

**I hereby give notice that an Ordinary Meeting of Council will be held  
on:**

**Date: Tuesday, 16 February 2021**  
**Time: 6.00 p.m.**  
**Location: Council Chamber**  
**Civic Centre**  
**10 Watson Terrace**  
**Mount Gambier**

# **AGENDA**

## **Ordinary Council Meeting 16 February 2021**



**Barbara Cernovskis**  
**Acting Chief Executive Officer**

**12 February 2021**

## Order Of Business

<b>1</b>	<b>Acknowledgement of Country .....</b>	<b>5</b>
<b>2</b>	<b>Apologies .....</b>	<b>5</b>
<b>3</b>	<b>Leave of Absence .....</b>	<b>5</b>
<b>4</b>	<b>Confirmation of Council Minutes.....</b>	<b>5</b>
<b>5</b>	<b>Mayoral Report.....</b>	<b>5</b>
<b>6</b>	<b>Reports from Councillors.....</b>	<b>6</b>
<b>7</b>	<b>Questions with Notice .....</b>	<b>6</b>
	Nil	
<b>8</b>	<b>Questions without Notice.....</b>	<b>6</b>
<b>9</b>	<b>Petitions .....</b>	<b>6</b>
	Nil	
<b>10</b>	<b>Deputations.....</b>	<b>6</b>
	Nil	
<b>11</b>	<b>Notice of Motion to Rescind or Amend .....</b>	<b>6</b>
	Nil	
<b>12</b>	<b>Elected Members Workshops .....</b>	<b>7</b>
12.1	Elected Member Workshop from 16/01/2021 to 15/02/2021 – Report No. AR21/1601 .....	7
<b>13</b>	<b>Elected Members Training and Development .....</b>	<b>14</b>
	Nil	
<b>14</b>	<b>Council Action Items .....</b>	<b>15</b>
14.1	Council Action Items - 19/01/2021 – Report No. AR21/1573 .....	15
<b>15</b>	<b>Economic and Environment Committee Minutes and Recommendations .....</b>	<b>25</b>
	Nil	
<b>16</b>	<b>People and Place Committee Minutes and Recommendations .....</b>	<b>25</b>
	Nil	
<b>17</b>	<b>Regional Sport and Recreation Centre Committee Minutes and Recommendations.....</b>	<b>26</b>
17.1	Minutes of the Regional Sport and Recreation Centre Committee held on 9 February 2021 - Go to Attachment .....	26
17.2	Wulanda Recreation and Convention Centre - Community Reference Group Terms of Reference – Report No. AR21/6054.....	26
17.3	Wulanda Recreation and Convention Centre - Terms of Reference – Report No. AR21/6829.....	26
<b>18</b>	<b>Council Assessment Panel Minutes .....</b>	<b>27</b>
18.1	Minutes of the Council Assessment Panel held on 21 January 2021 .....	27
<b>19</b>	<b>Junior Sports Assistance (Section 41) Committee Minutes and Recommendations.....</b>	<b>28</b>



	Nil	
<b>20</b>	<b>Audit Committee Minutes and Recommendations .....</b>	<b>28</b>
	Nil	
<b>21</b>	<b>Chief Executive Officer Performance Review Committee Minutes and Recommendations.....</b>	<b>28</b>
	Nil	
<b>22</b>	<b>Chief Executive Officer Selection Panel Committee Minutes and Recommendations.....</b>	<b>28</b>
	Nil	
<b>23</b>	<b>Building Fire Safety Committee Minutes.....</b>	<b>28</b>
	Nil	
<b>24</b>	<b>Council Reports .....</b>	<b>29</b>
24.1	Review of regional public transport services - Mount Gambier Public Bus Service – Report No. AR21/2815 .....	29
24.2	Review of Delegations - Planning, Development and Infrastructure Act – Report No. AR20/72711 .....	39
24.3	Tour of the Great South Coast Cycling Tier 2 Sponsorship Funding – Report No. AR21/5251.....	117
24.4	Budget Review Quarter 2 FY2020-21 – Report No. AR21/5589 .....	120
24.5	Long Term Financial Plan (LTFP) and Asset Management Plan (AMPs) FY2022-FY2031 – Report No. AR21/6732 .....	133
24.6	Council's current Valuation and Rating System – Report No. AR20/80665 .....	247
24.7	Proposed Rating Structure and Waste Service Charge – Report No. AR21/7731 .....	305
<b>25</b>	<b>Motions with Notice.....</b>	<b>311</b>
25.1	Notice of Motion - Street Sweeping - Hallmont and Woodlands Estate.....	311
25.2	Notice of Motion - Communication, Media and Engagement Structure and Function .....	312
25.3	Notice of Motion - Untenanted Commercial Premises Within the CBD .....	313
25.4	Notice of Motion - Strategy and Implementation Plan to Support the Promotion of Street Art.....	314
25.5	Notice of Motion - Homelessness in Mount Gambier and the Surrounding Region .....	315
25.6	Notice of Motion - Jobseeker Allowance.....	316
<b>26</b>	<b>Urgent Motions without Notice .....</b>	<b>318</b>
<b>27</b>	<b>Confidential Items of Committees .....</b>	<b>319</b>
27.1	Confidential items of the Regional Sport and Recreation Centre Committee held on 9 February 2021 .....	319
27.2	Project Control Group (PCG) Progress Report - As at 01/02/2021 – Report No. AR21/6521 .....	319



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<b>28</b>	<b>New Confidential Items .....</b>	<b>321</b>
	Nil	
<b>29</b>	<b>Meeting Close .....</b>	<b>321</b>
	<b>Committee Minutes and Reports / Attachments .....</b>	<b>322</b>
	Attachments Item 4 Ordinary Council Meeting - 19 January 2021.....	323
	Attachments Item 17.1 Minutes of the Regional Sport and Recreation Centre Committee held on 9 February 2021 .....	335
	Attachments Item 17.2 Wulanda Recreation and Convention Centre - Community Reference Group Terms of Reference .....	339
	Attachments Item 17.3 Wulanda Recreation and Convention Centre - Terms of Reference .....	348



**1 ACKNOWLEDGEMENT OF COUNTRY**

**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.**

**2 APOLOGIES**

Nil

**3 LEAVE OF ABSENCE**

Nil

**4 CONFIRMATION OF COUNCIL MINUTES**

[Ordinary Council Meeting - 19 January 2021](#)

**RECOMMENDATION**

That the minutes of the Ordinary Council meeting held on 19 January 2021 be confirmed as an accurate record of the proceedings of the meeting.

**5 MAYORAL REPORT**

- Elected Members Workshop – Long Term Financial Plan
- Ribbon and Cake Cutting – Lifeline Shop, Commercial Street West
- Site viewing of Croquet Club
- Weekly LCLGA Mayor’s Virtual Meeting
- Mount Gambier Library Summer Reading Club
- Meeting with Croquet Club and West Gambier
- Radio Interview with 5GTR-FM
- Australia Day Awards Ceremony
- Australia Day Citizenship Ceremony
- Weekly LCLGA Mayor’s Virtual Meeting
- Elected members Workshop – Council Policy C410
- Noorla Yo-Long Blue Light Adventure Climbing Wall Opening in Rendelsham
- Wulanda Site Visit
- Regional Sport and Recreation Centre Committee Meeting
- LCLGA Member Business Plan Workshop and Dinner
- LCLGA General Meeting – Tatiara District Council
- Immersive Storytelling Launch



**6 REPORTS FROM COUNCILLORS**

**7 QUESTIONS WITH NOTICE**

Nil

**8 QUESTIONS WITHOUT NOTICE**

**9 PETITIONS**

Nil

**10 DEPUTATIONS**

Nil

**11 NOTICE OF MOTION TO RESCIND OR AMEND**

Nil



## 12 ELECTED MEMBERS WORKSHOPS

### 12.1 ELECTED MEMBER WORKSHOP FROM 16/01/2021 TO 15/02/2021 – REPORT NO. AR21/1601

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Author:** Fiona McGregor, Executive Administration Officer  
**Authoriser:**

#### REPORT RECOMMENDATION

1. That Council Report No. AR21/1601 titled 'Elected Member Workshop from 16/01/2021 to 15/02/2021' as presented on 16 February 2021 be noted.



## **ATTACHMENTS**

1. Designated Informal Gathering - Members Workshop - Record of Proceedings - 20/01/2021 [↓](#)
2. Designated Informal Gathering - Members Workshop - Record of Proceedings - 27/01/2021 [↓](#)
3. Designated Informal Gathering - Members Workshop - Record of Proceedings - 28/01/2021 [↓](#)
4. Designated Informal Gathering - Members Workshop - Record of Proceedings - 02/02/2021 [↓](#)
5. Designated Informal Gathering - Members Workshop - Record of Proceedings - 08/02/2021 [↓](#)





**DESIGNATED INFORMAL GATHERING  
LONG TERM FINANCIAL PLAN  
5.30 PM, WEDNESDAY 20 JANUARY 2021**

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RECORD OF PROCEEDINGS  
5.30 pm, Wednesday 20 January 2021  
Council Chamber, Level 4, Civic Centre,  
10 Watson Terrace, Mount Gambier

**MEMBERS PRESENT:-**

**STAFF PRESENT:-**

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Mayor Martin  
Cr Mezinac  
Cr Morello  
Cr Perryman  
Cr Bruins  
Cr Amoroso  
Cr Jenner

Active Chief Executive Officer  
General Manager Shared Services  
General Manager City Infrastructure  
Manager Finance  
Management Accountant

**MEMBERS APOLOGIES:-**

**LEAVE OF ABSENCE:-**

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Cr Greco  
Cr Hood

**DISCUSSION:**

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Discussion about the Long Term Financial Plan.

Discussion closed at 7.26 p.m.



**DESIGNATED INFORMAL GATHERING  
COUNTRY ARTS SA MASTERPLAN  
5.30 PM, WEDNESDAY 27 JANUARY 2021**

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RECORD OF PROCEEDINGS  
5.30 pm, Wednesday 27 January 2021  
Mayoral Reception Area, Level 4, Civic Centre,  
10 Watson Terrace, Mount Gambier

**GUESTS:-**

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Anthony Peluso – Country Arts SA  
Michael Bloyce – Country Arts SA

Esther Chew - Grieve Gillett Andersen via Zoom  
Paul Gillett - Grieve Gillett Andersen via Zoom

**MEMBERS PRESENT:-**

Cr Mezinec  
Cr Morello  
Cr Bruins  
Cr Jenner  
Cr Greco

**STAFF PRESENT:-**

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Acting Chief Executive Officer  
General Manager City Infrastructure  
Manager Waste and Reuse

**MEMBERS APOLOGIES:-**

Mayor Martin  
Cr Perryman  
Cr Hood  
Cr Amoroso

**LEAVE OF ABSENCE:-**

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**DISCUSSION:**

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Country Arts Masterplan  
Varcoe Foundry

Discussion closed at 7.20 p.m.



**DESIGNATED INFORMAL GATHERING  
MOUNT GAMBIER PRIVATE HOSPITAL  
5.30 PM, THURSDAY 28 JANUARY 2021**

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RECORD OF PROCEEDINGS  
5.30 pm, Thursday 28 January 2021  
Council Chamber, Level 4, Civic Centre,  
10 Watson Terrace, Mount Gambier

**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.**

**GUESTS:-**

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Sandy Elliott – Mount Gambier Private Hospital  
Deb Paschke - Mount Gambier Private Hospital

**MEMBERS PRESENT:-**

Cr Mezinec  
Cr Hood  
Cr Jenner

**STAFF PRESENT:-**

Acting Chief Executive Officer  
General Manager Shared Services

**MEMBERS APOLOGIES:-**

Mayor Martin  
Cr Bruins  
Cr Perryman  
Cr Greco  
Cr Amoroso  
Cr Morello

**LEAVE OF ABSENCE:-**

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**DISCUSSION:**

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Private Hospital Feasibility Study

Discussion closed at 6.20 p.m.



**DESIGNATED INFORMAL GATHERING  
BUDGET REVIEW 2  
5.30 PM, TUESDAY 2 FEBRUARY 2021**

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RECORD OF PROCEEDINGS  
5.30 pm, Tuesday 2 February 2021  
Council Chamber, Level 4, Civic Centre,  
10 Watson Terrace, Mount Gambier

**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.**

**MEMBERS PRESENT:-**

Cr Greco  
Cr Mezinac  
Cr Hood  
Cr Bruins  
Cr Amoroso  
Cr Perryman  
Cr Jenner

**STAFF PRESENT:-**

Acting Chief Executive Officer  
General Manager City Infrastructure  
General Manager Shared Services  
Manager Finance  
Management Accountant

**MEMBERS APOLOGIES:-**

Mayor Martin  
Cr Morello

**LEAVE OF ABSENCE:-**

Nil

**DISCUSSION:**

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Budget Review 2  
Rates Review

Discussion closed at 7.10 p.m.



**DESIGNATED INFORMAL GATHERING  
COUNCIL POLICY C410  
5.30 PM, MONDAY 8 FEBRUARY 2021**

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RECORD OF PROCEEDINGS  
5.30 pm, Monday 8 February 2021  
Council Chamber, Level 4, Civic Centre,  
10 Watson Terrace, Mount Gambier

**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.**

**MEMBERS PRESENT:-**

Mayor Martin  
Cr Perryman  
Cr Jenner  
Cr Greco  
Cr Morello  
Cr Bruins  
Cr Meziniec  
Cr Amoroso

**STAFF PRESENT:-**

Acting Chief Executive Officer  
General Manager Shared Services  
Manager Governance and Property

**MEMBERS APOLOGIES:-**

Cr Hood

**LEAVE OF ABSENCE:-**

Nil

**DISCUSSION:**

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Council Policy C410

Discussion closed at 7.04 p.m.



**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil



## 14 COUNCIL ACTION ITEMS

### 14.1 COUNCIL ACTION ITEMS - 19/01/2021 – REPORT NO. AR21/1573

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Author:** Fiona McGregor, Executive Administration Officer  
**Authoriser:**

#### REPORT RECOMMENDATION

1. That Council Report No. AR21/1573 titled 'Council Action Items - 19/01/2021' as presented on 16 February 2021 be noted.



## ATTACHMENTS

1. Council Action Items 19/01/2021 [↓](#)





Outstanding/Finalised	Division:	Date From:	19/01/2021
	Committee:	Date To:	19/01/2021
	Officer:		
Action Sheets Report		Printed: 12 February 2021 12:09 PM	

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	McGregor, Fiona Serle, Nick	Elected Members Workshops	Elected Member Workshop from 14/12/2020 to 14/01/2021
<b>RESOLUTION 2021/5</b>			
Moved: Cr Christian Greco			
Seconded: Cr Sonya Meziniec			
1. That Council Report No. AR20/84230 titled 'Elected Member Workshop from 14/12/2020 to 14/01/2021' as presented on 19 January 2021 be noted.			
<b>CARRIED</b>			
<i>21 Jan 2021 - 2:50 PM - Fiona McGregor</i>			
Action completed by: McGregor, Fiona			
Completed			

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	McGregor, Fiona Serle, Nick	Council Action Items	Council Action Items from 15/12/2020
<b>RESOLUTION 2021/6</b>			
Moved: Cr Max Bruins			
Seconded: Cr Christian Greco			
1. That Council Report No. AR20/84231 titled 'Council Action Items from 15/12/2020' as presented on 19 January 2021 be noted.			
<b>CARRIED</b>			
<i>21 Jan 2021 - 2:50 PM - Fiona McGregor</i>			
Action completed by: McGregor, Fiona			
Completed			



Outstanding/Finalised	Division:	Date From:	19/01/2021
Action Sheets Report	Committee:	Date To:	19/01/2021
	Officer:	Printed: 12 February 2021 12:09 PM	

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Wilson, Sally Serle, Nick	Audit Committee Minutes and Recommendations	Minutes of the Audit Committee held on 14 December 2020
<b>RESOLUTION 2021/7</b>			
Moved: Cr Sonya Meziniec			
Seconded: Cr Frank Morello			
That the Minutes of the Audit Committee meeting held on 14 December 2020 as attached be noted.			
<b>CARRIED</b>			
25 Jan 2021 - 5:14 PM - Sally Wilson			
Action completed by: Wilson, Sally			
For noting only.			

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Zwijenburg, Jeroen Barber, Darren	Reports	Audit Committee Works Program
<b>RESOLUTION 2021/8</b>			
Moved: Cr Sonya Meziniec			
Seconded: Cr Paul Jenner			
1. That Audit Committee Report No. AR20/82143 titled 'Audit Committee Works Program' as presented on 14 December 2020 be noted.			
<b>CARRIED</b>			
25 Jan 2021 - 10:00 AM - Jeroen Zwijnenburg			
Action completed by: Zwijnenburg, Jeroen			
Implemented within the Audit Committee accordingly.			



Outstanding/Finalised	Division:	Date From:	19/01/2021
	Committee:	Date To:	19/01/2021
Action Sheets Report	Officer:	Printed: 12 February 2021 12:09 PM	

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Zwijenburg, Jeroen Barber, Darren	Reports	Audit Committee - sitting fees
<b>RESOLUTION 2021/9</b>			
Moved: Cr Sonya Mezinac			
Seconded: Cr Christian Greco			
1. That Audit Committee Report No. AR20/17419 titled 'Audit Committee - sitting fees' as presented on 14 December 2020 be noted.			
2. That Council amend as follows:			
(a) The sitting fees for the ordinary meetings of the Audit Committee be increased to:			
i. Independent Presiding Member                      \$300.00			
ii. Other Independent Members                      \$200.00			
(b) The sitting fees for any special meeting of the Audit Committee be increased to:			
iii. Independent Presiding Member                      \$200.00			
iv. Other Independent Members                      \$100.00			
<b>CARRIED</b>			
25 Jan 2021 - 10:00 AM - Jeroen Zwijenburg			
Action completed by: Zwijenburg, Jeroen			
These sitting fees will be applied going forward. Implemented.			



Outstanding/Finalised	Division:	Date From:	19/01/2021
	Committee:	Date To:	19/01/2021
Action Sheets Report	Officer:	Printed: 12 February 2021 12:09 PM	

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Zwijnenburg, Jeroen Barber, Darren	Reports	Self-assessment of performance Audit Committee
<b>RESOLUTION 2021/10</b>			
Moved: Cr Sonya Meziniec			
Seconded: Cr Max Bruins			
<ol style="list-style-type: none"> <li>1. That Audit Committee Report No. AR20/82682 titled 'Self-assessment of performance Audit Committee' as presented on 14 December 2020 be noted.</li> <li>2. That the audit committee record that it is satisfied that its performance is meeting Council and other relevant Authority's standards and expectations.</li> <li>3. That the audit committee's Terms of reference are updated from:                      'The size of the committee shall be three (3) members.'                      To                      'The size of the committee shall be between three (3) and 5 members (inclusive).'</li> <li>4. That the audit committee's Terms of reference will include the following:                      'A vacancy in the membership of the audit committee will not invalidate any decisions of the audit committee, provided a quorum is maintained during meetings.'</li> </ol>			
			<b>CARRIED</b>
25 Jan 2021 - 10:17 AM - Jeroen Zwijnenburg Action completed by: Zwijnenburg, Jeroen Noted.			



Outstanding/Finalised	Division:	Date From:	19/01/2021
Action Sheets Report	Committee:	Date To:	19/01/2021
	Officer:	Printed:	12 February 2021 12:09 PM

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Zwijenburg, Jeroen Barber, Darren	Reports	Audit Engagement FY2022 - FY2025
<b>RESOLUTION 2021/11</b>			
Moved: Cr Sonya Meziniec			
Seconded: Cr Max Bruins			
<ol style="list-style-type: none"> <li>That Audit Committee Report No. AR20/82148 titled 'Audit Engagement FY2022 - FY2025' as presented on 14 December 2020 be noted.</li> <li>That Council considers the following matters as part of the tender process for the external audit service provider:                             <ul style="list-style-type: none"> <li>provision of potential improvement opportunities</li> <li>inclusion of Audit Engagement Plans</li> </ul> </li> </ol>			
<b>CARRIED</b>			
25 Jan 2021 - 10:20 AM - Jeroen Zwijnenburg Revised Target Date changed by: Zwijnenburg, Jeroen From: 2 Feb 2021 To: 28 Feb 2021 Reason: Tender documents are completed, ready for release. This will be followed by assessment of the responses later in February and March.			

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Zwijenburg, Jeroen Barber, Darren	Reports	Annual Report 2019-20
<b>RESOLUTION 2021/12</b>			
Moved: Cr Sonya Meziniec			
Seconded: Cr Frank Morello			
<ol style="list-style-type: none"> <li>That Audit Committee Report No. AR20/82431 titled 'Annual Report 2019-20' as presented on 14 December 2020 be noted.</li> </ol>			
<b>CARRIED</b>			
25 Jan 2021 - 10:17 AM - Jeroen Zwijnenburg Action completed by: Zwijnenburg, Jeroen Noted.			



