 'objecting to a property valuation' or by telephone on 1300 653 346.

The Ombudsman plays a critical role in ensuring that all councils meet proper administrative standards and legislative responsibilities. If **Clause 6(1)** is concerned that the Council has not met these standards, **Clause 6(1)** may consider making a complaint to the Ombudsman.

The Act also enables the Ombudsman to carry out an investigation if it appears that a council's declaration of any rate or service charge may have had an unfair or unreasonable impact on a particular ratepayer. **Clause 6(1)** can make a complaint by completing a form via the Ombudsman's website at www.ombudsman.sa.gov.au or by telephone (08) 8226 8699.

Thank you again for your correspondence and I trust this information will assist you in responding to **Clause 6(1)**

Yours sincerely



Hon Geoff Brock MP
MINISTER FOR LOCAL GOVERNMENT

25 / 2023

Hon Geoff Brock MP



Government
of South Australia

23MINLG-0502

Ms Catherine Hutchesson MP
Member for Waite
PO Box 445
BLACKWOOD SA 5051
waite@parliament.sa.gov.au

Dear Ms Hutchesson

You will be aware that the Minister for Local Government, the Hon Geoff Brock MP, is currently on extended leave. I am writing in my capacity as Acting Minister for Local Government to provide information on council rates to assist you and your Electorate Office staff in dealing with enquiries that might arise as your constituents start receiving their council rates notices over the coming weeks.

Local government is not immune from the effects of inflation, and I therefore anticipate that many councils will increase their rates significantly higher than previous years. As such, I hope that the following information is useful in responding to any concerns raised with you regarding the increasing cost of living.

COUNCILS' RATE SETTING PROCESS

Under the *Local Government Act 1999* (the Act) all councils are required to adopt an annual business plan and budget prior to setting their rates each year. One of the most important parts of this work is the decision that each council makes on the total amount of revenue, including rates, it needs to deliver the services and functions that, in its view, are desired by its community.

Once a council makes this decision, it then uses property valuations to determine how its ratepayers will contribute to this overall amount. Usually, ratepayers that own a more highly valued property in a council area will contribute more to this total amount than another ratepayer that has a relatively low valued property in that area.

It is often mistakenly thought that property valuations determine the level of rates, that is, that council rates automatically increase or decrease in line with changes to property value. This is not the case. Property valuations are used by councils to determine the proportion of the total rate revenue amount that each ratepayer contributes.

If property values increase, councils can decrease the rate in the dollar applied to properties to ensure that the amount of rates collected is what is needed to fund its annual business plan, rather than using increased values to generate a 'windfall' for the council.

Councils also have a wide range of tools available to them within the Act to determine a rating strategy that, in their view, best suits their community. These include differential rating (where a council may apply different rates in the dollar to different land uses or locations) and a minimum rate or fixed charge (to ensure that all ratepayers make a certain contribution to the services in the area).

Minister for Local Government | Minister for Regional Roads | Minister for Veterans Affairs

Level 10, 81 – 95 Waymouth Street Adelaide SA 5000 | GPO Box 1533 Adelaide SA 5001 | DX 171
Tel +61 8 7133 1200 | Email minister.brock@sa.gov.au



Councils can also choose to moderate the impact of increased property valuations by setting a maximum increase in the general rate to be charged on any rateable land within its area that is a ratepayer's the principal place of residence.

Importantly, councils must be accountable to their communities for their rating decisions. A key element of this is the requirement under the Act for councils to consult with their community on their draft annual business plan, which includes information on proposed rating decisions. This assists each council to strike an appropriate balance between community demands for services and infrastructure and raising the revenue needed to pay for them.

The Act currently requires councils to adopt their annual business plan between 31 May and 15 August each year. When the annual business plan has been adopted, councils then declare their rates. These rates are based on property valuations that have been adopted by the council. All councils (other than the City of Adelaide) use valuations provided by the Valuer-General, which are published in the South Australian Government Gazette on the last Thursday of May each year. To enable councils to develop their draft annual business plans and rating strategies, the Office of the Valuer-General provides 'rounds' of updated valuation material to councils on a regular basis before this gazettal.

Historically, most councils adopt their plans during June and July. This is a particularly important time of year and if your constituents raise concerns with you regarding their council's rates, I encourage you to suggest that they get involved in their council's annual business plan and budget process.

