

- a) repeatedly behaves unreasonably towards another Council member, or employee; and
- b) the behaviour could reasonably be considered to be distressing, victimising, threatening or humiliating.

Note -

If this behaviour adversely affects the health and safety of another council member or council employee, it must be addressed under section 75G of the Act and may be referred to the Behavioural Standards Panel as ‘serious misbehaviour’ under sections 262E and 262Q of the Act.

An elected member will be considered to *sexually harass* other Council members or Council employees if:

the Council member either, as an individual Council member or as a member of a group:

- a) makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to another Council member, or employee (the person harassed); or
- b) engages in other unwelcome conduct of a sexual nature in relation to the person harassed, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated, or intimidated.

Note -

If this behaviour adversely affects the health and safety of another council member or council employee, it must be addressed under section 75G of the Act and may be referred to the Behavioural Standards Panel as ‘serious misbehaviour’ under sections 262E and 262Q of the Act.

Conduct of a sexual nature includes making a statement of a sexual nature to a person, or in the presence of a person, whether the statement is made orally or in writing.

Council employees include volunteers, persons gaining work experience and contractors.

The following behaviour **does not** constitute a breach of these Standards:

- robust debate carried out in a **respectful** manner between Council Members; or
- A reasonable direction given by the Presiding Member at a council meeting, council committee meeting or other council-related meeting (such as a working group or an information or briefing session); or
- A reasonable direction carried out by the Council CEO/responsible person pursuant to section 75G of the Act in relation to the behaviour of a Council Member that poses a risk to the health or safety of a council employee.

Requirement applying to behavioural management policies of councils

Behavioural management policies of councils must provide for a Behavioural Standards Panel contact officer. Councils must appoint a person as the contact officer for matters referred to the Behavioural Standards Panel. The contact officer is responsible for the provision of information to and receipt of notice from the Behavioural Standards Panel.

Commencement

The Behavioural Standards come into operation on the day on which it is published in the Gazette.

Dated: 3 November 2022

HON GEOFF BROCK MP
Minister for Local Government

LOCAL GOVERNMENT ACT 1999**DETERMINATION UNDER SECTIONS 72A(2) AND 119A(2)****Register of Gifts and Benefits**

For the purposes of sections 72A(2) and 119A(2) of the *Local Government Act 1999*, I, Geoffrey Graeme Brock, **Minister for Local Government** in the State of South Australia, hereby **DETERMINE** the amount of \$50.

This determination will come into operation on the day on which section 36 of the *Statutes Amendment (Local Government Review) Act 2021* comes into operation.

Dated: 3 November 2022

HON GEOFF BROCK MP
Minister for Local Government

LOCAL GOVERNMENT ACT 1999**SCHEDULE 3 CLAUSE 2(A1) OF THE LOCAL GOVERNMENT ACT 1999****REGULATION 9 OF THE LOCAL GOVERNMENT (GENERAL) REGULATIONS 2013****Determination of Form of Returns—Register of Interests for Members and Officers of a Council**

I, Geoffrey Graeme Brock, **Minister for Local Government** in the State of South Australia, under Schedule 3 clause 2(a1) of the *Local Government Act 1999* (the Act) and Regulation 9 of the *Local Government (General) Regulations 2013* (the Regulations), hereby **DETERMINE**:

- the form of the return in Annexure 1 as the form for a primary return under section 65 of the Act;
- the form of the return in Annexure 2 as the form for an ordinary return under section 66 of the Act;
- the form of the return in Annexure 3 as the form for a primary return under regulation 9(5) of the Regulations;
- the form of the return in Annexure 4 as the form for an ordinary return under regulation 9(6) of the Regulations

Dated: 3 November 2022

HON GEOFF BROCK MP
Minister for Local Government