Outstanding/Finalised	Division:	Date From:	19/01/2021
Action Sheets Report	Committee:	Date To:	19/01/2021
	Officer:	Printed:	12 February 2021 12:09 PM

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Zwijnenburg, Jeroen Barber, Darren	Reports	Emergency Management and Risk Management
<b>RESOLUTION 2021/13</b>			
Moved: Cr Sonya Meziniec			
Seconded: Cr Paul Jenner			
1. That Audit Committee Report No. AR20/82729 titled 'Emergency Management and Risk Management' as presented on 14 December 2020 be noted.			
			<b>CARRIED</b>
<i>25 Jan 2021 - 10:18 AM - Jeroen Zwijnenburg</i>			
Action completed by: Zwijnenburg, Jeroen			
Noted.			

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Zwijnenburg, Jeroen Barber, Darren	Reports	Quarterly Budget Review 1 2020-21
<b>RESOLUTION 2021/14</b>			
Moved: Cr Sonya Meziniec			
Seconded: Cr Christian Greco			
1. That Audit Committee Report No. AR20/82630 titled 'Quarterly Budget Review 1 2020-21' as presented on 14 December 2020 be noted.			
2. That the Audit Committee note the adoption of the following resulting from the first quarterly Budget Review for 2020-21:			
YTD quarter 1 budget review (BR1) revisions for the FY2020/21 financial year reflect:			
<ul style="list-style-type: none"> <li>• A \$2,082,000 forecasted operating deficit, representing a \$489,000 increased deficit from the original budget operating deficit of \$1,593,000;</li> <li>• A \$10,290,000 forecast net surplus, representing a \$529,000 decrease from the original budget net surplus of \$10,819,000;</li> <li>• No impairment expense within Other Comprehensive expenses at BR1.</li> <li>• A \$39,098,000 forecast capital expenditure, representing a \$1,301,000 change from the original budget capital expenditure of \$37,797,000, including a budget revision carry over to 2020/21 of \$1,856,000 and an anticipated carry-over to 2021/22 of \$1,600,000</li> </ul>			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 19/01/2021 Date To: 19/01/2021
Action Sheets Report		Printed: 12 February 2021 12:09 PM

**CARRIED**

25 Jan 2021 - 10:18 AM - Jeroen Zwijnenburg  
Action completed by: Zwijnenburg, Jeroen  
Noted.

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Zwijnenburg, Jeroen Barber, Darren	Reports	Council budget, LTFP and AMPs review processes for 2021-22
<b>RESOLUTION 2021/15</b>			
Moved: Cr Sonya Meziniec Seconded: Cr Max Bruins			
1. That Audit Committee Report No. AR20/82421 titled 'Council budget, LTFP and AMPs review processes for 2021-22' as presented on 14 December 2020 be noted.			
<b>CARRIED</b>			
25 Jan 2021 - 10:18 AM - Jeroen Zwijnenburg Action completed by: Zwijnenburg, Jeroen Noted.			

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Cernovskis, Barbara Cernovskis, Barbara	Council Reports	Update on COVID-19 Initiatives
<b>RESOLUTION 2021/16</b>			
Moved: Cr Sonya Meziniec Seconded: Cr Christian Greco			
1. That Council Report No. AR20/79276 titled 'Update on COVID-19 Initiatives' as presented on 19 January 2021 be noted.			
<b>CARRIED</b>			
11 Feb 2021 - 11:16 AM - Barbara Cernovskis Action completed by: McGregor, Fiona Completed per Barbara Cernovskis			



Outstanding/Finalised	Division:	Date From:	19/01/2021
Action Sheets Report	Committee:	Date To:	19/01/2021
	Officer:	Printed:	12 February 2021 12:09 PM

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Porter, Jessica Serle, Nick	Council Reports	Local Government Infrastructure Partnership Program
<b>RESOLUTION 2021/17</b>			
Moved: Cr Paul Jenner			
Seconded: Cr Christian Greco			
<ol style="list-style-type: none"> <li>That Council Report No. AR20/85887 titled 'Local Government Infrastructure Partnership Program' as presented on 19 January 2021 be noted.</li> <li>Council prepare a submission for the Local Government Infrastructure Partnership Program, seeking State Government funding to assist in the installation of solar lights along the entire shared cycle/walking rail trail and undertake completion of the Wandilo Road to TAFE, Wireless Road West shared path project.</li> </ol>			
<b>CARRIED</b>			
<p>1 Feb 2021 - 9:36 AM - Jessica Porter                      Action completed by: Porter, Jessica                      Submission completed</p>			

Meeting	Officer/Director	Section	Subject
Council 19/01/2021	Porter, Jessica Serle, Nick	Council Reports	Open Space and Places for People Grant Funding 2021
<b>RESOLUTION 2021/18</b>			
Moved: Cr Sonya Mezinac			
Seconded: Cr Christian Greco			
<ol style="list-style-type: none"> <li>That Council Report No. AR20/86146 titled 'Open Space and Places for People Grant Funding 2021' as presented on 19 January 2021 be noted.</li> <li>Council prepare a submission for the Open Space and Places for People Grant Funding 2021, seeking State Government funding to support to assist in the development of a Crater Lakes Precinct Activation Plan.</li> </ol>			
<b>CARRIED</b>			
<p>1 Feb 2021 - 9:37 AM - Jessica Porter                      Revised Target Date changed by: Porter, Jessica From: 2 Feb 2021 To: 19 Feb 2021                      Reason: Closing date for application is 19 February 2021</p>			





**15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil



## 17 REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MINUTES AND RECOMMENDATIONS

### 17.1 MINUTES OF THE REGIONAL SPORT AND RECREATION CENTRE COMMITTEE HELD ON 9 FEBRUARY 2021 - [Go to Attachment](#)

#### RECOMMENDATION

That the Minutes of the Regional Sport and Recreation Centre Committee meeting held on 9 February 2021 as attached be noted.

### 17.2 [Wulanda Recreation and Convention Centre - Community Reference Group Terms of Reference](#) – Report No. AR21/6054

#### RECOMMENDATION

1. That Regional Sport and Recreation Centre Committee Report No. AR21/6054 titled 'Wulanda Recreation and Convention Centre - Community Reference Group Terms of Reference' as presented on 09 February 2021 be noted.
2. That the Wulanda Recreation and Convention Centre Terms of Reference be endorsed.
3. That nominations for the Community Reference Group be sought in line with the revised Stage 3 Wulanda Recreation and Convention Centre Terms of Reference.

### 17.3 [Wulanda Recreation and Convention Centre - Terms of Reference](#) – Report No. AR21/6829

#### RECOMMENDATION

1. That Regional Sport and Recreation Centre Committee Report No. AR21/6829 titled 'Wulanda Recreation and Convention Centre - Terms of Reference' as presented on 09 February 2021 be noted.
2. That the 'Regional Sport and Recreation Centre Committee' be renamed to the 'Wulanda Recreation and Convention Centre Committee'.
3. That the Wulanda Recreation and Convention Centre Committee Terms of Reference (Attachment 1 to Report No. AR21/6829) be endorsed.
4. That all documentation referencing the Regional Sport and Recreation Centre Committee be updated (where possible) to reference the Wulanda Recreation and Convention Centre Committee.



**18 COUNCIL ASSESSMENT PANEL MINUTES**

**18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 21 JANUARY 2021**

**RECOMMENDATION**

That the Minutes of the Council Assessment Panel meeting held on 21 January 2021 as previously circulated be noted.



**19 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**20 AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**21 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**22 CHIEF EXECUTIVE OFFICER SELECTION PANEL COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**23 BUILDING FIRE SAFETY COMMITTEE MINUTES**

Nil



## 24 COUNCIL REPORTS

### 24.1 REVIEW OF REGIONAL PUBLIC TRANSPORT SERVICES - MOUNT GAMBIER PUBLIC BUS SERVICE – REPORT NO. AR21/2815

<b>Committee:</b>	<b>Council</b>
<b>Meeting Date:</b>	<b>16 February 2021</b>
<b>Report No.:</b>	<b>AR21/2815</b>
<b>CM9 Reference:</b>	<b>AF20/446</b>
<b>Author:</b>	<b>Jessica Porter, Strategy, Development and Research Co-ordinator</b>
<b>Authoriser:</b>	<b>Barbara Cernovskis, Acting Chief Executive Officer</b>
<b>Summary:</b>	<b>The purpose of this report is to inform members of the findings from Council’s public bus transport service review. Further, this report recommends that Council prioritise the public bus service through advocating to the State Government and initiating better collaboration of its works programs.</b>
<b>Strategic Plan Reference:</b>	<b>Goal 1: Our People</b> <b>Goal 2: Our Location</b> <b>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</b> <b>Goal 5: Our Commitment</b>

#### REPORT RECOMMENDATION

1. That Council Report No. AR21/2815 titled ‘Review of regional public transport services - Mount Gambier Public Bus Service’ as presented on 16 February 2021 be noted.
2. That Council work collaboratively with local community groups, local public transport service providers and relevant state government departments to improve accessibility to public transport services within Mount Gambier.
3. That Council advocate to improve public bus services within Mount Gambier. This advocacy will occur through:
  - (a) Direct communication with relevant members of State Parliament.
  - (b) The preparation of a formal written submission to the Department of Infrastructure and Transport (DIT).
  - (c) Council staff present the findings of the Mount Gambier City Bus Service Review to representatives of DIT, as part of the DIT review of the provision of public transport services in regional South Australia.
4. Through strategic and holistic planning processes and budgetary allocation, Council commits to the provision of accessible, high quality, fit for purpose, supporting infrastructure which demonstrates commitment to a prioritised and robust local public transport service.



## TYPE OF REPORT

Corporate

## BACKGROUND

The purpose of this report is to provide Members with a brief overview of the findings from Council's review of the current public bus transport service within Mount Gambier. Further this report seeks Members support for Council staff to prepare a submission to DIT to assist in their state review of public transport services in regional South Australia.

Over the past five (5) years, Council has undertaken a range of community consultation activities associated with the delivery of a Youth Engagement Strategy, Cultural and Heritage Plan and Modern Ageing in Mount Gambier Programming Review. Each of these initiatives incorporated a range of surveys, interviews, group presentations and roundtable workshops involved the participation of 1,500 people who live in, or access, Mount Gambier.

In each of the consultations, participants identified public transport improvement as a key focus area for Council. Specifically, participants highlighted the need for:

- A review of City bus public transport systems (routes, timetables, etc);
- Greater consideration regarding accessibility of existing services;
- Improved capacity for the service to cater for those who need access to the city before 9am and after 5pm such as employees; and
- Greater access to and from major events, tourist and cultural attractions and local services such as education, health and accommodation providers.

Currently, the Mount Gambier Public Bus Transport Service provides:

- General access to CBD, shopping precincts, providers and other local services for those residing or transiting within the city limits across three (3) looped routes.
- Services on Monday to Friday 9am to 5.15pm.
- Two (2) buses, which rotate between three (3) routes, generally on the hour. Services are paused or altered to allow for driver lunch breaks and the afternoon school service.
- School service consists of twice-daily transport exclusively for students on 3-4 separate routes connecting all schools.

As a result of the above, Council identified the need to review the current public transport service provided within Mount Gambier, with a particular focus on the City Bus service. The Review investigated:

- levels of public satisfaction with existing services;
- strengths, weaknesses and gaps within existing transport models;
- opportunities for improvement;
- accessibility of existing services; and
- planning, infrastructure and sustainability considerations for Council.

The review included an online engagement page on "Have Your Say Mount Gambier", with a survey for users and potential users; a submission form for businesses/organisations; and the mapping tool to capture information about specific sites throughout the city. Council's Community Engagement staff also provided hardcopy surveys; phone interviews; direct engagement with public bus users; and interviews with contractor and key stakeholder groups.



Council engaged with the following groups:

**Mount Gambier Buslines**

- Management
- Bus driver interviews

**Health care**

- Mount Gambier Hospital
- Country Health Connect
- Hawkins Medical Clinic

**Residential/Retirement Facilities**

- Boandik Lodge
- Woodlands Grove
- Hallmont Estate
- Eureka Residential Village

**Education**

- Tafe SA
- University of South Australia

**Community Services Sector**

- Foodbank SA
- Migrant Resource Centre
- Red Cross Limestone Coast
- ac care
- Pangula Mannamurna

**Business/Tourism**

- Limestone Coast Tourist Park
- Mount Gambier Central
- Mount Gambier Marketplace

Further, community engagement through “Have Your Say” captured 89 survey responses, 47% of respondents currently used the public bus transport service. The survey revealed:

- 63% of respondents held a valid driver’s licence; and
- Only 33% of current bus users held a valid driver’s licence.
- 70% of respondents own or had regular access to a vehicle; and
- Only 43% of current bus users owned or had regular access to a vehicle.
- 58% of respondents were currently employed.
- 33% of respondents travel with young children;
- 23% of respondents identified as living with a disability;
- 16% of respondents regularly provide care for someone with a disability; and
- 15% of respondents travel with someone who uses a mobility aid.

Mount Gambier’s Public Bus service, services the most vulnerable members of our community. For example in 2019, over 80% of bus users were non-student concessions. The survey results showed that those respondents who were utilising the public bus service did so to access medical and welfare services (71%), shopping (69%), attend education (26%), attend professional services (26%), entertainment and recreation (24%), visiting family and friends (21%), employment (16%) and to attend sporting activities (2%). The results of this were presented to Members at the Mount Gambier City Bus Service Review Workshop held on Tuesday 12<sup>th</sup> January 2021.

Significant gaps in the current public bus service have been identified. These gaps were identified through initial research and review by Council; and were reinforced by the information received from the community. A location map of current service gaps is attached to this report (Attachment 1).

While Council does not directly provide transport services, it remains a key player as an advocator, provider of infrastructure and holistic strategic planning which considers the current and future needs



of our city. Prior to this review, the last similar assessment of Mount Gambier's public transport services occurred in 2005.

## **PROPOSAL**

Council's review of the City Bus service within Mount Gambier is timely, as it aligns with the review and tendering processes that are to be delivered by the Department of Infrastructure and Transport (DIT) for the provision of public transport services in regional South Australia. As announced in late 2020, DIT will be reviewing all regional and township bus services within regional South Australia to identify how services to regional residents can best be provided.

The findings from Council's review ensures that Council is in a strong position to provide an informed representation and feedback to DIT about the current public bus service in Mount Gambier to improve the basic service as outlined in Attachment 2.

## **LEGAL IMPLICATIONS**

No legal implications have been identified that will impact on Council's decisions or future operation.

## **STRATEGIC PLAN**

In its Strategic Plan 2020-2024, the City of Mount Gambier's expresses its Vision to be "*an inclusive city where people lead fulfilling lives*". Having an appropriate and accessible public transport service forms one essential element of achieving this Vision.

Research shows that strong public transport systems provide benefits such as:

- Reducing disadvantage - connecting people with employment, education and health care;
- Supporting local economies; and
- Improving social inclusion (connecting friends, family and recreational activities).

Reducing social isolation is known to have broader societal benefits such as lowering crime rates, reducing unemployment, reduced health costs etc. For public transport to have an impact on social inclusion benefits that are equal to service costs, services only need a boarding rate of seven (7) passengers per hour (Stanley & Hensher, 2011)

In Mount Gambier, the public bus transport service provides the only affordable mode of transport to socially disadvantaged sections of our community, particularly migrants, unemployed, seniors and those with accessibility considerations.

Whilst Council is not responsible for the financing or operation of the public bus service, Council has a role as service provider and owner/custodian (for example, through the provision of bus stop infrastructure), information provider/promoter, initiator/facilitator, advocate and partnerships. Strategic Plan goals specific to the public bus transport service include the following:

### Goal 1 – Our People

1.2 Community growth: We foster a sense of community by encouraging and supporting participation in community life.

1.3 Sense of community: The community grows in real terms at a rate that helps sustain and grow the services available within the City and for the region.

1.4 Care for the community: We will develop our service offering to the community to ensure all members have access to required levels of support.

### Goal 2 – Our Location

2.1 Infrastructure development and managing our current assets: We will commence work on meeting the community's aspirations for future infrastructure development, whilst managing our existing infrastructure and assets in a manner that demonstrates the pride we take in our environment.





2.3 The Crater Lakes Precinct and other areas of tourism potential: We will work with the community to investigate options that enable the Council to capitalise on the Crater Lakes Precinct and other areas of tourism potential.

2.4 Recognition of our indoor and outdoor sporting assets and our adventurous opportunities: We will work on capitalising on the delivery of the Community and Recreation Hub to highlight the opportunities for sporting and other community events in Mount Gambier and we will seek to leverage the adventure sports market through support to potential providers to develop activities, effective marketing and working with our partners to raise the profile of our City and region.

2.5 Focusing on activation, revitalisation and placemaking in our CBD: We will look to create opportunity in our CBD for all year-round activation through effective placemaking and place shaping, making it a vibrant, cohesive and safe place.

#### Goal 4 – Our Climate, Natural Resources, Arts, Culture and Heritage

4.2 Open Space: We will ensure that future growth is planned in a manner that provides access to, and does not detract from, the community's environmental values.

4.3 Planned reduction of our carbon footprint: Council will lead by example in the fields of sustainable development and resource efficiency.

4.4 Recreational and cultural pursuits: We will ensure that community members are provided with opportunities for cultural growth and development through provision of innovative services and programs.

#### Goal 5 – Our Commitment

### **COUNCIL POLICY**

#### *A900 – Asset Management*

<https://s3-ap-southeast-2.amazonaws.com/cm-g-public-assets/docs/A900-Asset-Management.pdf>

#### *P195 – Community Consultation and Engagement Policy*

<https://s3-ap-southeast-2.amazonaws.com/cm-g-public-assets/general-images/P195-Community-Consultation-and-Engagement-Policy.pdf>

### **ECONOMIC IMPLICATIONS**

This can be determined once DIT has provided further information regarding their Regional Public Transport Review. However, it is through the DIT review that Council has the opportunity to advocate to DIT for additional funding for the public bus transport service, which will result in an improved service for our community. As highlighted in the Members Workshop, held on 12<sup>th</sup> January 2021,

Bus SA's 2018 'Moving People 2025' stated that at the national level, State Government spend per capita in regional areas is:

- Approximately \$200 per head in Vic/NSW;
- Approximately \$120 per head in Western Australia; and
- Estimated at under \$20 per head in South Australia.

At a State level, in 2018 a Bus Industry Confederation (BIC) study highlighted that there was a \$234 per capita spend in metropolitan Adelaide, compared to \$11 per capita spend in regional South Australia. Bus SA has recommended that the State Government should be working towards a spend of approximately \$70 per capita in regional South Australia just to meet basic community needs.

At a Council level, the review of the public bus transport service has highlighted the areas in which Council can improve the service. This can be achieved through better coordinated works programs, regular upgrading and maintenance of public bus stop infrastructure and the upgrading, installation and management of bus zones on local roadways. Through its existing services and program delivery, Council can also assist in building greater awareness of the service.



## **ENVIRONMENTAL IMPLICATIONS**

Whilst the environmental benefits of public transport are widely documented, there have been no specific environmental implications provided or defined in relation to this Mount Gambier Public Bus Transport Service review.

However, the survey results revealed that 92% of respondents agreed that 'the City Bus Service provides an environmentally friendly alternative to driving a vehicle'.

## **SOCIAL IMPLICATIONS**

Throughout this review, it has been repeatedly demonstrated that public transport should not be considered solely for its immediate function, but more broadly as a significant contributor to the building of social capital within a community. A strong public transport system reduces social isolation, supports improved physical and mental health, assists in enabling employment, encourages active citizenship and genuine connection within our community.

## **CULTURAL IMPLICATIONS**

Based on the findings from Council's review, there are significant cultural implications associated with public transport service provision within Mount Gambier. One example being the impact that current public bus service provisions have on Mount Gambier's migrant population who are overrepresented within existing passenger numbers due to a lack of alternative transport options.

Furthermore, many respondents identified feeling excluded from community spaces and events, particularly on evenings and weekends or in accessing locations outside of the existing routes.

## **RESOURCE IMPLICATIONS**

Currently, Council:

- Provides and maintains associated infrastructure, including:
  - 115 unique bus stops; and
  - 39 shelters across the fixed routes.
- Allocates an annual budget of \$30,000 for installation and maintenance of bus shelters.
- Delivers annual audits of bus shelter infrastructure, and a rolling program aimed at bringing bus stops and shelters up to code standards.