INDIVIDUAL RATE RELIEF

It is important to note and inform constituents that councils also have the power to provide relief to individual ratepayers. Councils may grant a rebate of rates or service charges to provide relief due to:

- (i) a redistribution of the rates burden within the community arising from a change to the basis or structure of the council's rates; or
- (ii) a change to the basis on which the land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations.

Councils also have the ability to assist ratepayers who may be suffering hardship, as they have the discretion to postpone payments, or remit rates in whole or in part in these circumstances.

Furthermore, eligible State Seniors Card holders can apply to a council to postpone payment of a large part of their council rates. The scheme helps older ratepayers who have a high level of equity in their home but are on limited incomes.

If any of your constituents raise concerns about their ability to pay their council rates, I suggest that you encourage and support them to approach their council directly, to discuss what rate relief measures may be available to them.

REVIEWS AND OBJECTIONS

You may also wish to alert your constituents to the fact that all councils must have procedures in place to review decisions of the council, employees of the council and other persons acting on behalf of the council. These reviews may focus specifically on the impact of a rate or service charge. Information about councils' internal review of decision procedures is generally available from each council's website.

If a ratepayer remains dissatisfied with the council's response, they may wish to consider contacting the Ombudsman. The Ombudsman also has specific powers under the Act to carry out an investigation if it appears that a council's declaration of any rate or service charge may have had an unfair or unreasonable impact on a particular ratepayer.

The Ombudsman's Office can be contacted by telephone on (08) 8226 8699 or via ombudsman@ombudsman.sa.gov.au. Further information on how to make a complaint can be found on the Ombudsman's website at www.ombudsman.sa.gov.au.

If a constituent has concerns regarding the valuation of their property, they may wish to lodge an objection to the Valuer-General within 60 days of receiving the first rates notice for the financial year. There is no fee for lodging an objection. Further information about lodging an objection is available by telephone on 1300 653 346 or at www.sa.gov.au/topics/housing/owning-a-property/objecting-to-a-property-valuation.

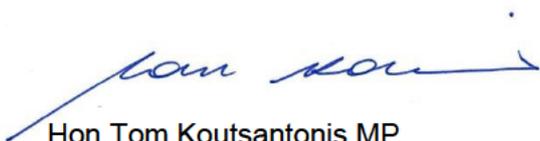
OTHER INFORMATION

The Councils in Focus website at councilsinfocus.sa.gov.au provides detailed information about each council's revenue and expenditure so that ratepayers can see how their council compares both with similar councils and with the state average on a range of functions. This website provides valuable information to support ratepayers' engagement with their council.

Additionally, you may be aware that a new scheme has now been established in which the Essential Services Commission of South Australia (ESCOSA) provides independent advice to councils on their revenue and rating decisions within the context of their long-term financial planning. This advice should help to inform and assure ratepayers that the rating decisions made by their council each year are reasonable. Further information on this scheme can be located on ECOSA's website at www.escosa.sa.gov.au/advice/advice-to-local-government. A list of the first tranche of councils which have been provided with this independent advice is enclosed.

I have enclosed a fact sheet produced by the Local Government Association of SA which I trust, together with the information above, is of assistance to you and your constituents.

Yours sincerely



Hon Tom Koutsantonis MP
ACTING MINISTER FOR LOCAL GOVERNMENT

14 / 08 / 2023

encl List of councils provided with ESCOSA Local Government Advice in 2022-23
Local Government Association of SA Fact Sheet - Council Rates and Property Values

Attachment 1

Councils Provided with ESCOSA Local Government Advice in 2022-2023

1. Adelaide Hills Council
2. Adelaide Plains Council
3. Barunga West Council
4. City of Burnside
5. Regional Council of Goyder
6. Kingston District Council
7. Mid Murray Council
8. Rural City of Murray Bridge
9. City of Port Lincoln
10. City of Prospect
11. City of Salisbury
12. City of West Torrens
13. Wattle Range Council
14. District Council of Yankalilla
15. Yorke Peninsula Council



Council rates and property values explained*

Council programs and services in South Australia are funded predominately by council rates. Council rates are a form of property tax, not a fee for service. Property taxes are generally considered a 'fair' tax in that rate payers contribute proportionally based on the value of their property (and people who have lower property values pay a proportionately lower amount). Local government is responsible for less than 4% of the total tax collected nationally.

Many council activities are provided for the benefit of all community members, as such there is not a direct link between the amount of rates paid by a property and the level of council services received. Councils work to balance the needs and desires of their communities with the impact of those choices on current, and future, ratepayers.

Local government is responsible for **less than 4%** of the total tax collected nationally.