Council has the opportunity to consider future works programmes holistically, ensuring associated infrastructure is accessible, inclusive, fit for purpose and demonstrates a commitment to a high quality public transport system.

## **VALUE FOR MONEY**

Any procurement done by Council will be in accordance with policy P420 - Procurement and Disposal of Land and Assets.

## **RISK IMPLICATIONS**

The findings of Council's Public Bus Service review identified a significant disparity between the services offered to comparative communities elsewhere in Australia (and those in metropolitan Adelaide). The review suggests that the current service is inadequate to the needs of our community and potentially contributes to greater levels of inequality and social isolation than initially perceived.

Noting that the existing service contract is due to expire in April 2021, the timing of Council's response to the DIT review is critical in ensuring that advocacy to State Government can occur prior to a further contract (reflecting the existing operating model) being offered.

## **EQUALITIES AND DIVERSITY IMPLICATIONS**

The evidence collected through Council's review, strongly highlights the importance of the public bus service to the most vulnerable members of our community. Particular emphasis was placed on ensuring that all members of the community had the opportunity to participate in this review, either through direct or indirect engagement activity.



Improvements to the Public Bus Service align with principles within Council's Disability Action and Inclusion Plan, Regional Health Plan, Reconciliation Action Plan, Public Art Strategy, Cultural and Heritage Plan and Youth Engagement Plan.

### **ENGAGEMENT AND COMMUNICATION STRATEGY**

A robust engagement strategy was undertaken as part of the Review and resulted in:

- 89 digital and 7 handwritten survey responses;
- 18 separate interviews with individuals or key stakeholders;
- 5 written submissions;
- Participation of service providers and representatives across health care, residential facilities, education, community services sector, business and tourism;
- A workshop with the Limestone Coast Inclusion Reference Group; and
  - Meetings and interviews with funding body (DIT) and contractor including bus drivers and management.

### **IMPLEMENTATION STRATEGY**

An implementation strategy will be developed subject to further information regarding the Regional Public Transport Review being provided by DIT.

### **CONCLUSION AND RECOMMENDATION**

In conclusion, Council's Mount Gambier Public Bus Service Review identified:

- Currently, the Mount Gambier Public Bus Transport Service provides:
  - General access to CBD, shopping precincts, providers and other local services for those residing or transiting within the city limits across three (3) looped routes.
  - Services on Monday to Friday 9am to 5.15pm.
  - Two (2) buses, which rotate between three (3) routes, generally on the hour. Services are paused or altered to allow for driver lunch breaks and the afternoon school service.
  - School service consists of twice-daily transport exclusively for students on 3-4 separate routes connecting all schools.
- The Mount Gambier community is seeking change to the current public bus service. On behalf of its community, Council needs to be proactive and advocate for change.
- With over 80% of passengers in 2019 being non-student concessions, the current service is heavily relied upon by those with no alternative option.
- For most of our residents, the current public bus transport service falls short in providing a suitable transport option. This is backed up by the regional public transport services benchmark, developed by BIC (2017). This benchmark indicates that the current Mount Gambier public bus service is providing a service that is below the benchmark for a town that has a population of less than 3,000 people.
- Despite Mount Gambier growing and evolving, the public bus transport service delivery model has remained largely unchanged for over 30 years.
- As highlighted in this report, public transport is integral to the achievement of social inclusion. A quality transport system increases equitable access to housing, education, employment, health care and social engagement, enhancing the wellbeing of our community.
- The current standard of Council's public bus service infrastructure may not demonstrate a commitment to a high-quality public transport services within Mount Gambier.



- While public transport services are funded and managed by the South Australian Government, the City of Mount Gambier remains the provider of associated infrastructure and retains an important role in advocating for the current and future needs of our city.

Council can play a vital role in the improvement of the current service through its role as a service provider and owner/custodian (for example, through the provision of bus stop infrastructure), information provider/promoter, initiator/facilitator, advocate and partnerships. It is recommended that initially, Council advocate on behalf of its community to improve the Mount Gambier Public Bus Service through the advocacy and service provider actions listed in the recommendation of this report.

## **ATTACHMENTS**

1. Public Bus Service - Map of identified service gaps [↓](#)
2. Public Bus Service Presentation - Community feedback - Key themes [↓](#)



Mount Gambier Public Bus Service - Identified service gaps



City of Mount Gambier Public Bus Service Review - 2020



## Mount Gambier City Bus Service Consultation

### Community feedback - key themes:

Meeting basic service needs	Improving social inclusion	Meeting SA metropolitan standards
<p><b>Extend existing routes</b> to service:</p> <ul style="list-style-type: none"> <li>• Conroe Heights and surrounds</li> <li>• Foodbank</li> <li>• Woodlands and Hallmont Residential Villages</li> <li>• Pinehall Medical Clinic</li> <li>• Wulanda Recreation and Convention Centre</li> </ul> <p><b>Combine school and public service</b></p> <ul style="list-style-type: none"> <li>• Extends service hours to allow for 9-5 employment and improved access during morning hours.</li> </ul> <p><b>Collaboration with contractor</b></p> <ul style="list-style-type: none"> <li>• Reinstate systems for improved collaboration between contractor and Council to expediate our response to safety concerns, infrastructure allocation and maintenance.</li> </ul> <p><b>Overhaul of communication systems</b> surrounding service:</p> <ul style="list-style-type: none"> <li>• Improve access to information and build awareness</li> <li>• Improve bus stop signage (incorporate numbering system)</li> <li>• Audit and respond to accessibility related issues (colour, language, detail etc)</li> <li>• Improve accuracy of collateral</li> </ul> <p><b>Services to civic and community events</b></p> <ul style="list-style-type: none"> <li>• Blue Lake Carols, GIJ, Christmas Parade, Mount Gambier Show etc</li> </ul>	<p><b>Improve and simplify connection to key assets:</b></p> <ul style="list-style-type: none"> <li>• Improved regular access to facilities such as TAFE, Uni SA, Hospital, Wulanda and CBD</li> <li>• Improved transit and connection across city</li> </ul> <p><b>Increase frequency of services</b></p> <ul style="list-style-type: none"> <li>• Every 30 minutes</li> </ul> <p><b>Extend services:</b></p> <ul style="list-style-type: none"> <li>• 7am – 7pm weekdays</li> <li>• Saturday services</li> </ul> <p><b>Improve infrastructure and accessibility standards</b></p> <ul style="list-style-type: none"> <li>• Audit of accessibility considerations</li> <li>• In consultation with key stakeholders, develop a city-wide vision and agreed standards for the provision of accessible, high quality supporting infrastructure.</li> <li>• Ensure transport access is considered holistically in all capital works programs and appropriately budgeted.</li> </ul> <p><b>Advocate for on-demand bus service trial</b></p> <ul style="list-style-type: none"> <li>• Explore provision of stand alone or hybrid model for public transport service.</li> </ul>	<p><b>Provide 'whole of city' services</b></p> <ul style="list-style-type: none"> <li>• Carinya Gardens Cemetary</li> <li>• Crater Lakes community recreational spaces</li> <li>• Sporting facilities (Blue Lake Sports Park, Malseed Park etc)</li> </ul> <p><b>Connecting our tourism sector</b></p> <ul style="list-style-type: none"> <li>• Services to/from all key tourist parks</li> <li>• Access to all key tourism assets i.e. Visitor Information Centre, Umpherston Sinkhole, Engelbrecht Cave, Centenary Tower etc</li> </ul> <p><b>Interstate and intrastate connection</b></p> <ul style="list-style-type: none"> <li>• Domestic bus terminal</li> <li>• Mount Gambier Airport</li> </ul> <p><b>Seven-day services</b></p> <ul style="list-style-type: none"> <li>• Improved access to employment for 7-day sectors such as retail, hospitality and health care staff</li> </ul> <p><b>Evening services</b></p> <ul style="list-style-type: none"> <li>• Safe, sustainable access to cultural and social activity and evening employment.</li> </ul>



**24.2 REVIEW OF DELEGATIONS - PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT – REPORT NO. AR20/72711**

<b>Committee:</b>	<b>Council</b>
<b>Meeting Date:</b>	<b>16 February 2021</b>
<b>Report No.:</b>	<b>AR20/72711</b>
<b>CM9 Reference:</b>	<b>AF19/416</b>
<b>Author:</b>	<b>Michael McCarthy, Manager Governance and Property</b>
<b>Authoriser:</b>	<b>Barbara Cernovskis, Acting Chief Executive Officer</b>
<b>Summary:</b>	<b>This report presents for review and adoption delegations to the Chief Executive Officer of Council powers as a relevant authority and as an entity under the Planning, Development and Infrastructure Act.</b>
<b>Strategic Plan Reference:</b>	<b>Goal 2: Our Location</b> <b>Goal 3: Our Diverse Economy</b> <b>Goal 5: Our Commitment</b>

**REPORT RECOMMENDATION**

1. That Council Report No. AR20/72711 titled 'Review of Delegations - Planning, Development and Infrastructure Act' as presented on 16 February 2021 be noted.
2. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report No. AR20/72711 titled Instrument A) are hereby delegated this 16<sup>th</sup> of February 2021 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
3. In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the Instrument of Delegation (annexed to Report No. AR21/72711 and titled Instrument B) are hereby delegated this 16<sup>th</sup> February 2021 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation
4. Each power and function delegated in resolutions 2 and 3:
  - may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 and Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016, as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the relevant Instrument of Delegation;
  - is independent of, and severable from, every other delegation granted under these instruments;
  - may be exercised independently by any nominated sub-delegates independently of any other (sub)delegate;



- must be exercised in accordance with applicable legislative and other legal requirements; and due regard to relevant policies and guidelines adopted by the Council;
- If determined to be invalid or unlawful, will be deemed to be severed from these instruments and remaining delegations will continue to operate according to their terms;
- will remain in force until varied or revoked by resolution of the Council.

5. Previous delegations granted by the Council under the Planning, Development and Infrastructure Act are revoked with effect from this day 16<sup>th</sup> February 2021.





## **TYPE OF REPORT**

Legislative

## **BACKGROUND**

Delegations are the way in which Council enables other people/bodies (usually Council Officers) to undertake the many functions required for the day to day administrative activities of Council.

Council periodically reviews all delegations, and a report is being prepared for presentation to the March 2021 meeting of Council following a comprehensive review of the delegation framework by the Local Government Association released in late 2020.

In the meantime, as a Phase 3 Council the City of Mount Gambier will be 'going live' in the new planning system under the Planning, Development and Infrastructure Act 2016 in mid-March 2021, necessitating the review and granting of updated delegations under that Act.

Delegation of the powers of the Council Assessment Panel and Assessment Manager are also being addressed through separate instruments for consideration and endorsement in their own capacities under the Planning, Development and Infrastructure Act 2016..

This report presents updated delegations under the Planning, Development and Infrastructure Act 2016 for consideration and endorsement by Council.

## **PROPOSAL**

### Delegations under the Planning, Development and Infrastructure Act

Tables listing the powers and functions to be delegated by the Council to the Chief Executive Officer under the Planning, Infrastructure and Development Act is attached to this report as Attachment 1. These tables are marked as Instrument A and Instrument B and reflect the different capacity under which Council has delegable powers and functions under the Planning, Development and Infrastructure Act.

The table has provision for any conditions and limitations to apply to the exercise of the delegated power or function, however it is recommended that these be determined and applied by the Chief Executive Officer in the granting of sub-delegations to other Council officers.

It is important to note that the powers and functions proposed to be delegated by this report are in Council's capacity as a Council, a designated entity, a designated authority and a relevant authority as defined in the Planning, Development and Infrastructure Act. These powers and functions do not relate to regular planning or development assessment, which powers and functions are the delegable power and functions of the Assessment Manager and (Council or Regional) Assessment Panel in accordance with the Act.

If the Council resolves to grant the delegations in the attached table, then the delegations will come into operation following the making of the Council resolution, and previous delegations of the powers and functions under the Planning, Development and Infrastructure Act will be revoked.

The updated delegations granted under the Planning, Development and Infrastructure Act will be published on the Council website together with other Council delegations and sub-delegations.

### Delegations under the Development Act

Whilst the Planning, Development and Infrastructure Act will supersede the Development Act, existing delegations granted under the Development Act are intended to remain until the Development Act has been fully repealed, to enable any outstanding or continuing matters under that legislation to continue to be administered.

### Delegations by the Council/Regional Assessment Panel and Assessment Manager

A Council or Regional Assessment Panel and Assessment Manager are empowered in their respective capacities under the Planning, Development and Infrastructure Act.



Accordingly, sub-delegations by a Council/Regional Assessment Panel or an Assessment Manager fall beyond the remit of the Council and will be presented separately to the Council Assessment Panel (and once established and operational, the Regional Assessment Panel) and the Assessment Manager to grant delegations of their respective powers and functions.

The delegations granted by the Council Assessment Manager and Assessment Manager will be published on the Council website together with other Council delegations and sub-delegations.

### **LEGAL IMPLICATIONS**

As the authority under which the Chief Executive Officer and Council Officers are empowered to make decisions on behalf of Council, it is imperative that the delegations are granted in accordance with relevant legislation.

Council uses the template delegations provided by the Local Government Association, as amended to suit the specific circumstances as they apply to the City of Mount Gambier, to ensure appropriate delegations are in place to support the activities of Council in a compliant manner.

### **STRATEGIC PLAN**

Nil

### **COUNCIL POLICY**

This report should be read in conjunction with Council Policy [D140 - Development Act Delegations](#)

### **ECONOMIC IMPLICATIONS**

Nil

### **ENVIRONMENTAL IMPLICATIONS**

Nil

### **SOCIAL IMPLICATIONS**

Nil

### **CULTURAL IMPLICATIONS**

Nil

### **RESOURCE IMPLICATIONS**

The making of delegations (and sub-delegations) enables the Council to administer the powers and functions of Council on a daily basis.

An absence of appropriate delegations would necessitate the presentation of matters to a formal meeting of Council for decision, which would be a resource intensive, inefficient and untimely decision making process, particularly for routine administrative matters.

### **VALUE FOR MONEY**

The use of delegations (and sub-delegations) enables the Council, Chief Executive Officer and other officers to direct decision making to an appropriate (sub)delegate for the efficient and effective administration of the many, varied and often routine functions and activities of Council.

### **RISK IMPLICATIONS**

It is imperative that delegations are validly made as the consequences of ineffective or invalid delegations include:

- the exercise of power may fail – i.e. the decision may be liable to being overturned by a court
- the cost of a successful challenge to an unlawful decision will likely be borne by the Council
- where as unlawful decision causes loss or damage the Council may be liable.



Whilst the abovementioned risks are at the extreme, the most likely risk of ineffective or invalid delegations is on the capacity of the administration to perform the day to day functions of Council for the benefit of the community in an efficient and timely manner.

If decision making is limited to the Chief Executive Officer or the Council then the pace with which decisions can be made and implemented will reduce and administrative resources associated with the formalities associated with presenting matters to a higher authority for decision will increase.

A balance is appropriate whereby all decision makers understand the context within which decisions are made and the expectations in relation to exercising, or not exercising, delegated powers.

It is important to note that a delegation can provide authority but not necessarily an obligation to exercise the delegated power. Accordingly, some decisions may be escalated to a higher authority for determination where it is considered to be warranted by the delegate or circumstances.

It should also be noted that delegations (or sub-delegations) are revocable and in any event do not prevent the Council from acting in a matter, where the matter has not already been determined.

### **EQUALITIES AND DIVERSITY IMPLICATIONS**

Nil

### **ENGAGEMENT AND COMMUNICATION STRATEGY**

There is no legislative requirement to actively engage the community on the making of delegations.

A person is however entitled to inspect the record of delegations and to support this a full extract of the Council delegation register is published on the Council website.

### **IMPLEMENTATION STRATEGY**

The implementation of delegations (and sub-delegations) remains unchanged.

Once delegations are made by Council, the Chief Executive Officer will make sub-delegations to other officers, with all (sub)delegations recorded in a delegation (software) register, electronic records management system, published on the Council website, and notified to sub-delegates.

### **CONCLUSION AND RECOMMENDATION**

This report includes recommendations that Council resolve to:

- revoke all previous delegations granted under the Planning, Development and Infrastructure Act;
- grant the delegation of powers and functions of the Council as provided for in the attached table of delegations to the Chief Executive Officer.

The report recommendations include other associated matters to ensure the appropriate making and exercise of delegations and sub-delegations.

### **ATTACHMENTS**

1. Head Delegation - Planning Development and Infrastructure Act 2016 - Instrument A / Instrument B [↓](#)





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312115	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s7(5)(b)	1. Environment and Food Production Areas – Greater Adelaide 1.1 The power pursuant to Section 7(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.	
312116	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s22(4)(a)(i)	2. Functions 2.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.	
312117	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(1)(a)	3. Planning Agreements 3.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.	
312118	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	3. Planning Agreements 3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 3.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and	
312119	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	3. Planning Agreements 3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 3.2.2 the constitution of a joint planning board including, in relation to such a board:	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			3.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and 3.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and 3.2.2.3 the procedures to be followed with respect to the appointment of members; and 3.2.2.4 the terms of office of members; and 3.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and 3.2.2.6 the appointment of deputy members; and 3.2.2.7 the procedures of the board; and	
312120	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	3. Planning Agreements 3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 3.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and	
312121	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	3. Planning Agreements 3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 3.2.4 the staffing and other support issues associated with the operations of the joint planning board; and	
312122	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	3. Planning Agreements 3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 3.2.5 financial and resource issues associated with the operations of the joint planning board, including: 3.2.5.1 the formulation and implementation of budgets; and 3.2.5.2 the proportions in which the parties to the agreement	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			will be responsible for costs and other liabilities associated with the activities of the board; and	
312123	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	3. Planning Agreements 3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 3.2.6 such other matters as the delegate thinks fit.	
312124	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(5)(a)	3. Planning Agreements 3.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).	
312125	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(5)(b)	3. Planning Agreements 3.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a planning agreement by agreement between the parties to the agreement.	
312127	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(6)(a)	4. Community Engagement Charter 4.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).	
312128	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(9)(b)	4. Community Engagement Charter 4.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312129	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(10)	4. Community Engagement Charter 4.3 The power pursuant to Section 44(10) of the PDI Act to: 4.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and 4.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.	
312130	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s45(2)(c)	5. Preparation and Amendment of Charter 5.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.	
312132	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(6)	6. Preparation and Amendment 6.1 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied: 6.1.1 to prepare a draft of the relevant proposal; and 6.1.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and 6.1.3 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – consult with the joint planning board; and 6.1.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give: 6.1.4.1 an owner or occupier of the land; and 6.1.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and	Item 6.1.1 - CEO only Item 6.1.2 - 6.1.7 - CEO, GM-CG, GM-CW





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			6.1.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and 6.1.6 to carry out such investigations and obtain such information specified by the Commission; and 6.1.7 to comply with any requirement prescribed by the regulations.	
312134	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(8)	6. Preparation and Amendment 6.2 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.	
312135	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(9)	6. Preparation and Amendment 6.3 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).	
312136	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s74(8)(c)	7. Parliamentary Scrutiny 7.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.	
385340	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s75(3)	8. Complying Changes – Planning and Design Code 8.1 The power pursuant to Section 75(3) of the PDI Act to effect an amendment under Section 75 of the PDI Act by an instrument deposited on the SA Planning database (in accordance with requirements established by the Chief Executive).	







**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312137	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s82(d)	9. Entities Constituting Relevant Authorities 9.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.	
312138	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s83(1)	10. Panels Established by Joint Planning Boards or Councils 10.1 The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to: 10.1.1 appoint more than 1 assessment panel and if the delegate does so, to clearly specify which class of development each assessment panel is to assess; 10.1.2 determine: 10.1.2.1 the membership of the assessment panel, being no more than 5 members, only 1 of which may be a member of a council, and, if the delegate thinks fit, on the basis that the assessment panel will be constituted by a different number of members depending on the particular class of development that is being assessed by the assessment panel; and 10.1.2.2 the procedures to be followed with respect to the appointment of members; and 10.1.2.3 the terms of office of members; and 10.1.2.4 conditions of appointment of members, or the method by which those conditions will be determined, (including as to their remuneration) and the grounds on which, and the procedures by which, a member may be removed from office; and 10.1.2.5 the appointment of deputy members; and 10.1.2.6 who will act as the presiding member of the panel and the process for appointing an acting presiding member.	
312139	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated	s83(1)(h)	10. Panels Established by Joint Planning Boards or Councils 10.2 The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Authority; a Designated Entity (Instrument A)			
312140	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s83(1)(i)	10. Panels Established by Joint Planning Boards or Councils 10.3 The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act.	
312141	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s83(2)	10. Panels Established by Joint Planning Boards or Councils 10.4 The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.	
312144	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s86(2)(a)	11. Substitution of Local Panels 11.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry.	
312145	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s89(b)	12. Notification of Acting 12.1 The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require.	
312147	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(1)(c)(iv)	13. Matters Against which Development Must be Assessed 13.1 The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312148	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(1)(d)(iv)	13. Matters Against which Development Must be Assessed 13.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting.	
312149	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(11)(b)	13. Matters Against which Development Must be Assessed 13.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken.	
312150	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(2)(b)	14. Restricted Development 14.1 The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of planning consent.	
312151	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(c)(ii)	14. Restricted Development 14.2 The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council's representation.	
312152	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(7)	14. Restricted Development 14.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development.	
312153	Instrument of Delegation under the Planning, Development and Infrastructure	s112(b)	15. Level of Detail 15.1 The power pursuant to Section 112(b) of the PDI Act to	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		express views in relation to the level of detail required in relation to an EIS.	
312156	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s130(6)	16. Essential Infrastructure – Alternative Assessment Process 16.1 The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act.	
312157	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s130(14)	16. Essential Infrastructure – Alternative Assessment Process 16.2 The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council's opposition.	
312158	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s131(7)	17. Development Assessment – Crown Development 17.1 The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.	
312159	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s131(15)	17. Development Assessment – Crown Development 17.2 The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition.	
312160	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design	s138(1)	18. Land Division Certificate 18.1 The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		security and if the regulations so require in a form prescribed by the regulations.	
312161	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s138(2)	18. Land Division Certificate 18.2 The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.	
312162	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s141(1)	19. Action if Development Not Completed 19.1 The power pursuant to Section 141(1) of the PDI Act, if: 19.1.1 an approval is granted under the PDI Act; but 19.1.2 - 19.1.2.1 the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or 19.1.2.2 in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the period contemplated by the approval, to apply to the Court for an order under Section 141 of the PDI Act.	
312163	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s141(5)	19. Action if Development Not Completed 19.1.3 The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and to recover the costs of that work, as a debt from the person.	
312164	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated	s141(6)	19. Action if Development Not Completed 19.1.4 The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act 19.1.4.1 to, by notice in writing to the person, fix a period,	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Authority; a Designated Entity (Instrument A)		being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	
312165	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(1)	20. Completion of Work 20.1 The power pursuant to Section 142(1) of the PDI Act, if: 20.1.1 an approval is granted under the PDI Act; but 20.1.2 the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval, to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.	
312166	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(2)	20. Completion of Work 20.2 The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out.	
312167	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(3)	20. Completion of Work 20.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.	
312168	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(4)	20. Completion of Work 20.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act: 20.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	
312169	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated	s146(3)	21. Notification During Building 21.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Authority; a Designated Entity (Instrument A)		inspection by an authorised officer who holds prescribed qualifications.	
312170	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s151(2)	22. Classification of Buildings 22.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council's area a classification that conforms with the regulations.	
312171	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s151(3)	22. Classification of Buildings 22.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building.	
312172	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(2)	23. Certificates of Occupancy 23.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.	
312173	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(3)(a)	23. Certificates of Occupancy 23.2 The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.	
312174	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(3)(c)	23. Certificates of Occupancy 23.3 The power pursuant to Section 152(3)(c) of the PDI Act to determine the appropriate fee.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312175	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(5)	23. Certificates of Occupancy 23.4 The power pursuant to Section 152(5) of the PDI Act to consider any report supplied under Section 152(4) of the PDI Act before deciding the application.	
312176	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(6)	23. Certificates of Occupancy 23.5 The power pursuant to Section 152(6) of the PDI Act to issue the certificate if the delegate is satisfied (in accordance with procedures set out in the regulations and on the basis of information provided or obtained under Section 152 of the PDI Act) that the relevant building is suitable for occupation and complies with such requirements as may be prescribed by the regulations for the purposes of Section 152(6) of the PDI Act.	
312177	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(10)	23. Certificates of Occupancy 23.6 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of: 23.6.1 the refusal; and 23.6.2 the reasons for the refusal; and 23.6.3 the applicant's right of appeal under the PDI Act.	
312178	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(12)	23. Certificates of Occupancy 23.7 The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building.	
312179	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(13)	23. Certificates of Occupancy 23.8 The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances.	







**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312180	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(1)	24. Temporary Occupation 24.1 The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy.	
312181	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(2)	24. Temporary Occupation 24.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose.	
312182	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(3)	24. Temporary Occupation 24.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of: 24.3.1 the refusal; and 24.3.2 the reasons for the refusal; and 24.3.3 the applicant's right of appeal under the PDI Act.	
312183	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s155(5)	25. Emergency Orders 25.1 The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out.	
312184	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s155(6)	25. Emergency Orders 25.2 The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.	
312185	Instrument of Delegation under the Planning, Development and Infrastructure	s155(7)	25. Emergency Orders 25.3 The power pursuant to Section 155(7) of the PDI Act, if	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	
312186	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(16)	26. Fire Safety 26.1 The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it as an appropriate authority under Section 157 of the PDI Act.	
312187	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.1 appoint to the appropriate authority: 26.2.1.1 a person who holds prescribed qualifications in building surveying; and 26.2.1.2 an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority; and 26.2.1.3 a person with expertise in the area of fire safety; and 26.2.1.4 if so determined by the delegate, a person selected by the delegate;	
312188	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.2 specify a term of office of a member of the appropriate authority (other than a member under Section 157(17)(a)(ii) of the PDI Act;	
312189	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of	s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to:	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		26.2.3 remove a member of the appropriate authority from office for any reasonable cause;	
312190	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.4 appoint deputy members;	
312191	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.5 determine the appropriate authority's procedures (including as to quorum).	
312196	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s166(1)(c)	27. Consideration of Proposed Scheme 27.1 The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter.	
312198	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s169(2)(b)	28. Funding Arrangements 28.1 The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the PDI Act to apply for any matter to be considered or determined by ESCOSA or some other prescribed person or body as part of a periodic review of the levels and amounts of those contributions.	
312199	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated	s169(9)	28. Funding Arrangements 28.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Authority; a Designated Entity (Instrument A)			
312202	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s180(7)	29. Imposition of Charge by Councils 29.1 The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act.	
312203	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(1)	30. Authorised Works 30.1 The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act.	GM-CG only authorised if CEO & GM-CI incapacitated
312204	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(5)	30. Authorised Works 30.2 The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to: 30.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and 30.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and 30.2.3 ensure that proper consideration is given to the views of the road maintenance authority.	GM-CG only authorised if CEO & GM-CI incapacitated
312205	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(5)(b)	30. Authorised Works 30.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.	GM-CG only authorised if CEO & GM-CI incapacitated





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312206	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(6)	30. Authorised Works 30.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.	GM-CG only authorised if CEO & GM-CI incapacitated
312207	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s188(1)	31. Entry onto Land 31.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to: 31.1.1 enter and pass over any land; and 31.1.2 bring onto any land any vehicles, plant or equipment; and 42.1.3 temporarily occupy land; and 31.1.4 do anything else reasonably required in connection with the exercise of the power.	GM-CG only authorised if CEO & GM-CI incapacitated
312208	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s188(4)	31. Entry onto Land 31.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act.	GM-CG only authorised if CEO & GM-CI incapacitated
312210	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(1)	32. Land Management Agreements 32.1 The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity.	
312211	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated	s192(2)	32. Land Management Agreements 32.2 The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land with a greenway authority.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Authority; a Designated Entity (Instrument A)			
312212	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(4)	32. Land Management Agreements 32.3 The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to: 32.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and 32.3.2 the principle that the entering into of an agreement under Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.	
312213	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(5)	32. Land Management Agreements 32.4 The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations.	
312214	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(8)	32. Land Management Agreements 32.5 The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by agreement under Section 192 of the PDI Act.	
312215	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(9)	32. Land Management Agreements 32.6 The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312216	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(10)	32. Land Management Agreements 32.7 The power pursuant to Section 192(10) of the PDI Act to express a provision under Section 192(9) of the PDI Act as extending to, or being for the benefit of, a person or body who or which is not a party to the agreement.	
312217	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(11)	32. Land Management Agreements 32.8 The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the PDI Act where the Council has a legal interest in the land.	
312218	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(12)	32. Land Management Agreements 32.9 The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-General, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	
312219	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(15)	32. Land Management Agreements 32.10 The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.	
312220	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(16)	32. Land Management Agreements 32.11 The power pursuant to Section 192(16) of the PDI Act to provide in an agreement under Section 192 of the PDI Act for remission of rates or taxes on the land.	
312222	Instrument of Delegation under the Planning, Development and Infrastructure	s192(17)	32. Land Management Agreements 32.12 The power pursuant to Section 192(17) of the PDI Act	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		to consent to an agreement entered into by the Minister under Section 192 of the PDI Act, providing for the remission of rates or taxes payable to the Council.	
312223	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(18)	32. Land Management Agreements 32.13 The power pursuant to Section 192(18) of the PDI Act to take into account the existence of an agreement under Section 192 of the PDI Act when assessing an application for a development authorisation under the PDI Act.	
312224	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(1)	33. Land Management Agreements – Development Applications 33.1 The power pursuant to Section 193(1) of the PDI Act to, subject to Section 193 of the PDI Act, enter into an agreement under Section 193 of the PDI Act with a person who is applying for a development authorisation under the PDI Act that will, in the event that the relevant development is approved, bind: 33.1.1 the person; and 33.1.2 any other person who has the benefit of the development authorisation; and 33.1.3 the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied).	
312225	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(2)	33. Land Management Agreements – Development Applications 33.2 The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to the assessment of the development under the PDI Act).	
312226	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design	s193(3)	33. Land Management Agreements – Development Applications 33.3 The power pursuant to Section 193(3) of the PDI Act to	







**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		have regard to: 33.3.1 the provisions of the Planning and Design Code; and 33.3.2 the principle that the entering into of an agreement under Section 193 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.	
312227	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(5)	33. Land Management Agreements – Development Applications 33.4 The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance with the regulations.	
312228	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(10)	33. Land Management Agreements – Development Applications 33.5 The power pursuant to Section 193(10) of the PDI Act to consent to an application to note the agreement against the relevant instrument of title or the land.	
312229	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(11)	33. Land Management Agreements – Development Applications 33.6 The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.	
312230	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(13)	33. Land Management Agreements – Development Applications 33.7 The power pursuant to Section 193(13) of the PDI Act to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	
312231	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design	s193(15)	33. Land Management Agreements – Development Applications 33.8 The power pursuant to Section 193(15) of the PDI Act	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.	
312232	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(16)	33. Land Management Agreements – Development Applications 33.9 The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval.	
312234	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(2)	34. Off-setting Contributions 34.1 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate: 34.1.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or 34.1.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or 34.1.3 any other initiative or policy: 34.1.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act; 34.1.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.	
312235	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(3)	34. Off-setting Contributions 34.2 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act: 34.2.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act): 34.2.1.1 to make a contribution to a fund established as part of the scheme; or 34.2.1.2 to undertake work or to achieve some other goal or	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			outcome (on an 'in kind' basis); or 34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act, in order to provide for or address a particular matter identified by the scheme; and 34.2.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and 34.2.3 an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.	
312236	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(4)	34. Off-setting Contributions 34.3 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.	
312237	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(4)(c)	34. Off-setting Contributions 34.4 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.	
312239	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(1)	35. Open Space Contribution Scheme 35.1 The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the division of land in the Council's area into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require: 35.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or 35.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or 35.1.3 that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			the PDI Act, according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates land as open space and to seek the concurrence of the Commission to taking any action that is at variance with the Planning and Design Code.	
312240	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(3)	35. Open Space Contribution Scheme 35.2 The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act.	
312241	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(4)(a)	35. Open Space Contribution Scheme 35.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.	
312242	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(11)	35. Open Space Contribution Scheme 35.4 The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.	
312243	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(12)	35. Open Space Contribution Scheme 35.5 The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages.	
312245	Instrument of Delegation under the Planning, Development and Infrastructure	s200(2)	36. Urban Trees Fund 36.1 The power pursuant to Section 200(2) of the PDI Act to	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		effect the establishing of the fund by notice published in the Gazette.	
312246	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(3)	36. Urban Trees Fund 36.2 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.	
312247	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(5)	36. Urban Trees Fund 36.3 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.	
312248	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(6)	36. Urban Trees Fund 36.4 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund: 36.4.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or 36.4.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.	
312249	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(7)	36. Urban Trees Fund 36.5 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).	
312250	Instrument of Delegation under the Planning, Development and Infrastructure	s210(1)	37. Appointment of Authorised Officers 37.1 The power pursuant to Section 210(1) of the PDI Act to:	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		37.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and 37.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations.	
312251	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(2)	37. Appointment of Authorised Officers 37.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.	
312252	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(3)	37. Appointment of Authorised Officers 37.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card: 37.3.1 containing a photograph of the authorised officer; and 37.3.2 stating any conditions of appointment limiting the authorised officer's appointment.	
312253	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(5)	37. Appointment of Authorised Officers 37.4 The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.	
312254	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(1)	38. Enforcement Notices 38.1 The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances: 38.1.1 direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach; 38.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate;	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			38.1.3 take such urgent action as is required because of any situation resulting from the breach.	
312255	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(2)	38. Enforcement Notices 38.2 The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required.	
312256	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(5)	38. Enforcement Notices 38.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.	
312257	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(6)	38. Enforcement Notices 38.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action	
312258	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(7)	38. Enforcement Notices 38.5 The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	
312259	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(1)	39. Applications to Court 39.1 The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312260	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(2)	39. Applications to Court 39.2 The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council.	
312261	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(4)	39. Applications to Court 39.3 The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order should not be made under Section 214 of the PDI Act.	
312262	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(6)	39. Applications to Court 39.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings.	
312263	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(9)	39. Applications to Court 39.5 The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application.	
312264	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(10)	39. Applications to Court 39.6 The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act.	
312265	Instrument of Delegation under the Planning, Development and Infrastructure	s214(11)	39. Applications to Court 39.7 The power pursuant to Section 214(11) of the PDI Act	







**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		to make an application for an interim order without notice to any person.	
312266	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(12)	39. Applications to Court 39.8 The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent	
312267	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(13)	39. Applications to Court 39.9 The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	
312268	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(17)	39. Applications to Court 39.10 The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act.	
312269	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s219(1)	40. Proceedings for Offences 40.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.	
312270	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of	s223(2)	41. Adverse Publicity Orders 41.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)			
312271	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(4)	41. Adverse Publicity Orders 41.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to: 41.2.1 take the PDI Action or actions specified in the order; and 41.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.	
312272	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(5)	41. Adverse Publicity Orders 41.3 The power pursuant to Section 223(5) of the PDI Act, if: 41.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and 41.3.2 despite the evidence, the delegate is not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order, to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions.	
312273	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(6)	41. Adverse Publicity Orders 41.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council.	
312274	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(1)	42. Civil Penalties 42.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312275	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(2)	42. Civil Penalties 42.2 The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.	
312276	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(3)	42. Civil Penalties 42.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention.	
312277	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(13)	42. Civil Penalties 42.4 The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act.	
312278	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(17)	42. Civil Penalties 42.5 The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act.	
312279	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s228(7)	43. Make Good Order 43.1 The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312280	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s229(5)	44. Recovery of Economic Benefit 44.1 The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.	
312281	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(1)	45. Enforceable Voluntary Undertakings 45.1 The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.	
312282	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(4)	45. Enforceable Voluntary Undertakings 45.2 The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking.	
312283	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(7)	45. Enforceable Voluntary Undertakings 45.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to: 45.3.1 vary the undertaking; or 45.3.2 withdraw the undertaking.	
312284	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(11)	45. Enforceable Voluntary Undertakings 45.4 The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised.	
312285	Instrument of Delegation under the Planning, Development and Infrastructure	s230(12)	45. Enforceable Voluntary Undertakings 45.5 The power pursuant to Section 230(12) of the PDI Act if	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible.	
312286	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(14)	45. Enforceable Voluntary Undertakings 45.6 The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act.	
312287	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s231(1)	46. Advertisements 46.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding: 46.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or 46.1.2 is contrary to the character desired for a locality under the Planning and Design Code, to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).	
312288	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s231(3)	46. Advertisements 46.2 The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the person on whom the notice was served.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312289	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s235(1)	47. Professional Advice to be Obtained in Relation to Certain Matters 47.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.	
312290	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s235(2)	47. Professional Advice to be Obtained in Relation to Certain Matters 47.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.	
312291	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s239(1)	48. Charges on Land 48.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed.	
312292	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s239(6)	48. Charges on Land 48.2 The power pursuant to Section 239(6) of the PDI Act if a charge in the Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge.	
312293	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s240(1)	49. Registering Authorities to Note Transfer 49.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312294	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl13(3)(b) sch2	50. Reporting 50.1 The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the delegate.	
312298	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl3(16) sch4	51. Review of Performance 51.1 The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.	
385341	Planning, Development and Infrastructure (General) Regulations 2017	r11B(1)	52. Mutual Liability Scheme – Rights of Indemnity 52.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to: 52.1.1 in being responsible under Section 83(1)(h)(ii) of the PDI Act for the costs and other liabilities associated with the activities of an assessment panel appointed by the Council; and 52.1.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act, have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel.	
385342	Planning, Development and Infrastructure (General) Regulations 2017	r11B(5)	52. Mutual Liability Scheme – Rights of Indemnity 52.2 The power pursuant to Regulation 11B(5) of the General Regulations to: 52.2.1 in being responsible under Section 87(f) of the PDI Act for the costs and other liabilities associated with the activities of an assessment manager for an assessment	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			panel appointed by the Council; and 52.2.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act, have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager.	
385343	Planning, Development and Infrastructure (General) Regulations 2017	r47(4)(d)	53. Performance Assessed Development and Restricted Development 53.1 The power pursuant to Regulation 47(4)(d) of the General Regulations to determine the fee payable by the applicant as being appropriate to cover the reasonable costs of placing the notice on the land.	
312306	Planning, Development and Infrastructure (General) Regulations 2017	r78(1)	54. Underground Main Areas 54.1 The power pursuant to Regulation 78(1) of the General Regulations if the delegate considers an area should be declared an underground mains area to seek a report from the relevant electricity authority in relation to the matter.	
312307	Planning, Development and Infrastructure (General) Regulations 2017	r78(2)	54. Underground Main Areas 54.2 The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area.	
312308	Planning, Development and Infrastructure (General) Regulations 2017	r81(4)	55. Width of Roads and Thoroughfares 55.1 The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.	
312309	Planning, Development and Infrastructure (General) Regulations 2017	r81(5)	55. Width of Roads and Thoroughfares 55.2 The power pursuant to Regulation 81(5) of the General	