How does the annual budget process work?

A council begins their annual budgeting process by determining the services and programs it needs to provide and the assets and infrastructure that need to be built, updated or maintained. This will then determine the total budget needed.

Councils have three main sources of revenue to fund the delivery of these services and programs: council rates (taxation on property); fees and charges (ie. permit fees, fines and infringements); and grants and subsidies (from other levels of government).

Councils will estimate the revenue to be received from sources such as State and Commonwealth Government funding and from other fees and charges. By using these estimates a council can calculate the amount it needs to collect in rates revenue to meet its financial responsibilities for the coming year.

Councils use property valuations to calculate each property's contribution to the required rate revenue total. To do this (in simple terms), they calculate the 'rate in the dollar'. This is done by dividing the required rate revenue by the total value of rateable properties. The 'rate in the dollar' is then multiplied by the value of the property to establish the rate contribution for that property.

Councils do not automatically receive more money because property values increase but this may alter how rates are apportioned across each ratepayer.

Once a property's contribution to general rates has been determined, any other applicable rates and charges (including the South Australian Government's Regional Landscapes Levy which is not retained by councils) are then added to determine the total amount payable on a property.

Councils do not automatically receive more money because property values increase but this may alter how rates are apportioned across each ratepayer.

How are property values determined?

Each year, the Valuer-General of South Australia independently and objectively determines site and capital values for every rateable property in the state (referred to as the General Valuation). Property valuations may increase or decrease each year depending on changes to the property and other market influences.

Councils may use valuations provided by the Valuer-General or a valuer authorised under the Land Valuers Act 1994 engaged by the council. The vast majority of councils in SA use capital value (with the exception of a small number of regional councils who currently use site value and the City of Adelaide who use annual value) and adopt valuations from the Valuer-General (with the exception of the City of Adelaide who undertake their own valuations and City of Port Adelaide Enfield who undertake their own valuations for commercial and industrial and vacant land).

What if I don't agree with the property valuation?

When you receive your rates notice and you disagree with the value of your property, you may lodge a written objection within 60 days following receipt of the first rates notice. Information on how to do this is on the back of the rates notice.

How do I have a say on council budgets?

Councils prepare Annual Business Plans, which includes revenue sources, infrastructure needs, service needs and what the council believes the community can afford in rates. Unlike other levels of government, councils release these plans for community consultation prior to being adopted. This process generally takes place around April to June. Keep an eye on your council's website or social media pages to keep informed on when these opportunities are happening in your council area.

**The process has been simplified and applies generally to local government in South Australia, for information relating to the rating policy of a specific council please refer to the website of the council in question.*



'rate in the dollar'



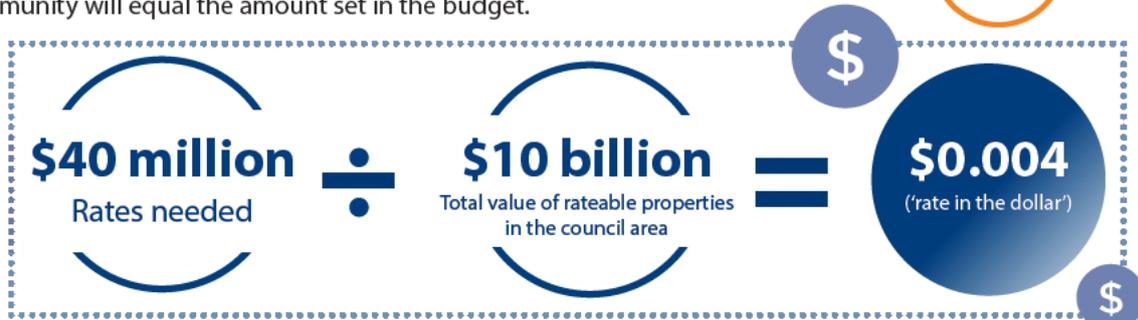
Example:

A council calculates that in order to provide all the services and programs for the coming financial year (e.g. road reseals, building maintenance, parks and gardens, coastal protection, waste and recycling, public health programs, libraries, community events and other programs that create accessible and inclusive communities) they need a total budget of **\$65m**.

They estimate that they will receive around **\$17m** from fees and charges and **\$8m** in grants and subsidies from the State and Commonwealth Governments. This means that they need to collect **\$40m** in council rates.

Councils use property valuations to calculate each ratepayer's contribution to the required rate revenue total. The total rates paid by the community will equal the amount set in the budget.