**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate.	
312310	Planning, Development and Infrastructure (General) Regulations 2017	r81(6)	55. Width of Roads and Thoroughfares 55.3 The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road.	
312311	Planning, Development and Infrastructure (General) Regulations 2017	r82(1)	56. Road Widening 56.1 The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area.	
312312	Planning, Development and Infrastructure (General) Regulations 2017	r83(1)	57. Requirement as to Forming of Roads 57.1 The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.	
312313	Planning, Development and Infrastructure (General) Regulations 2017	r83(2)	57. Requirement as to Forming of Roads 57.2 The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road.	
312314	Planning, Development and Infrastructure (General) Regulations 2017	r83(4)	57. Requirement as to Forming of Roads 57.3 The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road.	
312315	Planning, Development and Infrastructure (General) Regulations 2017	r83(5)	57. Requirement as to Forming of Roads 57.4 The power pursuant to Regulation 83(5) of the General	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate.	
312316	Planning, Development and Infrastructure (General) Regulations 2017	r83(6)	57. Requirement as to Forming of Roads 57.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.	
312317	Planning, Development and Infrastructure (General) Regulations 2017	r84(1)	58. Construction of Roads, Bridges, Drains and Services 58.1 The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate.	
312318	Planning, Development and Infrastructure (General) Regulations 2017	r85(1)	59. Supplementary Provisions 59.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations.	
312319	Planning, Development and Infrastructure (General) Regulations 2017	r85(2)	59. Supplementary Provisions 59.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the General Regulations to be carried out in a manner satisfactory to the delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work.	
312320	Planning, Development and Infrastructure (General) Regulations 2017	r85(4)	59. Supplementary Provisions 59.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation are necessary and	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			need to be laid under the surface of the proposed road, have been made.	
312321	Planning, Development and Infrastructure (General) Regulations 2017	r89(1)	60. General Provisions 60.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act.	
312322	Planning, Development and Infrastructure (General) Regulations 2017	r89(3)	60. General Provisions 60.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which: 60.2.1 evidences the consent of the Council to an encroachment by a building over other land; and 60.2.2 sets out: 60.2.2.1 the date on which any relevant building was erected (if known); and 60.2.2.2 the postal address of the site.	
312323	Planning, Development and Infrastructure (General) Regulations 2017	r89(6)(b)	60. General Provisions 60.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.	
312324	Planning, Development and Infrastructure (General) Regulations 2017	r93(1)(b)	61. Notifications During Building Work 61.1 The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.	
312325	Planning, Development and Infrastructure (General) Regulations 2017	r93(1)(c)	61. Notifications During Building Work 61.2 The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.	
312326	Planning, Development and Infrastructure (General) Regulations 2017	r94(13)	62. Essential Safety Provisions 62.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if: 62.1.1 the essential safety provisions were installed 62.1.1.1 under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or 62.1.1.2 as part of a performance solution under the Building Code; or 62.1.2 the building has been the subject of a notice under Section 157 of the PDI Act.	
312327	Planning, Development and Infrastructure (General) Regulations 2017	r102(3)	63. Classification of Buildings 63.1 The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by: 63.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.	
312328	Planning, Development and Infrastructure (General) Regulations 2017	r102(4)	63. Classification of Buildings 63.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.	
312329	Planning, Development and Infrastructure (General) Regulations 2017	r102(5)	63. Classification of Buildings 63.3 The power pursuant to Regulation 102(5) of the General Regulations, if an application under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).	
312330	Planning, Development and Infrastructure (General) Regulations 2017	r102(6)	63. Classification of Buildings 63.4 The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act: 63.4.1 the maximum number of persons who may occupy the building (or part of the building); and 63.4.2 if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.	
312331	Planning, Development and Infrastructure (General) Regulations 2017	r103(2)	64. Certificates of Occupancy 64.1 The power pursuant to Regulation 103(2) of the General Regulations to, require the following documentation: 64.1.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied; 64.1.2 if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such evidence as the delegate may reasonably require to show: 64.1.2.1 in the case of a building more than 1 storey - that the requirements of any relevant Ministerial building standard have been complied with; or 64.1.2.2 in any other case - that the building is suitable for occupation.	
312332	Planning, Development and Infrastructure (General) Regulations 2017	r103(3)	64. Certificates of Occupancy 64.2 The power pursuant to Regulation 103(3) of the General Regulations, to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under Regulation 103(2)(a) of the General	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			Regulations if: 64.2.1 the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and 64.2.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.	
312333	Planning, Development and Infrastructure (General) Regulations 2017	r103(4)	64. Certificates of Occupancy 64.3 The power pursuant to Regulation 103(4) of the General Regulations if: 64.3.1 a building is: 64.3.1.1 to be equipped with a booster assembly for use by a fire authority; or 64.3.1.2 to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and 64.3.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the PDI Act, to not grant a certificate of occupancy unless or until the delegate has sought a report from the fire authority as to whether those facilities have been installed and operate satisfactorily and to seek such a report from the fire authority.	
312334	Planning, Development and Infrastructure (General) Regulations 2017	r103(5)	64. Certificates of Occupancy 64.4 The power pursuant to Regulation 103(5) of the General Regulations if a report is not received from the fire authority within 15 business days, to presume that the fire authority does not desire to make a report.	
312335	Planning, Development and Infrastructure (General) Regulations 2017	r103(6)	64. Certificates of Occupancy 64.5 The power pursuant to Regulation 103(6) of the General Regulations to have regard to any report received from a fire authority under Regulation 103(4) of the General Regulations before the delegate issues a certificate of occupancy.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
385344	Planning, Development and Infrastructure (General) Regulations 2017	r103(6a)	64. Certificates of Occupancy 64.6 The power pursuant to Regulation 103(6a) of the General Regulations, on receipt of a notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, to determine that building work will be inspected by an authorised officer.	
312336	Planning, Development and Infrastructure (General) Regulations 2017	r103(9)	64. Certificates of Occupancy 64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy: 64.7.1 if: 64.7.1.1 there is a change in the use of the building; or 64.7.1.2 the classification of the building changes; or 64.7.1.3 building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m <sup>2</sup> is about to commence, or is being or has been carried out; or 64.7.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment, and the delegate considers that in the circumstances the certificate should be revoked and a new certificate sought; or	
312337	Planning, Development and Infrastructure (General) Regulations 2017	r103(9)	64. Certificates of Occupancy 64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy: 64.7.2 if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or	
312338	Planning, Development and Infrastructure (General) Regulations 2017	r103(9)	64. Certificates of Occupancy 64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy: 64.7.3 if a schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10) of the General Regulations; or	
312339	Planning, Development and Infrastructure (General) Regulations 2017	r103(9)	64. Certificates of Occupancy 64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy: 64.7.4 if the delegate considers:	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			64.7.4.1 that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or 64.7.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.	
312340	Planning, Development and Infrastructure (General) Regulations 2017	r109(1)(b)	65. Mining Production Tenements 65.1 The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement.	
312341	Planning, Development and Infrastructure (General) Regulations 2017	r111(2)	66. Register of Land Management Agreements (Section 193) 66.1 The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act.	
312342	Planning, Development and Infrastructure (General) Regulations 2017	r111(3)	66. Register of Land Management Agreements (Section 193) 66.2 The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.	
312343	Planning, Development and Infrastructure (General) Regulations 2017	r112(1)	67. Authorised Officers and Inspections 67.1 The power pursuant to Regulation 112(1) of the General Regulations to appoint at least 1 authorised officer under Section 210(1)(b) of the PDI Act: 67.1.1 who is an accredited professional who is: 67.1.1.1 an Accredited professional - building level 1; or 67.1.1.2 an Accredited professional - building level 2; or 67.1.1.3 an Accredited professional - building level 3; or 67.1.1.4 an Accredited professional - building level 4; or 67.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or 67.1.3 who holds an approval from the Chief Executive.	







**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312302	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	68. Calculation of Assessment of Fees 68.1 The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal): 68.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and 68.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).	
312303	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(2)	68. Calculation of Assessment of Fees 68.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.	
312304	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(3)	68. Calculation or Assessment of Fees 68.3 The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of Regulations.	
312305	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	69. Waiver or Refund of Fee 69.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so: 69.1.1 waive the payment of the fee, or the payment of part of the fee; or 69.1.2 refund the whole or a part of the fee.	
385345	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl5(1)	70. Requirements in Relation to Preparing an Engagement Plan 70.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instruments (PD2), to prepare a	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			community engagement plan that: 70.1.1 meets the principles and performance outcomes of the Charter; 70.1.2 describes the persons or bodies to be consulted; 70.1.3 outlines any relevant previous engagement undertaken to inform the proposal; 70.1.4 describes the evaluation framework for the engagement.	
385346	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl5(2)	70. Requirements in Relation to Preparing an Engagement Plan 70.2 The power pursuant to clause 5(2) of PD2 to submit the community engagement plan to the Commission for approval with the exception of an amendment to the Code and a Design Standard.	
385348	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl6(2)	71. Requirements in Relation to Preparing an Engagement Report Following Consultation 71.1 The power pursuant to clause 6(2) of PD2 to set out in the report: 71.1.1 details of the engagement undertaken and how that engagement met the agreed community engagement plan, and reasons for variations, if any to that plan; 71.1.2 the outcome of the engagement including a summary of the feedback made; 71.1.3 the response to the details of, and reasons for, changes to the proposal to prepare or amend a designated instrument when compared to the proposal that was engaged on, and to specifically indicate: 71.1.3.1 where changes are proposed to the designated instrument based on the engagement; and 71.1.3.2 any other changes proposed based on additional investigations or information not available when the proposal was released for engagement.	
385349	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl6(3)	71. Requirements in Relation to Preparing an Engagement Report Following Consultation 71.2 The power pursuant to clause 6(3) of PD2 to, in the engagement report also include an evaluation of the effectiveness of the engagement that considers whether: 71.2.1 the principles of the Charter have been achieved; and	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			71.2.2 all mandatory requirements identified in the Charter have been met where the consultation category is applicable.	
385350	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(1)	72. Requirements in Relation to Initiating a Code Amendment Pursuant to Section 73 of the Act 72.1 The power pursuant to clause 7(1) of PD 2 to provide a proposal to the Commission to initiate a code amendment that sets out: 72.1.1 Scope - an explanation of the reasons for the preparation of the amendment and a description of the changes in circumstance leading the need for the amendment and the range of issues to be addressed in the amendment; 72.1.2 Code Modules - an outline of any overlay, general policy, zone or subzones being considered for amendment and/or the intended spatial application of an overlay, general policy, zone or subzone over an identified area, or draft instructions for the proposed amendments; 72.1.3 Area Affected - A map or description of the area affected by the proposed amendment; 72.1.4 State Planning Policies - an identification of the relevant key state planning policies and a statement of assessment of the amendment's consistency with those policies; 72.1.5 Regional Plans - An indication of how the matters or issues proposed to be addressed by the amendment will relate to the relevant regional plan and any relevant infrastructure planning; 72.1.6 Infrastructure Provision - 72.1.6.1 an explanation of any infrastructure provision that is required and how the infrastructure provision will be provided; and 72.1.6.2 an indication whether it is likely that an infrastructure agreement or agreements will need to be entered into in connection with the code amendment process, identifying the tools that will be used for this process; 72.1.7 Joint Planning Board Comments - that the Council has discussed the proposal with the relevant Regional	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			Planning Board; 72.1.8 Consultation – information regarding any other consultation that has occurred; 72.1.9 in relation to designating a place as a place of local heritage value or a heritage area - a heritage review prepared by a heritage architect or historian or similar occupation in accordance with the Commission's guidelines prepared under Section 67(2)(c) of the PDI Act; 72.1.10 in relation to designating a tree a significant tree - an assessment of the tree against the criteria under Section 68(1)(a) of the PDI Act; 72.1.11 in relation to designating a stand of trees to be significant trees – an assessment of the trees against the criteria under Section 68(1)(b) of the PDI Act.	
385351	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(2)	72. Requirements in Relation to Initiating a Code Amendment Pursuant to Section 73 of the Act 72.2 The power pursuant to clause 7(2) of PD2 to, in addition, provide: 72.2.1 Timetable - an outline of the proposed timetable for each step of the process (ensuring that the process is completed within reasonable time limits), and a commitment on the part of the Council that it will take steps to update this timetable if it appears at any stage that the Council will require an extension; 72.2.2 Investigations - an outline of the investigations and justifications that will be undertaken (and those that may have already been undertaken) and the form that those investigations will take in order to address the strategic and social, economic and environmental issues of the proposed amendment, or an explanation and summary of the investigations undertaken and how these support the amendment.	
385352	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl8(1)	73. Requirements in Relation to Preparation of the Draft Proposal Prior to Consultation and Decision 73.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation, provide to the Department: 73.1.1 instructions that set out the intent of the proposed policy amendment for the purposes of the Department	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			writing the draft Code Policy for the Council; 73.1.2 any maps in an industry standard GIS format to enable the production version of mapping to be prepared and returned to the Council; 73.1.3 in relation to heritage lists a local heritage data sheet and a significant trees data sheet.	
385353	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl8(2)	73. Requirements in Relation to Preparation of the Draft Proposal Prior to Consultation and Decision 73.2 The power pursuant to clause 8(2) of PD2, if amendments are proposed to the consultation versions, to provide to the Department: 73.2.1 instruction to write the amendments to the Code Policy; 73.2.2 amendments to the maps in an industry standard GIS format to enable the production version of mapping to be prepared and returned to the Council.	
385354	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl9(1)	74. Requirements in Relation to Preparation of the Draft Proposal for Consultation 74.1 The power pursuant to clause 9(1) of PD2 to, for engagement purposes, support a code amendment by the following information: 74.1.1 an explanation about why and how the Code is proposed to be amended; 74.1.2 an assessment of the amendment against the relevant provisions of State Planning Policies and the relevant regional plan; 74.1.3 if any amendment is not fully consistent with the State Planning Policies or the region plan, to so specifically identify that and include an explanation setting out the reason or reasons for the inconsistency; 74.1.4 an explanation and summary of the investigations undertaken and how these support the amendment; 74.1.5 an explanation of any infrastructure provision that is required and how the infrastructure will be provided.	
385355	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl11(1)	75. Requirements in Relation to Complying Changes Under Section 75 75.1 The power pursuant to clause 11(1) of PD2, in relation to a proposal to agree to a complying change, to provide the	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			following information to the department: 75.1.1 a reference to the documentation and recommendation in relation to the proposed amendment in the relevant regional plan; 75.1.2 a summary of the consultation in accordance with the Charter that has occurred in relation to the proposal including reference to the Engagement Report prepared for the regional plan and any additional consultation that has occurred; 75.1.3 instructions that set out the intent of the proposed policy amendment for the purposes of the department writing the draft Code Policy for the Council; 75.1.4 any maps in an industry standard GIS format to enable the production version of mapping to be prepared and returned to the Council.	
385356	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl12(1)	76. Requirements in Relation to Early Commencement Under Section 78 76.1 The power pursuant to clause 12(1) of PD2, in relation to a request for a code amendment to come into operation without delay, to provide to the department: 76.1.1 an explanation about how early commencement is required to counter applications for undesirable development (development that would detract from, negate the object of the amendment) during consultation and consideration of the code amendment; 76.1.2 instructions that set out the intent of the proposed policy amendment for the purposes of the Department writing the draft Code Policy for the Council; 76.1.3 any maps in an industry standard GIS format to enable the production version of mapping to be prepared and returned to the Council.	
385357	State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019	cl6(3)(b)	77. Responsibility to Undertake Notification 77.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority's reasonable costs in giving	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			public notice of the application under Section 107(3)(a)(i) of the PDI Act.	
385358	State Planning Commission Practice Direction (Council Inspections) 2020	cl2(2)	78. Mandatory Inspections 78.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection: 78.1.1 primary structural elements; 78.1.2 structural framing and roof trusses; 78.1.3 wet areas and waterproofing; 78.1.4 barriers to prevent falls; 78.1.5 cladding; 78.1.6 egress provisions; 78.1.7 bushfire protection systems; 78.1.8 passive and active fire safety elements; 78.1.9 private bushfire shelters; and 78.1.10 performance solutions.	
385359	State Planning Commission Practice Direction (Council Inspections) 2020	cl3(2)	79. Additional Inspections 79.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.	
385360	State Planning Commission Practice Direction (Council Inspections) 2020	cl4(3)	80. Inspections Generally 80.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate.	
385361	State Planning Commission Practice Direction (Council Inspections) 2020	cl1(2)	81. General Requirements 81.1 The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,  
 Regulations, Planning & Design Code and Practice Directions of Powers of a Council  
 as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.	
385362	State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020	cl5(2)	82. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building 82.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings 2020 (PD10) to, agree to partial occupancy of a partially completed multistorey building.	







**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312344	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s7(5)(a)	1. Environment and Food Production Areas – Greater Adelaide 1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.	
312345	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s7(5)(d)	1. Environment and Food Production Areas – Greater Adelaide 1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.	
312346	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s99(2)(b)(ii)	2. Related Provisions 2.1 The power pursuant to Section 99(2)(b)(ii) of the PDI Act to, if appropriate, grant development approval in the case of Section 99(1)(d) of the PDI Act.	
312347	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s99(3)	2. Related Provisions 2.2 The power pursuant to Section 99(3) of the PDI Act where a proposed development is to be undertaken within the area of the Council, to, subject to the regulations, if appropriate, grant the final development approval after all elements of the development have been approved by one or more relevant authorities under Section 99 of the PDI Act.	
312348	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s102(1)	3. Matters Against Which Development Must be Assessed 3.1 The power pursuant to Section 102(1) of the PDI Act to assess a development against and grant or refuse a consent in respect of the relevant provisions of the Building Rules (building consent).	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312349	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s102(8)	3. Matters Against Which Development Must be Assessed 3.2 The power pursuant to Section 102(8) of the PDI Act, when all relevant consents have been granted in relation to a development, to in accordance with the PDI Act, indicate that the development is approved.	
312350	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(1)	4. Building Consent 4.1 The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).	
312351	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(2)(a)	4. Building Consent 4.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.	
312352	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(2)	4. Building Consent 4.3 The power pursuant to Section 118(2) of the PDI Act, subject to Section 118(6) of the PDI Act, to grant a building consent to a development that is at variance with the Building Rules if: 4.3.1 the variance is with a part of the Building Rules other than the Building Code or a Ministerial building standard and the delegate determines that it is appropriate to grant the consent despite the variance on the basis that the delegate is satisfied: 4.3.1.1 that: (a) the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building work fails to conform with the Building Rules only in minor respects; and (b) the variance is justifiable having regard to the objects of the Planning and Design Code or the performance requirements of the Building Code or a Ministerial building standard (as the case may be) and would achieve the objects of this Act as effectively, or more effectively, than if the variance were not to be allowed; or 4.3.1.2 in a case where the consent is being sought after the	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			development has occurred - that the variance is justifiable in the circumstances of the particular case.	
312353	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(4)	4. Building Consent 4.4 The power pursuant to Section 118(4) of the PDI Act, to at the request or with the agreement of the applicant, refer proposed building work to the Commission for an opinion on whether or not it complies with the performance requirements of the Building Code or a Ministerial building standard.	
312354	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(6)	4. Building Consent 4.5 The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.	
312355	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(7)	4. Building Consent 4.6 The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard.	
312356	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(8)	4. Building Consent 4.7 The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work complies with the Building Rules to the extent that: 4.7.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or 4.7.2 such compliance is certified by a building certifier.	
312357	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice	s118(10)	4. Building Consent 4.8 The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform	





## Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Directions of Powers of a Council as a Relevant Authority (Instrument B);		with the requirements of the Building Rules for a building of that classification	
312358	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s118(11)	4. Building Consent 4.9 The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice of the relevant authority's decision on the application for that consent, specify (in the notice or in an accompanying document): 4.9.1 the variance; and 4.9.2 the grounds on which the decision is being made	
312359	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(1)(b)	5. Application and Provision of Information 5.1 The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.	
312360	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(3)	5. Application and Provision of Information 5.2 The power pursuant to Section 119(3) of the PDI Act to request an applicant: 5.2.1 to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application; 5.2.2 to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act; 5.2.3 to consult with an authority or body prescribed by the regulations; 5.2.4 to comply with any other requirement prescribed by the regulations.	
388522	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(7)	5. Application and Provision of Information 5.3 The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312362	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(9)	5. Application and Provision of Information 5.4 The power pursuant to Section 119(9) of the PDI Act to: 5.4.1 permit an applicant: 5.4.1.1 to vary an application; 5.4.1.2 to vary any plans, drawings, specifications or other documents that accompanied an application, (provided that the essential nature of the proposed development is not changed);	
312363	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(9)	5. Application and Provision of Information 5.4 The power pursuant to Section 119(9) of the PDI Act to: 5.4.2 permit an applicant to lodge an application without the provision of any information or document required by the regulations;	
312364	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(9)	5. Application and Provision of Information 5.4 The power pursuant to Section 119(9) of the PDI Act to: 5.4.3 to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);	
312365	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(9)	5. Application and Provision of Information 5.4 The power pursuant to Section 119(9) of the PDI Act to: 5.4.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	
312366	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(10)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312367	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(12)	5. Application and Provision of Information 5.6 The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various stages.	
312368	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s119(14)	5. Application and Provision of Information 5.7 The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.	
312369	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s120(1)	6. Outline Consent 6.1 The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.	
312370	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s120(3)	6. Outline Consent 6.2 The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to: 6.2.1 grant any consent contemplated by the outline consent; and 6.2.2 not impose a requirement that is inconsistent with the outline consent.	
312371	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s122(1)	7. Referrals to Other Authorities or Agencies 7.1 The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to: 7.1.1 refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and 7.1.2 not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or	





## Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			matters for which the referral was made where the regulations so provide, subject to Section 122 of the PDI Act.	
312372	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s122(5)(b)	7. Referrals to Other Authorities or Agencies 7.2 The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body: 7.2.1 to refuse the application; or 7.2.2 consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body) where the regulations so provide.	
312373	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s122(7)	7. Referrals to Other Authorities or Agencies 7.3 The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.	
312374	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s122(10)	7. Referrals to Other Authorities or Agencies 7.4 The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.	
312375	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s124(1)	8. Proposed Development Involving Creation of Fortifications 8.1 The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).	
312376	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s124(5)	8. Proposed Development Involving Creation of Fortifications 8.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to: 8.2.1 if the proposed development consists only of the creation of fortifications – refuse the application;	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			8.2.2 in any other case – impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortification.	
312377	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s124(6)	8. Proposed Development Involving Creation of Fortifications 8.3 The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.	
312378	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s124(7)	8. Proposed Development Involving Creation of Fortifications 8.4 The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act, to apply to the Court to be joined as a party to the appeal.	
312379	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s126(1)	9. Determination of Application 9.1 The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).	
312380	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s126(3)	9. Determination of Application 9.2 The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.	
312381	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s127(1)	10. Conditions 10.1 The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.	







**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312382	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s127(2)(c)	10. Conditions 10.2 The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.	
312383	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s128(2)(d)	11. Variation of Authorisation 11.1 The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.	
312384	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s133(3)	12. Saving Provisions 12.1 The power pursuant to Section 133(3) of the PDI Act to, in order to avoid or reduce hardship, extend the limitation period referred to in Section 133(2) of the PDI Act.	
312385	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(1)	13. Requirement to Up-grade 13.1 The power pursuant to Section 134(1) of the PDI Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition.	
312386	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(1)	13. Requirement to Up-grade 13.2 The power pursuant to Section 134(1) of the PDI Act, if: 13.2.1.1 building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or 13.2.1.2 a change of classification of a building; and 13.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition, to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312387	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(2)	13. Requirement to Up-grade 13.3 The power pursuant to Section 134(2) of the PDI Act, when imposing a requirement under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed.	
312388	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(3)	13. Requirement to Up-grade 13.4 The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act: 13.4.1 subject to Section 134(3)(b) of the PDI Act - on the basis that the relevant matters must be addressed as part of the application before the relevant authority will grant building consent; and 13.4.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed	
312389	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s134(4)	13. Requirement to Up-grade 13.5 The power pursuant to Section 134(4) of the PDI Act if: 13.5.1 an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and 13.5.2 the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities, to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be).	
312390	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice	s134(5)	13. Requirement to Up-grade 13.6 The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act: 13.6.1 subject to Section 134(5)(b) of the PDI Act - on the basis that the building work or other measures to achieve compliance	





## Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
	Directions of Powers of a Council as a Relevant Authority (Instrument B);		with the relevant performance requirements must be addressed before the relevant authority will grant building consent; and 13.6.2 in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed.	
312391	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s135(2)(d)	14. Urgent Building Work 14.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.	
312392	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s143(1)	15. Cancellation of Development Authorisation 15.1 The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.	
312393	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s143(2)	15. Cancellation of Development Authorisation 15.2 The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.	
312394	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s235(1)	16. Professional Advice to be Obtained in Relation to Certain Matters 16.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.	
312395	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s235(2)	16. Professional Advice to be Obtained in Relation to Certain Matters 16.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			declared by regulation to be a matter on which such advice should be sought.	
312396	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	cl18(2) sch8	17. Continuation of Processes 17.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to: 17.1.1 adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and 17.1.2 adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and 17.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and 17.1.4 deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and 17.1.5 take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act.	
312397	Planning, Development and Infrastructure (General) Regulations 2017	r25(7)(c)	18. Accredited Professionals 18.1 The power pursuant to Regulation 25(7)(c) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the General Regulations.	
312398	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 19.1.1 determine the nature of the development; and	
312399	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 19.1.2 if the application is for planning consent - determine: 19.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and 19.1.2.2 the category or categories of development that apply for the purposes of development assessment; and	
312400	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 19.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and	
312401	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 19.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application): 19.1.4.1 check that the appropriate documents and information	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			have been lodged with the application; and 19.1.4.2 confirm the fees required to be paid at that point under the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019; and 19.1.4.3 provide an appropriate notice via the SA planning portal; and	
312402	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	19. Verification of Application 19.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act: 19.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application): 19.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and 19.1.5.2 provide an appropriate notice via the SA planning portal.	
312403	Planning, Development and Infrastructure (General) Regulations 2017	r35(3)	20. Amended Applications 20.1 The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.	
312404	Planning, Development and Infrastructure (General) Regulations 2017	r35(4)	20. Amended Applications 20.2 The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
312405	Planning, Development and Infrastructure (General) Regulations 2017	r38(1)	21. Withdrawing/Lapsing Applications 21.1 The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify: 21.1.1 any agency to which the application has been referred under Division 2 of the General Regulations; and 21.1.2 any person who has made a representation in relation to the application under Division 3 of the General Regulations, of the withdrawal.	
312406	Planning, Development and Infrastructure (General) Regulations 2017	r38(3)	21. Withdrawing/Lapsing Applications 21.2 The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations to: 21.2.1 take reasonable steps to notify the applicant of the action under consideration; and 21.2.2 allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.	
312407	Planning, Development and Infrastructure (General) Regulations 2017	r40	22. Court Proceedings 22.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.	
312408	Planning, Development and Infrastructure (General) Regulations 2017	r42(1)	23. Additional Information or Amended Plans 23.1 The power pursuant to Regulation 42(1) of the General Regulations if the relevant authority has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.	
312409	Planning, Development and Infrastructure (General) Regulations 2017	r45(1)	24. Building Matters 24.1 The power pursuant to Regulation 45(1) of the General Regulations to, if, in assessing an application for building consent, the delegate considers that:	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			24.1.1 a proposed performance solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for the intervention of a fire authority; or 24.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or 24.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code, refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the relevant authority that a referral is not required.	
312410	Planning, Development and Infrastructure (General) Regulations 2017	r45(2)	24. Building Matters 24.2 The power pursuant to Regulation 45(2) of the General Regulations, if a report is not received from the fire authority on a referral under Regulation 45(1) of the General Regulations within 20 business days, to presume that the fire authority does not desire to make a report.	
312411	Planning, Development and Infrastructure (General) Regulations 2017	r45(3)	24. Building Matters 24.3 The power pursuant to Regulation 45(3) of the General Regulations to have regard to any report received from a fire authority under Regulation 45 of the General Regulations.	
312412	Planning, Development and Infrastructure (General) Regulations 2017	r45(4)	24. Building Matters 24.4 The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority: 24.4.1 recommends against the granting of building consent; or 24.4.2 concurs in the granting of consent on conditions specified in its report, but the delegate: 24.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or 24.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to	







**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			impose the conditions in varied form, on the grant of consent, to: 24.4.5 refer the application to the Commission; and 24.4.6 not grant consent unless the Commission concurs in the granting of the consent.	
312413	Planning, Development and Infrastructure (General) Regulations 2017	r45(5)	24. Building Matters 24.5 The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under the PDI Act.	
312414	Planning, Development and Infrastructure (General) Regulations 2017	r57(4)(a)	25. Notice of Decision (Section 126(1)) 25.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.	
312415	Planning, Development and Infrastructure (General) Regulations 2017	r60	26. Consideration of Other Development Authorisations 26.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.	
312416	Planning, Development and Infrastructure (General) Regulations 2017	r61(4)(c)	27. Certificate of Independent Technical Expert in Certain Cases 27.1 The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.	
312417	Planning, Development and Infrastructure (General) Regulations 2017	r63(1)	28. Urgent Work 28.1 The power pursuant to Regulation 63(1) of the General Regulations to,	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			28.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and 28.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.	
312418	Planning, Development and Infrastructure (General) Regulations 2017	r63(2)	28. Urgent Work 28.2 The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.	
312419	Planning, Development and Infrastructure (General) Regulations 2017	r63(3)	28. Urgent Work 28.3 The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.	
312420	Planning, Development and Infrastructure (General) Regulations 2017	r65(1)	29. Variation of Authorisation (Section 128) 29.1 The power pursuant to Regulation 65(1) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.	
312421	Planning, Development and Infrastructure (General) Regulations 2017	cl4(3) sch8	30. Plans for Building Work 30.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building if: 30.1.1 the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or 30.1.2 the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building, to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply	





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)**

ID	Delegation Source	Provision	Item Delegated	Conditions & Limitations
			with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.	
312422	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	31. Calculation or Assessment of Fees 31.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged with the Council under a related set of regulations (including via the SA planning portal): 31.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and 31.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).	
312423	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(2)	31. Calculation or Assessment of Fees 31.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.	
312424	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	f5(3)	31. Calculation or Assessment of Fees 31.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.	
312425	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	32. Waiver or Refund of Fee 32.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so: 32.1.1 waive the payment of the fee, or the payment of part of the fee; or 32.1.2 refund the whole or a part of the fee.	ASM, MDS, SBO, SPO sub-delegated to 31.1.2 - refund the whole or a part of the fee only





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,  
Regulations, Planning and Design Code and Practice Directions of Powers of a Council  
as a Relevant Authority (Instrument B)**



**24.3 TOUR OF THE GREAT SOUTH COAST CYCLING TIER 2 SPONSORSHIP FUNDING –  
REPORT NO. AR21/5251**

<b>Committee:</b>	<b>Council</b>
<b>Meeting Date:</b>	<b>16 February 2021</b>
<b>Report No.:</b>	<b>AR21/5251</b>
<b>CM9 Reference:</b>	<b>AF20/446</b>
<b>Author:</b>	<b>Xarnia Keding, Community Events Officer</b>
<b>Authoriser:</b>	<b>Barbara Cernovskis, Acting Chief Executive Officer</b>
<b>Summary:</b>	<b>To seek a change in the way Council provides sponsorship for the Tour of the Great South Coast Cycling event.</b>
<b>Strategic Plan Reference:</b>	<b>Goal 1: Our People</b>
	<b>Goal 2: Our Location</b>
	<b>Goal 3: Our Diverse Economy</b>
	<b>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</b>
	<b>Goal 5: Our Commitment</b>

**REPORT RECOMMENDATION**

- a) That Council Report No. AR21/5251 titled 'Tour of the Great South Coast Cycling Tier 2 Sponsorship Funding' as presented on 16 February 2021 be noted.
- b) That Council endorses funding for the Tour of the Great South Coast for a two-year period as follows \$22,000 + \$5500 in kind for 2021 and \$22,000 + \$5500 in kind for 2022.
- c) That Council write to Mr Craven acknowledging his significant contribution to domestic road cycling and confirm the two-year funding approval and sponsorship payment.



**TYPE OF REPORT**

Other

**BACKGROUND**

The Tour of the Great South Coast was founded in 2012 and has grown into Australia’s best organised and most respected domestic road cycling classic. The 2021 event will be in Mount Gambier for the ninth year, would have been ten but due to the Corona Virus the event was cancelled last year.

This event attracts approximately 100 cyclists, ranging from Olympians, International, State, and local riders. The tours main objective is to attract entertaining and top class cycling to a regional location. A key aim is to provide supporting municipalities with value for investment.

The tour draws between 500-750 visitors to the region for six days in an off-peak tourism period. The official tour entourage is accommodated in Mount Gambier for at least three night. Event organisers have assessed the average expenditure is \$234 per day.

Council provides sponsorship for many small and large events. There are only a few major events that hold their event date so close to budget approvals.

Past and proposed sponsorship for the Tour of the Great South Coast is noted below.

Year	Amount Received	In kind	Proposed	Notes
2022		5,500	22,000	
2021		5,500	22,000	
2020	0	5,500	22,000	Cancelled due to COVID
2019	22,000	5,000	22,000	
2018	22,000	5,000	22,000	
2017	22,000	5,000	22,000	
2016	22,000	5,000	22,000	
2015	22,000	5,000	22,000	
2014	20,000	5,000	20,000	
2013	16,500	5,000	16,500	

**PROPOSAL**

Mr John Craven the Director of Caribou Publications Pty Ltd has asked that the City of Mount Gambier consider endorsing the funding for two years (2021 and 2022) in order to have financial security in terms of confirmed sponsorship.

**LEGAL IMPLICATIONS**

N/A

**STRATEGIC PLAN**

N/A

**COUNCIL POLICY**

N/A



**ECONOMIC IMPLICATIONS**

N/A

**ENVIRONMENTAL IMPLICATIONS**

N/A

**SOCIAL IMPLICATIONS**

N/A

**CULTURAL IMPLICATIONS**

N/A

**RESOURCE IMPLICATIONS**

N/A

**VALUE FOR MONEY**

N/A

**RISK IMPLICATIONS**

N/A

**EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

**ENGAGEMENT AND COMMUNICATION STRATEGY**

N/A

**IMPLEMENTATION STRATEGY**

N/A

**CONCLUSION AND RECOMMENDATION**

Council consider funding confirmation for the years 2021 and 2022 in March to assist with securing the Tour of the Great South Coast cycling event for the next two years.

**ATTACHMENTS**

Nil



**24.4 BUDGET REVIEW QUARTER 2 FY2020-21 – REPORT NO. AR21/5589**

<b>Committee:</b>	<b>Council</b>
<b>Meeting Date:</b>	<b>16 February 2021</b>
<b>Report No.:</b>	<b>AR21/5589</b>
<b>CM9 Reference:</b>	<b>AF20/446</b>
<b>Author:</b>	<b>Jeroen Zwijnenburg, Manager Finance and Customer Service</b>
<b>Authoriser:</b>	<b>Darren Barber, General Manager Shared Services</b>
<b>Summary:</b>	<b>Council reviews its budget on a quarterly basis. This is the second quarterly report for FY2020-21. The review shows an improvement to Council’s forecasted operating results due to reduced expenditure measures since the start of the year as well as an increase in the carry-over to FY2021-22 based on the current work schedule.</b>
<b>Strategic Plan Reference:</b>	<b>Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage Goal 5: Our Commitment</b>

**REPORT RECOMMENDATION**

1. That Council Report No. AR21/5589 titled ‘Budget Review Quarter 2 FY2020-21’ as presented on 16 February 2021 be noted.
2. That the YTD quarter 2 budget review (BR2) revisions be adopted for the FY2020/21 financial year, reflecting:
  - A \$34,996,000 forecast capital expenditure, representing a \$2,801,000 change from the original budget capital expenditure of \$37,797,000 (Item B and C), including a Budget revision carry over to 2020/21 of \$1,856,000 (Item A), an anticipated carry-over to 2021/22 of \$2,668,000 and a change of \$3,522,000 in relation to the construction of the Wulanda Recreation and Convention Centre (Item D);
  - \$1,230,000 forecasted operating deficit, representing a \$363,000 decreased deficit from the original budget operating deficit of \$1,593,000;
  - A \$11,632,000 forecast net surplus, representing a \$813,000 increase from the original budget net surplus of \$10,819,000; and
  - No impairment expense within other comprehensive expenses at BR2.





## TYPE OF REPORT

Corporate

## BACKGROUND

The 2020-21 original budget includes an operating deficit of \$1,593,000. This budget also includes multiple initiatives that are impacted by the COVID-19 environment. Therefore, a timely and thorough review of the budget on a quarterly basis is required.

### Timing

For the 2020-21 Council plans to perform three budget reviews in the year and aims to present these as soon as possible after the close of the previous quarter to the chamber. The timing of the budget review for 2020-21 is therefore:

Budget Review	Inclusive Dates	Council Meeting	Legislation
Quarter One (BR1)	1 July 2020 to 30 September 2020	October 2020	<= 15 March & < BR2
Quarter Two (BR2)	1 July 2020 to 31 December 2020	February 2021	<= 15 March
Quarter Three (BR3)	1 July 2020 to 31 March 2021	May 2021	>= 16 March & > BR2

### Contents of BR2 2020-21

This year's BR2 includes both the review of the operational as well as the capital budget, as well as the inclusion of the capital works-in-progress.

## PROPOSAL

This review addresses the following aspects:

From a capital expenditure (Capex) perspective:

Item A: Carry over from FY2021

Item B: Carry over to FY2022

Item C: Revision of Capex

Item D: Wulanda Recreation and Convention Centre

From an operating income and expenditure (Opex) perspective:

Item E: Opex

The information that is presented in the following tables includes both the changes adopted in BR1 as well as the changes proposed for adoption in BR2. This allows a full comparison against the original budget. It does mean that some items in BR2 represent a correction to an item adopted in BR1. A previous BR1 number is included in the description for ease of reference.

### Item A: Carry over from FY2021

This item shows no change compared to BR1. A total of \$1,856,000 was carried over from FY2020 into FY2021.

### Item B: Carry over to FY2022

In BR1 Council included, outside the carryover from FY2019/20 into FY2020/21 – at an amount of \$1,855,997, a provisional amount of \$1,600,000 for undefined capex work, included in this year's capex budget, as an estimate for what will be carried over to the following year.

As part of BR2 we have identified a total of \$2,668,000 of capex for carry over into FY2022, some of which might need to be excluded on review, or possibly carried over to FY2023. BR2 therefore reduced the undefined amount of carry overs to FY2022 to nil. Additionally, the capex includes



\$486,995 in relation to the replacement of light bulbs in streetlights (as well as the related revenue under operating income).

As part of the carry-over some items that were included in BR1 have been revised e.g. the Works Depot Offices (BR1-09) are included in FY2021 for 50% of this total rather than the full \$250,000, while \$125,000 is carried over to FY2022.

### Item C: Revision of Capex

<b>TABLE 1: CAPITAL EXPENDITURE BUDGET ESTIMATE REVISIONS SINCE ADOPTION OF THE ORIGINAL 2020/21 BUDGET – IMPACT ON BALANCE SHEET.</b>			
<b>Item</b>	<b>CoMG ref</b>	<b>Adjustment to Estimates - Description</b>	<b>BS impact</b>
1	BR1-05*	Vehicle Carryover Capital from 2019/20	242,713
2	BR1-06*	Buildings & Structures Carryover Capital from 2019/20	670,066
3	BR1-07*	Infrastructure Carryover Capital from 2019/20	878,218
4	BR1-08*	Main Corner Complex Carryover Capital from 2019/20	65,000
5	BR1-09*	Works Depot Offices	250,000
6	BR1-10*	Special Local Roads Funding	570,000
7	BR1-14*	Davison Drive Guard Rail	32,990
8	BR1-16*	Plant Replacement Changes	67,000
9	BR1-18*	Theodolite replacement	15,000
10	BR1-19*	Reseal and 3 sheds at Cleanaway site - Feb 2021	100,000
11	BR1-27*	CMS Upgrade	10,000
12	BR1-31*	Carry-over BR1 estimate to 2021/22 financial year	(1,600,000)
<b>Total Q1</b>		<b>Budget review Q1 YTD overall impact BS</b>	<b>1,300,987</b>
1	BR2-08	LED Lighting	486,995
2	BR2-13	Wulanda Recreation and Convention Centre (WRCC) update	(3,521,926)
3	BR2-14	CAPEX update City Infrastructure into FY2022	(1,460,423)
		CAPEX Undefined into FY2022	1,600,000
4	BR2-15	CAPEX update City Growth – Cemetery, including She-Oak master plan landscaping, Chapel reconfiguration and shed exterior concreting	(370,000)
5	BR2-21	iServices and other carry over into FY2022	(267,118)
6	BR2-23	Special Roads Funding - Pinehall and O'Leary into FY2022	(570,000)
<b>Total Q2</b>		<b>Budget review Q2 YTD overall impact BS</b>	<b>(4,102,472)</b>
<b>Total Q1 and Q2</b>			<b>(2,801,485)</b>

(\*) Council previously approved BR measures

### Item D: Wulanda Recreation and Convention Centre

In BR1 the capital expenditure on the Wulanda Recreation and Convention Centre (WRCC) had not been adjusted. In BR2 Council has adjusted the capital expenditure to the latest cash flow forecast for the Centre, which is \$3,522,926 less than the original budget. This is primarily a result of a later start of the construction due to COVID related negotiations that occurred after the original budget was set. The Proforma Statement of Cash Flows also shows the assumption that consequently Council's borrowings will be less by the same amount by the end of the 2021 financial year.

The Federal and State revenue has not been updated at this stage. Although changes in timing are expected, consistent with changes to the construction schedule compared to the timeline of the original budget for FY2020/21 (April 2020), the magnitude of this is not certain at this BR2 review point. This will be updated as part of BR3.

Items A and C have an impact on the overall capital works in progress overview, as per the below:

**TABLE 2: CAPITAL WORKS IN PROGRESS OVERVIEW**



Year	Capex Carry forward from prior year (A)	Capex original budget (B1)	CaRH original budget (B2)	Capex original budget (B) Total	Capex Council Resolutions in year (C1)	BR Transfer to next FY (C2)	Total (D) (A+B+C)		
<b>2019</b>	1,108	8,159	-	8,159	540	-	9,807		
<b>2020</b>	2,201	7,877	2,617	10,494		(1,655)	11,040		
<b>OB 2021</b>	1,856	11,024	26,773	37,797			39,653		
<b>BR2 2021</b>	1,856	11,024	26,773	37,797	1,532	(6,189)	34,996		

Year	Note 7 Additions actuals (E1)	CaRH WIP actuals (E2)	Other Capital WIP (E3)	Total Capital WIP (E2 & E3)	WIP increase / (decrease) (E4)	Total true Capex (E1 - E4)	Potential capex Rollover (F)	Capex Rollover to next year (G)	Capex reduction / (capex increase)
<b>2019</b>	7,266	540	249	789	515	7,781	2,566	2,201	365
<b>2020</b>	7,873	1,631	950	2,581	1,792	9,665	2,044	1,856	188
<b>BR2 2021</b>								2,668	

**Item E. Operating expenditure and income & comprehensive income BR2**

Table 3 provides detail of the income and expense adjustments as part of BR2.