To do this, they calculate the 'rate in the dollar'. This is done by dividing the required rate revenue by the total value of rateable properties, e.g.



The 'rate in the dollar' is then multiplied by the value of a property to establish the rate contribution for each property, e.g.



Rates are calculated on the value of a property. Higher value properties (relative to others within a council area) will contribute more in rates than lower value properties.



Councils adjust the 'rate in the dollar' each year to react to changes in property values. Councils do not automatically receive more money because property values increase but this may alter how rates are apportioned across each ratepayer (ie. some people may pay more or less rates, this is dependent on the change in value of their property relative to the overall valuation changes across the council area).



Once a property's contribution to general rates has been determined, any other applicable rates and charges (e.g. Community Wastewater Management Scheme charge, waste collection service rate and/or the South Australian Government's Regional Landscapes Levy) are then added to determine the total amount payable on a property (ie. the amount on the rate notice).



Rates contribution



Other fees & charges



Rates Notice

OFFICIAL

Hon Geoff Brock MP

Government
of South Australia

23MINVA-0131

Ms Catherine Hutchesson MP
Member for Waite
PO Box 445
BLACKWOOD SA 5051
waite@parliament.sa.gov.au

Dear Ms Hutchesson *CATHERINE*

Every year on 11 November, Australians collectively take a moment to remember those who have lost their lives or suffered in wars, conflicts, and peacekeeping operations across the globe.

In an increasingly busy and noisy world, a minute's silence is a profound sign of respect and opportunity for reflection. By pausing at 11am on 11 November, we honour those who have served their country.

I have been notified by the Australian Government Minister for Veterans' Affairs, the Hon Matt Keogh MP, that a range of posters and resources to commemorate Remembrance Day are available via the Anzac Portal at www.anzacportal.dva.gov.au.

As with previous years, these resources are intended to be shared with schools and community groups within your electorate. As the Minister for Veterans Affairs, I would sincerely appreciate you sharing this information with representatives from such organisations.

Should you have any further enquiries, please contact my Ministerial Adviser for Veterans Affairs, Mr Paul Sykes, by telephone on 0402 121 241 or via email at paul.sykes@sa.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads 'Brock'.

Hon Geoff Brock MP
MINISTER FOR VETERANS AFFAIRS

12/10 / 2023

Hon Geoff Brock MP**Government
of South Australia**

23MINLG-0515

Ms Catherine Hutchesson MP
Member for Waite
PO Box 445
BLACKWOOD SA 5051
waite@parliament.sa.gov.au

Dear Ms Hutchesson *CATHERINE*

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 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 being 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.

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 South Australia for the 2023-24 year comprises the following components. A table of FA Grants allocated to each council is enclosed for your information (Attachment 1).

Estimated FA Grants for 2023-24

| | |
|---|-----------------------|
| General Purpose Grant (GPG) | \$ 135,138,065 |
| Roads (Formulae Funding - ILRG) | \$ 40,442,392 |
| Roads (Special Local Roads Program - ILRG) | \$ 7,137,000 |
| Total Estimated Grant for 2023-24 | \$ 182,717,457 |
| <i>Add</i> Adjustment for 2022-23 underpayment (GPG) | \$ 6,902,806 |
| <i>Add</i> Adjustment for 2022-23 underpayment (ILRG) | \$ 1,452,267 |
| <i>Less</i> Brought Forward Payment Paid in June 2023 (GPG) | \$ 100,962,444 |
| <i>Less</i> Brought Forward Payment Paid in June 2023 (ILRG) | \$ 35,695,209 |
| Remaining 2023-24 Cash Payable (rounded to the nearest dollar) | \$ 54,414,877 |

2023-24 Supplementary Local Road Funding

| | |
|--|----------------------|
| Supplementary Local Road Funding (Formulae Funding) | \$ 17,000,000 |
| Supplementary Local Road Funding (Special Local Roads) | \$ 3,000,000 |
| Total Supplementary Local Road Funding 2023-24 | \$ 20,000,000 |

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.

Should you have any queries regarding the FA Grants or Supplementary Local Road Funding, please contact the Commission's Executive Officer, Mr Peter Ilee, by telephone on (08) 7133 1414 or via email to grants.commission@sa.gov.au.

Yours sincerely



Hon Geoff Brock MP
MINISTER FOR LOCAL GOVERNMENT

B2/10 / 2023

Attachment 1 Summary of Local Government Financial Assistance Grants for the 2023-24 Financial Year