The major BR2 revisions are:

- Development application (DA) income has been substantially increased compared to the original budget. The reasons for this are twofold: Firstly, the introduction of new development system / Planning Development and Infrastructure Act was originally expected early in the financial year, and the income projections were reduced accordingly. With the deferral of this to 19 March 2021 (per the latest advice) Council has continued to generate income from DAs. Secondly, with the Federal Government's HomeBuilder grant the demand for DAs has increased substantially, creating additional income.
- Salaries & wages are \$131,000 under budget for the year. The original budget included \$400,000 in salary savings that were anticipated to be result of delays in filling vacancies, and this full amount has been achieved with an additional \$131,000 anticipated by the end of the year.
- Expenditure on consultants & contractors as well as general operating expenses are well below original budget. Further review of the budgeted amounts for potential areas of saving identified further budget savings, e.g. in training & development, iServices (PABX) maintenance.
- Interest income was budgeted for at nil, however, due to some bonus payment from LGFA as well as later start of borrowings related to the WRCC Council reports \$24,000 interest income to date at BR2.
- In BR1 the Special Roads Funding for PineHall Avenue and O'Leary Road was included in the FY2021 budget - this has been deferred till FY2022 in this BR2.
- Additional LED Lighting capital budget has been included as well as the same amount of funding within comprehensive income.



Table 3: Operational expenditure budget estimate revisions since adoption of the original 2020/21 budget - impact on profit & loss statement.

Item	CoMG ref	Adjustment to Estimates - Description	P&L impact
1	BR1-03*	Street Sweeping/Median Maintenance - DPTI - Income not included in budget FY2021	(23,000)
2	BR1-04*	Vibrant Mount Gambier \$5,000 funding	(5,000)
3	BR1-10*	Special Local Roads Funding	(380,000)
4	BR1-11*	LGRS Insurance Risk Sessions	32,500
5	BR1-12*	Depreciation adjustment	332,713
6	BR1-13*	Commonwealth Financial Assistance Grant	313,282
7	BR1-18*	Theodolite replacement	(15,000)
8	BR1-21*	Blue Lake Sports Club Master Plan	50,000
9	BR1-26*	AssetVal payment carried over from FY2020	12,450
10	BR1-30*	Salaries & Wages including adjustment 27 <sup>th</sup> pay June 2021	66,732
11	BR1-35*	Lease NPV Interest and Amortisation adjustments	39,373
12	BR1-37*	Increased Development & Building Approvals	(140,000)
13	BR1-38*	Extension of interim library & coffee shop arrangement	120,000
14	BR1-39*	Line-marking contract	85,500
<b>Total BR1</b>		<b>Budget review Q1 increase in operating deficit</b>	<b>489,550</b>
1	BR2-02	Sports and Recreation Capital Works Program 2020/2021	(100,000)
2	BR2-03	Tourism Mount Gambier - additional 0.4 FTE plus \$14,500	14,515
3	BR2-04	Interest Income LGFA & Income from LGA Asset Mutual Fund and Work Cover	(24,013)
4	BR2-06	Junior Sports Assistance Fund	13,000
5	BR2-07	Training budget FY2021	10,000
6	BR2-08	LED lighting	(100,000)
7	BR2-09	Open space Strategy Master Plan	60,885
8	BR2-12	Salaries & Wages	(131,120)
9	BR2-16	Training & Development Savings	(45,659)
10	BR2-17	PABX Maintenance	(86,704)
11	BR2-18	Blue Lake Golf Club operational grant	(75,000)
12	BR2-19	Contractors & Consultants	(331,220)
13	BR2-20	General operating expenses	(439,049)
14	BR2-23	Special Roads Funding - Pinehall and O'Leary	380,000
<b>Total BR2</b>		<b>BR2 decrease in operating deficit</b>	<b>(854,365)</b>
<b>Total BR1 &amp; BR2</b>		<b>BR2 YTD decrease in operating deficit</b>	<b>(364,815)</b>
15	BR1-05	Vehicle Carryover Capital from 2019/20	21,000
16	BR1-16	Plant Replacement Changes	18,400
<b>Total BR1 &amp; BR2</b>		<b>BR1 increase in comprehensive (income) / expense</b>	<b>39,400</b>
15	BR2-08	LED lighting	(486,995)
<b>Total BR2</b>		<b>BR2 increase in comprehensive (income) / expense</b>	<b>(486,995)</b>
<b>Total BR1 &amp; BR2</b>		<b>BR2 YTD increase in comprehensive (income)/expense</b>	<b>(447,595)</b>
<b>Total BR2 YTD</b>		<b>Change in total comprehensive income</b>	<b>(812,410)</b>

(\*) Council previously approved BR measures



## **LEGAL IMPLICATIONS**

Nil

## **STRATEGIC PLAN**

Nil

## **COUNCIL POLICY**

Nil

## **ECONOMIC IMPLICATIONS**

The improvement in Council's forecasted operating deficit, from Council's originally budgeted deficit of \$1,593,000 by \$363,000, as well as the reduced capital expenditure improves Council's cash flow position moving into FY2021/22. It also reduces the amount with which Council draws on the cumulative operating surplus balance (since 2012/13), and puts it into a better financial position than originally budgeted.

The increases in the carry over, from \$1,600,000 per BR1 to \$2,668,000 in BR2, populates a greater portion of the overall capex for the upcoming budget year FY2022 and allows for further re-evaluation of some of these projects' timing as part of BR3 FY2021 and as part of the Annual Business Plan and Budget process for FY2022.

## **ENVIRONMENTAL IMPLICATIONS**

Nil

## **SOCIAL IMPLICATIONS**

Nil

## **CULTURAL IMPLICATIONS**

Nil

## **RESOURCE IMPLICATIONS**

Nil

## **VALUE FOR MONEY**

Nil

## **RISK IMPLICATIONS**

Council has to balance a combination of risks, including financial sustainability risks. BR2 shows that Council is expecting to achieve a better financial outcome than originally budgeted and from that perspective is building a stronger base to finance ongoing services and projects.

## **EQUALITIES AND DIVERSITY IMPLICATIONS**

Nil

## **ENGAGEMENT AND COMMUNICATION STRATEGY**

Nil

## **IMPLEMENTATION STRATEGY**

Nil

## **CONCLUSION AND RECOMMENDATION**

It is recommended that Council adopt the FY2021 Budget Review 2 updated budget.



**ATTACHMENTS**

1. Proforma Financial Statements Budget Review 2 FY2021 (BR-2) [↓](#)



**City of Mount Gambier**  
**Proforma Statement of Comprehensive Income**  
**Budget Review 2 FY2021, Budget Review 1 FY2021, Budget FY2021, Actual 2020 and Actual 2019**

		FY BR2 2021 \$'000	FY BR1 2021 \$'000	FY Budget 2021 \$'000	2020 \$'000	2019 \$'000
<b>INCOME</b>						
Rates	2	22,795	22,824	22,809	22,138	21,432
Statutory charges	2	634	409	309	523	426
User charges	2	5,079	5,271	5,354	5,318	5,021
Grants, subsidies and contributions	2	4,340	4,760	4,680	4,227	4,435
Investment income	2	24	-	-	55	86
Reimbursements	2	69	75	52	38	19
Other income	2	550	471	241	439	417
<b>Total Income</b>		<b>33,490</b>	<b>33,809</b>	<b>33,445</b>	<b>32,738</b>	<b>31,836</b>
<b>EXPENSES</b>						
Employee costs	3	13,103	13,241	13,172	12,230	11,800
Materials, contracts & other expenses	3	13,545	14,567	14,154	13,263	11,972
Depreciation, amortisation & impairment	3	7,834	7,894	7,498	7,625	7,424
Finance costs	3	237	190	213	170	203
<b>Total Expenses</b>		<b>34,720</b>	<b>35,891</b>	<b>35,038</b>	<b>33,288</b>	<b>31,399</b>
<b>OPERATING SURPLUS / (DEFICIT)</b>		<b>(1,230)</b>	<b>(2,082)</b>	<b>(1,593)</b>	<b>(550)</b>	<b>437</b>
Asset disposal & fair value adjustments	4	(50)	(52)	(13)	(472)	(594)
Amounts received for new or upgraded assets	2	12,912	12,425	12,425	-	105
Physical resources received free of charge	2	-	-	-	737	159
<b>NET SURPLUS / (DEFICIT)</b> transferred to Equity Statement		<b>11,632</b>	<b>10,290</b>	<b>10,819</b>	<b>(285)</b>	<b>107</b>
<b>Other Comprehensive Income</b>						
<i>Amounts which will not be reclassified subsequently to operating result</i>						
Changes in revaluation surplus - infrastructure, property, plant & equipment						56
Impairment (expense) / recoupments offset to asset revaluation reserve	3	-	-	-	(327)	-
<b>Total Other Comprehensive Income</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>(327)</b>	<b>56</b>
<b>TOTAL COMPREHENSIVE INCOME</b>		<b>11,632</b>	<b>10,290</b>	<b>10,819</b>	<b>(612)</b>	<b>163</b>

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**City of Mount Gambier**  
**Proforma Statement of Financial Position**  
**Budget Review 2 FY2021, Budget FY2021, Actual 2020 and Actual 2019**

	Notes	FY BR2 2021 \$'000	FY BR1 2021 \$'000	FY Budget 2021 \$'000	2020 \$'000	2019 \$'000
<b>ASSETS</b>						
<b>Current assets</b>						
Cash and cash equivalents	5	3,094	1,567	2,155	4,406	6,069
Trade & other receivables	5	2,064	2,064	1,861	2,034	1,867
Inventories	5	55	26,828	816	55	27
		<u>5,214</u>	<u>30,459</u>	<u>4,832</u>	<u>6,495</u>	<u>7,963</u>
<b>Non-current assets</b>						
Infrastructure, property, plant & equipment	7	247,425	247,425	277,807	244,262	244,752
Other non-current assets	6	25,831	2,581	-	2,581	789
<b>Total non-current assets</b>		<u>273,256</u>	<u>250,024</u>	<u>277,807</u>	<u>246,843</u>	<u>245,541</u>
<b>Total assets</b>		<u>278,470</u>	<u>280,483</u>	<u>282,639</u>	<u>253,338</u>	<u>253,504</u>
<b>LIABILITIES</b>						
<b>Current liabilities</b>						
Trade & other payables	8	2,898	2,898	3,065	2,849	3,017
Borrowings	8	570	570	213	558	195
Provisions	8	2,625	2,625	2,457	2,557	2,338
<b>Total current liabilities</b>		<u>6,093</u>	<u>6,093</u>	<u>5,734</u>	<u>5,964</u>	<u>5,550</u>
<b>Non-current liabilities</b>						
Borrowings	8	15,233	18,756	21,952	2,189	2,377
Provisions	8	4,023	4,023	3,857	3,863	3,650
<b>Total non-current Liabilities</b>		<u>19,255</u>	<u>22,778</u>	<u>25,809</u>	<u>6,052</u>	<u>6,027</u>
<b>Total liabilities</b>		<u>25,348</u>	<u>28,871</u>	<u>31,543</u>	<u>12,016</u>	<u>11,577</u>
<b>NET ASSETS</b>		<u>253,122</u>	<u>251,612</u>	<u>251,096</u>	<u>241,322</u>	<u>241,927</u>
<b>EQUITY</b>						
Accumulated surplus		76,786	75,276	74,778	64,986	65,609
Asset revaluation reserves	9	175,462	175,462	175,458	175,462	175,458
Other reserves	9	874	874	860	874	860
<b>TOTAL EQUITY</b>		<u>253,122</u>	<u>251,612</u>	<u>251,096</u>	<u>241,322</u>	<u>241,927</u>





**City of Mount Gambier**  
**Statement of Changes in Equity**  
**Proforma Statement of Changes in Equity**  
**Budget Review 1 FY2021, Actual 2020 and Actual 2019**  
**for the period ending 31 December 2020**

		Accumulated surplus	Asset revaluation reserve	Other reserves	Total equity
		\$'000	\$'000	\$'000	\$'000
<b>2021 BR2</b>	Notes				
Balance at end of previous reporting period		64,986	175,462	874	241,322
<b>Net surplus / (deficit) for the year</b>		11,632	-	-	11,632
<b>Other Comprehensive Income</b>					
Transfers between reserves		-	-	-	-
<b>Balance at end of period</b>		76,618	175,462	874	252,954
<b>2021 BR1</b>	Notes				
Balance at end of previous reporting period		64,986	175,462	874	241,322
<b>Net surplus / (deficit) for the year</b>		10,290	-	-	10,290
<b>Other Comprehensive Income</b>					
Transfers between reserves		-	-	-	-
<b>Balance at end of period</b>		75,276	175,462	874	251,612
<b>2021</b>	Notes				
Balance at end of previous reporting period		65,140	143,058	874	209,072
Restated opening balance		65,140	143,058	874	209,072
<b>Net surplus / (deficit) for the year</b>	-	813	-	-	813
<b>Other Comprehensive Income</b>					
Transfers between reserves		-	-	-	-
<b>Balance at end of period</b>		64,328	143,058	874	208,259
<b>2020</b>	Notes				
Balance at end of previous reporting period		65,609	175,458	860	241,927
<b>Net surplus / (deficit) for the year</b>		(285)			(285)
<b>Other Comprehensive Income</b>					
Gain on revaluation of infrastructure, property, plant & equipment			1,237		1,237
Impairment (expense) / recoupments offset to asset revaluation reserve	9	(327)	(1,233)		(1,560)
Adjustment due to compliance with revised accounting standard	1	3			3
Transfers between reserves	9	(14)		14	-
<b>Balance at end of period</b>		64,986	175,462	874	241,322
<b>2019</b>					
Balance at end of previous reporting period		65,515	175,402	847	241,764
<b>Net surplus / (deficit) for the year</b>		107			107
<b>Other Comprehensive Income</b>					
Gain on revaluation of infrastructure, property, plant & equipment			56		56
Transfers between reserves		(13)		13	-
<b>Balance at end of period</b>		65,609	175,458	860	241,927



## City of Mount Gambier

### Proforma Statement of Cash Flows Budget Review 1 FY2021, Budget FY2021, Actual 2020 and Actual 2019

		FY BR2 2021	FY BR1 2021	FY Budget 2021	2020	2019
		\$'000	\$'000	\$'000	\$'000	\$'000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>						
	Notes					
<u>Receipts</u>						
Rates - general & other		22,795	22,824	22,809	21,957	21,388
Fees & other charges		634	409	309	524	426
User charges		5,549	5,764	5,889	5,696	5,459
Investment receipts		24	-	-	57	86
Grants utilised for operating purposes		3,613	3,473	4,133	4,227	4,435
Reimbursements		76	83	57	42	21
Other revenues		1,102	1,130	850	1,002	446
<u>Payments</u>						
Employee costs		(12,875)	(13,013)	(13,116)	(11,915)	(11,629)
Materials, contracts & other expenses		(14,556)	(15,709)	(15,262)	(14,293)	(12,981)
Finance payments		(237)	(252)	(213)	(170)	(161)
<b>Net cash provided by (or used in) Operating Activities</b>		<b>6,123</b>	<b>4,708</b>	<b>5,456</b>	<b>7,127</b>	<b>7,490</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>						
<u>Receipts</u>						
Amounts specifically for new or upgraded assets		13,639	13,712	12,972	-	105
Sale of replaced assets		481	503	506	385	359
Sale of surplus assets		-	-	-	72	-
Repayments of loans by community groups		-	-	-	18	17
<u>Payments</u>						
Expenditure on renewal/replacement of assets		(8,525)	(8,692)	(8,270)	(5,627)	(4,006)
Expenditure on new/upgraded assets		(26,085)	(29,630)	(29,639)	(3,813)	(2,265)
<b>Net cash provided by (or used in) Investing Activities</b>		<b>(20,490)</b>	<b>(24,107)</b>	<b>(24,432)</b>	<b>(8,965)</b>	<b>(5,790)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>						
Proceeds from borrowings		13,250	16,773	20,000	-	-
<u>Payments</u>						
Repayments of borrowings		(195)	(195)	(213)	175	(218)
<b>Net cash provided by (or used in) Financing Activities</b>		<b>13,055</b>	<b>16,578</b>	<b>19,787</b>	<b>175</b>	<b>(218)</b>
<b>Net increase / (decrease) in cash held</b>		<b>(1,312)</b>	<b>(2,821)</b>	<b>812</b>	<b>(1,663)</b>	<b>1,482</b>
Cash & cash equivalents at beginning of period	10	4,406	4,406	2,958	6,069	4,587
<b>Cash &amp; cash equivalents at end of period</b>	10	<b>3,094</b>	<b>1,585</b>	<b>3,770</b>	<b>4,406</b>	<b>6,069</b>



## City of Mount Gambier

### Proforma Notes

#### Budget Review 1 FY2021, Budget FY2021, Actual 2020, 2019 and 2018

#### Note 14 - Financial indicators

These financial indicators have been calculated in accordance with *Information Paper 9 - Local Government Financial Indicators* prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia. Detailed methods of calculation are set out in the SA Model Statements.

	FY BR2 2021	FY BR1 2021	FY Budget	2020	2019
<b>Operating surplus ratio</b>					
<u>Operating surplus</u>					
Total operating revenue	(3.7%)	(6.2%)	(4.8%)	(6.5%)	1.4%

*This ratio expresses the operating surplus as a percentage of total operating revenue.*

#### Net financial liabilities ratio

<u>Net financial liabilities</u>					
Total operating revenue	76%	85%	94%	63%	11%

Net financial liabilities are defined as total liabilities less financial assets. These are expressed as a percentage of total operating revenue.

#### Adjustments to ratios

In recent years the Federal Government has made advance payments prior to 30th June from future year allocations of financial assistance as explained in Note 1. These adjusted ratios correct for the resulting distortion in the key ratios for each year and provide a more accurate comparison.

<i>Adjusted operating surplus ratio</i>	(4.0%)	(6.2%)	(5.1%)	(5.4%)	(0.7%)
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<i>Adjusted financial liabilities ratio</i>	76%	85%	94%	59%	10%
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#### Asset renewal funding ratio

<u>Net asset renewals</u>					
Asset Management Plan required expenditure	118%	119%	114%	105%	68%

Net asset renewals expenditure is defined as net capital expenditure on the renewal and replacement of existing assets, and excludes new capital expenditure on the acquisition of additional assets.



## City of Mount Gambier

### Proforma Notes Budget Review 1 FY2021, Budget FY2021, Actual 2020 and Actual 2019

#### Note 15 - Uniform presentation of finances

The following is a high level summary of both operating and capital investment activities of the Council prepared on a simplified Uniform Presentation Framework basis.

All Councils in South Australia have agreed to summarise annual budgets and long-term financial plans on the same basis.

The arrangements ensure that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Council's finances.

	FY BR2 2021 \$'000	FY BR1 2021 \$'000	FY Budget 2021 \$'000	2020 \$'000	2019 \$'000
Income	33,490	33,809	33,445	32,738	31,836
Expenses	34,720	35,891	35,038	(33,288)	(31,399)
<b>Operating surplus / (deficit)</b>	<b>(1,230)</b>	<b>(2,082)</b>	<b>(1,593)</b>	<b>(550)</b>	<b>437</b>
<b>Net outlays on existing assets</b>					
Capital expenditure on renewal and replacement of existing assets	8,525	8,692	8,270	5,627	5,346
Depreciation, amortisation and impairment	(7,834)	(7,894)	(7,498)	(7,625)	(7,424)
Proceeds from sale of replaced assets	(481)	(503)	(506)	(385)	(359)
	210	296	266	(2,383)	(2,437)
<b>Net outlays on new and upgraded assets</b>					
Capital expenditure on new and upgraded assets <i>(including investment property &amp; real estate developments)</i>	26,085	29,630	29,639	3,813	566
Amounts received specifically for new and upgraded assets	(13,639)	(13,712)	(12,972)	-	(105)
Proceeds from sale of surplus assets <i>(including investment property and real estate developments and non-current assets held for resale)</i>	-	-	-	(457)	359
	12,446	15,918	16,667	3,356	820
<b>Net lending / (borrowing) for financial year</b>	<b>(13,886)</b>	<b>(18,296)</b>	<b>(18,526)</b>	<b>(1,523)</b>	<b>2,054</b>



**24.5 LONG TERM FINANCIAL PLAN (LTFP) AND ASSET MANAGEMENT PLAN (AMPS)  
FY2022-FY2031 – REPORT NO. AR21/6732**

<b>Committee:</b>	<b>Council</b>
<b>Meeting Date:</b>	<b>16 February 2021</b>
<b>Report No.:</b>	<b>AR21/6732</b>
<b>CM9 Reference:</b>	<b>AF20/446</b>
<b>Author:</b>	<b>Jeroen Zwijnenburg, Manager Finance and Customer Service</b>
<b>Authoriser:</b>	<b>Darren Barber, General Manager Shared Services</b>
<b>Summary:</b>	<b>This report is to consider and adopt the Long Term Financial Plan (LTFP) and Asset Management Plan (AMPs) which form the basis for the Annual Business Plan &amp; Budget process.</b>
<b>Strategic Plan Reference:</b>	<b>Goal 1: Our People</b> <b>Goal 2: Our Location</b> <b>Goal 3: Our Diverse Economy</b> <b>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</b> <b>Goal 5: Our Commitment</b>

**REPORT RECOMMENDATION**

1. That Council Report No. AR21/6732 titled 'Long Term Financial Plan (LTFP) and Asset Management Plan (AMPs) FY2022-FY2031' as presented on 16 February 2021 be noted.
2. That Council adopts the:
  - (a) FY2022-FY2031 Long Term Financial Plan, and the
  - (b) Five FY2022-FY2031 Asset Management Plans, being:
    - (i) the Plant & Equipment Asset Management Plan - 2022-2031;
    - (ii) the Infrastructure Asset Management Plan - 2022-2031;
    - (iii) the Caroline Landfill Asset Management Plan - 2022-2031;
    - (iv) the Library Information Technology and Sundry Asset Management Plan - 2022-2031;
    - (v) The Buildings and Structures Asset Management Plan - 2022-2031;accepting an update of the Infrastructure Asset Management Plan for the purpose of updating the asset condition results following the completion of this year's condition rating process.
3. That Council adopts the LTFP and AMPs to form the basis for the FY2022 Annual Business Plan & Budget process.



## TYPE OF REPORT

Corporate

## BACKGROUND

Requirements for the Long Term Financial Plan (LTFP) and the Asset Management Plans (AMPs) relate to the overall Strategic Management Plans of Council, as per Chapter 8 Part 1, Paragraph 122 of the Local Government Act 1999:

*“A council must develop and adopt plans (which may take various forms) for the management of its area, to be called collectively the strategic management plans, which*

*(a) identify the council's objectives for the area over a period of at least 4 years (the relevant period),  
(....)*

*(ab) provide assessments that relate to the following matters (with particular reference to the relevant period):*

*(i) the sustainability of the council's financial performance and position; (...)*

*(1a) A council must, in conjunction with the plans required under subsection (1), develop and adopt*

*(a) a long-term financial plan for a period of at least 10 years; and*

*(b) an infrastructure and asset management plan, relating to the management and development of infrastructure and major assets by the council for a period of at least 10 years, (and these plans will also be taken to form part of the council's strategic management plans).*

*(1b) The financial projections in a long-term financial plan adopted by a council must be consistent with those in the infrastructure and asset management plan adopted by the council.”*

As part of the Annual Business Plan & Budget (ABP&B) process, Council has determined it will review the AMPs every 2 years and review the LTFP every year in order to ensure that it is prudently managing sustainability requirements.

## AMPs Review

### Background

“Relative to annual operating revenue, the South Australian Local Government sector is three times more asset intensive (i.e. value of assets/operating revenue) than the State Government and nine times more asset intensive than the Commonwealth Government. It follows that asset management is a more critical responsibility for Councils than it is for other spheres of government. Sound asset management is the key to the financial sustainability of every Council.” (LGASA Information Paper 6 - Infrastructure and Asset Management - Revised December 2019)

In 2019 Council created five distinct AMPs to be focus on the particularities of sustainability in each of these areas. The AMPs include:

- Infrastructure (Roads)
- Plant & Equipment
- Buildings & Structures
- Landfill
- Library, IT and Other

The Asset Management Summary consolidates the outcomes of the above five AMPs to provide a holistic overview.

The AMPs form an important input into the LTFP.



In 2021 Council has reviewed the assumptions of the 2019 AMPs. The LGASA Information Paper 6 (IP6) on Infrastructure and Asset Management (Reviewed: December 2019) provided for much of the input in the review:

*“the long-term financial plan must reflect the optimal level of proposed asset maintenance, renewal and replacement outlays necessary to achieve the Council’s specified service levels, while minimising whole-of-life-cycle asset costs, as specified in the Council’s AMPs.”*

and

*“An AMP should attempt to predict new and renewal infrastructure needs to meet future community service expectations and the expected associated maintenance costs based on expert technical assessment.”*

Consequently, this leads to a review of service levels.

The term “asset management” is used to describe the process by which Councils manage physical assets to meet current and future levels of service. “Asset Management is a systematic, structured process covering the whole life of an asset. The underlying assumption is that assets exist to support program delivery.” (IP6) “The goal of infrastructure asset management is to meet a required level of service, in the most cost effective manner, through the management of assets for present and future customers.” (IP6)

The information paper acknowledges that Council has to find a balance between short and long term funding:

“If cuts need to be made to the AMP then deletion or deferral of additional new assets could be the source of these savings.

The rationalisation of existing assets also could be a source of savings if it results in surplus assets being identified and sold.

If a Council has decided to maintain existing service levels from an asset, then a reduction in a well-developed proposal for maintenance, renewal or replacement of that asset is unlikely to be cost-effective.

Savings are likely to be short-term with subsequent higher maintenance costs later and will therefore impact negatively on a Council’s longer-term financial sustainability.”

## **LTFP Review**

### **Background**

Council started its LTFP in 2018 and uses the LTFP tool provided by LG Solutions. This excel based tool is used by multiple Council’s in South Australia as well as in other States and is well tested.

The third party created and maintained tool provides a robustness to the process and through that mitigates some of the risks that Council would face if it would rely on its own (excel) models.

The model allows for very detailed assumptions per general ledger line, however this brings with it the risk of complicating the outcomes.

Where for the 2018/19 to 2020/21 LTFPs the grouping of general ledger accounts was applied uniquely for LTFP purposes, for the latest 2021/22 LTFP Council has updated the model with the general ledger hierarchy that is also applied in its financial reporting. This allows for reporting by portfolio, master, sub and resource, as well as by groupings applied in the financial statement. This consistency in reporting structure for management reporting and LTFP improves understanding.

To put this in another way, Council has opted to maintain the LTFP to the lowest level in the hierarchy.

Regarding the assumptions applied to the data uploaded Council has aimed to find a balance between detail and high-level assumptions, in order to be able to explain all the assumptions in the model, rather than have to rely on more detailed documents to confirm its assumptions.



The LTFP has various inputs, including:

- Historical Council financials. These drive assumptions about depreciation, prepayments, accounts receivable and payable balances, etc. and forms a starting point for the LTFP to which other assumptions are applied
- The latest budget which drives, in the profit & loss statement, the starting point for the LTFP to which other assumptions (see below) are applied
- The latest budget review data, when available, replaces the budget data as starting point for the LTFP
  - as Council is managing its performance against budget with the aim of achieving budget, the budget review data is currently not uploaded into the model
- Assumptions on inflation of the various revenue and expense lines for the future years
- Once off 'known' impacts on the forecast (e.g. four yearly election expenses)
- The Asset Management Plans
- The Wulanda Recreation and Convention Centre (WRCC) financial assumptions for both construction and the operating model.

Every year, as a first step in the preparation for the budget process, the LG Solutions LTFP model is updated for the above.

The LTFP review for 2022-2031 is very detailed and includes the WRCC, ensuring this new community asset is reflected in the LTFP.

The following steps have been taken to date:

- Initial version of LTFP provided to the Local Government Financing Authority (LGFA) - 3 December 2020
- Presented to Audit Committee Workshop for input – 14 December 2020
- Presented to Elected Member workshop – 19 January 2021

The adopted LTFP also forms an important document for funding purposes and will be provided to the Local Government Financing Authority (LGFA) as part of its assessment of Council's ability in servicing any current and/or future borrowings.

## **PROPOSAL**

### **AMPs Outcome and proposed AMPs**

An important outcome of the AMP review has been, the realisation that the combined approach of asset maintenance, renewal and replacement not just renewal and replacement outlays will extend the life of Council assets. As a result the work schedule for asset, maintenance is the most cost effective manner of deferring the asset renewal.

The lagging impact of estimated asset life extensions means that Council has now applied a weighting to the optimal renewal level, based on the annual depreciation, for some subclasses of assets to compensate for this impact e.g. for heritage buildings we now apply a 75% of depreciation weighting to determine the optimal level of maintenance and renewal outlay. Another example is street trees, which are not renewed but only capitalised new and therefore a weighting of 0% has been applied.

Secondly, as noted above, the maintenance costs form part of Council's optimal asset management level, and therefore the budgeted expenditure is to be incorporated in the nominator of the asset sustainability ratio (which did not occur in the 2019 AMPs).

In addition to these two revisions to the methodology of the asset sustainability ratio, Council performed a review of the individual AMPs planned replacement program. The purpose of the individual AMPs is not to hard code the particular asset items that Council intends to acquire and/or





built, but an overview of the scope of the expenditure that allows Council to acquire and build these assets to a level where the service levels to the community are maintained to the required level.

Lastly, the AMPs have not been 'smoothed' to gain a level annual capital expenditure picture, rather each AMP has been looked on its own merits. The combined AMP is therefore a simple summation of the 5 distinct AMPs.

However, Council realises that when time progresses, certain acquisitions / builds will (need to) be deferred or brought forward to ensure that Council has the capacity to perform the required works within its available resources - both from a staffing, managerial and contractor perspective. By not 'smoothing' these variations Council has a clearer view of where pressures might appear once this information is included into the LTFP. Within the Buildings AMP there has been a total of \$1,500,000 reduction applied to the FY22, FY23 and FY24 years, while in the infrastructure upgrade/new category the total has been left at \$365,000 for the 10 years of the AMP. With these adjustments, which will require further allocation to specific capital projects closer to these financial years, the consolidated AMP included in the LTFP looks as per the following table:

Asset Management Plan - 2022-2031											
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Infrastructure	Renewal	3,386,099	3,470,751	3,557,520	3,646,458	3,737,620	3,831,060	3,926,837	4,025,008	4,125,633	4,228,774
	Upgrade/new	374,125	383,478	393,065	402,892	412,964	423,288	433,870	444,717	455,835	467,231
Buildings	Renewal	562,101	588,654	615,870	1,143,767	1,172,361	1,201,670	1,231,712	1,262,505	1,294,067	1,326,419
	Upgrade/new	51,250	52,531	53,845	55,191	56,570	57,985	59,434	60,920	62,443	64,004
Plant	Renewal	790,000	773,000	1,624,000	1,159,000	520,000	1,275,000	402,000	1,283,000	1,473,000	1,085,000
	Upgrade/new	41,000	42,025	43,076	44,153	45,256	46,388	47,547	48,736	49,955	51,203
Caroline	Renewal	2,009,087	0	0	0	2,090,664	0	0	2,154,013	2,187,152	0
Library	Renewal	156,420	160,330	164,339	168,447	172,658	176,975	181,399	185,934	190,582	195,347
IT	Renewal	183,885	188,482	193,194	198,024	202,975	208,049	213,250	218,582	224,046	229,647
	Upgrade/new	75,000	76,875	78,797	80,767	82,786	84,856	86,977	89,151	91,380	93,665
Sundry	Renewal	52,682	53,999	55,349	56,733	58,151	59,605	61,095	62,622	64,188	65,793
	Upgrade/new	128,125	131,328	134,611	137,977	141,426	144,962	148,586	152,300	156,108	160,011
TOTAL	Renewal	7,140,274	5,235,217	6,210,272	6,372,429	7,954,429	6,752,359	6,016,293	9,191,664	9,558,668	7,130,980
	Upgrade/new	669,500	686,238	703,393	720,978	739,003	757,478	776,415	795,825	815,721	836,114
	TOTAL	7,809,774	5,921,455	6,913,666	7,093,408	8,693,432	7,509,837	6,792,708	9,987,489	10,374,389	7,967,093

The individual AMPs, as well as the Asset Management Summary have been attached to this document.

### Update to the Infrastructure AMP at completion of 2021 condition rating process

The Infrastructure AMP includes asset condition profiles. This information is updated every second year following a process of reviewing all the road infrastructure condition rating. The latest information available now is the 2019 information, however the physical road infrastructure asset condition work is currently being carried out.

Once this work has been completed Council intends to update the Infrastructure Asset Management Plan - 2022-2031. Although this has no direct implications for the capital expenditure projected in this AMP it will allow one source of reference for the latest information.

### LTFP Outcome and proposed LTFP

The Draft FY2022-FY2031 Long Term Financial Plan (LTFP) includes the following assumptions:

Rates - General Rates:

- 4.5% increase for the years 2021/22 to 2030/31

Other charges & other rates & reimbursements:

- 2.41% to 2.55% annual increases for all

Operating expenditure: employee costs, materials, contracts & other expenses:

- 2.41% to 2.55% annual increase



Employee costs:

- 2.41% to 2.55% annual increase, which includes both salary growth and FTE growth
- Superannuation - LTFP assumes increase to 12% by FY2025

Election expenses in FY23 (\$130,000) and FY27 (\$140,000)

The LTFP also assumes for the 10 years a continuation of existing Council services and therefore the current year's budget (FY2021) forms the starting point for the future years

To adjust for unique FY2021 budget items, which should not form the basis for the future 10 years of the LTFP, further adjustments were made to the LTFP assumptions to normalize the starting year (FY2021) budget:

- Discontinuation of expenses related to COVID employees (once off in FY2021 @ \$531,000)
- Bulky waste collection (once off in FY2021 @200,000)
- PLEC reduction by \$100,000 (FY2021 included \$250,000. Before that inclusion the assumption had been \$300,000 every 2 years)

This totals to a reduction of \$831,000 in FY2021 values.

In addition, the LTFP includes:

- Increase in non-rates revenue compared to the base FY2021 year outside normal growth by an undefined: \$300,000/year.
- Reduction in operating expenditure compared to the base year outside other items by an undefined: \$300,000/year.

This is based on the view that there are further improvements to the FY2021 original budget base year that Council will be able to achieve when focussed on current priorities, this is supported by Council's year to date review as part of the FY2021 Budget Review 2.

The AMPs are included in the LTFP as per the above consolidated AMP table.

Regarding the WRCC, Council engaged a third-party advisor to review the operational model outcomes from the original document (June 2020). The current updated modelling identifies improvements compared to the June 2020 outcomes for the WRCC. We have utilised the more conservative June 2020 model outcomes for the LTFP development.

The LTFP includes the latest (December 2020) WRCC cash flow forecast and both the centre's construction as its operations based on June 2020 projections.

## **CONCLUSION**

The LTFP shows five years of projected operating deficits, amounting to a total of \$5,479k. Council then returns to a net surplus situation from FY2026, with the five years from then showing a surplus of \$10,735,000. This reflects the realities around the construction of the WRCC, Council's largest capital project in its history, while at the same time maintaining the service levels to the community when this project is delivered.

Impacted by the necessary projected borrowings, the LTFP sees the net financial liabilities ratio reduced from a maximum of 132% in FY2022 to 95% in FY2027 and 56% in FY2031. The borrowings over income ratio, one used by the Local Government Financing Authority (LGFA) is projected to move from a maximum of 124% in FY2022 to 95% by FY2024 and to 39% by FY2031.

The LTFP includes the conservative assumptions for the WRCC net income, the assumption of loan repayments over 20 years (i.e. a full repayment of the WRCC over this 20 year time period), further operational expense savings of \$300,000 per year, and further revenue growth of \$300,000 per year, with some capital expenditure savings in all the years of the LTFP.

The LTFP shows that, based on these projections, Council could potentially grow its operational expenses and capital expenditure in the latter part of the 10-year projection while maintaining an



operating surplus and positive cash flow, even after servicing its currently included projects and commitments.

#### **LEGAL IMPLICATIONS**

Nil

#### **STRATEGIC PLAN**

Council's Strategic Plan, LTFFP and AMPs need to be in sync. The Strategic Plan indicates the direction that Council is heading, where the LTFFP aids Council in determining the financial viability of its Strategic plan project considering all financial repercussions of its commitments.

#### **COUNCIL POLICY**

Nil

#### **ECONOMIC IMPLICATIONS**

The AMPs and LTFFP are created to analyse the financial implications of Council's commitments to servicing the Mount Gambier community.

#### **ENVIRONMENTAL IMPLICATIONS**

NIL

#### **SOCIAL IMPLICATIONS**

Social implications follow Council's decision making around the allocation of scarce resources, including finance, staffing and priority projects. The LTFFP and AMPs aim to assist Council in determining the scope of projects available.

#### **CULTURAL IMPLICATIONS**

See above.

#### **RESOURCE IMPLICATIONS**

The adopted LTFFP and AMPs direct Council in its future decision making.

The LTFFP sets the parameters for the upcoming FY2022 Annual Business Plan & Budget process. It assists in communication with the Community around Council's priorities and forms an important tool for other stakeholders to assess Council's long-term financial sustainability.

#### **VALUE FOR MONEY**

Value for money forms an important aspect within the LTFFP, as it requires decisions about limited resource based on Council's priorities for the future years, in line with the Strategic Plan.

#### **RISK IMPLICATIONS**

The LTFFP and AMPs focus on managing sustainability risk, both from a service level perspective and a financial perspective. They provide a lens to assist Council in selecting priorities based on long term affordability.

#### **EQUALITIES AND DIVERSITY IMPLICATIONS**

Nil

#### **ENGAGEMENT AND COMMUNICATION STRATEGY**

The FY2022-FY2031 LTFFP will form part of the documentation that will go out for community consultation as part of the Annual Business Plan & Budget process in the coming months.

#### **IMPLEMENTATION STRATEGY**

The LTFFP and AMPs form the parameters for the FY2022 budget and therefore will form the basis of and be included in the communication related to the FY2022 ABP&B process.



## **CONCLUSION AND RECOMMENDATION**

It is recommended that Council adopt the FY2022-FY2031 LTFP and the five FY2022 AMPs.

## **ATTACHMENTS**

1. Draft Asset Management Summary 2022-2031 [↓](#)
2. Draft Infrastructure Asset Management Plan - 2022-2031 [↓](#)
3. Draft Plant & Equipment Asset Management Plan - 2022-2031 [↓](#)
4. Draft Caroline Landfill Asset Management Plan - 2022-2031 [↓](#)
5. Draft Buildings and Structures Asset Management Plan - 2022-2031 [↓](#)
6. Draft Library Information Technology and Sundry Asset Management Plan - 2022-2031 [↓](#)
7. Draft FY2022 - FY2031 Long Term Financial Plan (LTFP) [↓](#)






# Summary Asset Management Plan 2022-2031

February 2021



<b>Document Control</b>					
Document ID: AR19/7730 City of Mount Gambier Infrastructure Asset Management Plan - Summary					
Rev No	Date	Revision Details	Author	Reviewer	Approver
1	March 2019	Creation of separate Asset Management Plan Summary	KR	NS	NS

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**TABLE OF CONTENTS**

**ABBREVIATIONS** .....Error! Bookmark not defined.

**1. Summary**.....**4**

**2. Key Asset Management Projects** .....**5**

    2.1. Footpath Construction Program .....5

    2.2. Buildings and Structures strategic analysis .....5

**3. Mobilising the Workforce**.....**6**

**4. Caroline Landfill** .....**6**

**5. New Projects**.....**6**

**6. Asset Management Plans** .....**6**

**7. Asset Management Practices** .....**7**

    7.1. Accounting / Financial Systems .....7

    7.2. Asset Management Systems .....7

    7.3. Information Flow Requirements and Processes .....7

**8. Plan Improvement and Monitoring**.....**8**

    8.1. Performance Measures .....8

    8.2. Improvement Plan .....8

    8.3. Monitoring and Review Procedures .....8

**REFERENCES** .....**9**

**APPENDICES**.....Error! Bookmark not defined.

    Appendix A Maintenance Response Levels of Service**Error! Bookmark not defined.**



## Summary

The City of Mount Gambier currently manages approximately \$247 million of assets on behalf of the community. Council recognises the importance that these assets be provided and maintained at a satisfactory level taking into consideration legislative and compliance obligations, community expectations and available resources.

Assets are categorised into eight broad asset classes. Each class contains complex data, including information about an asset's age, location, use, type, estimated useful life and residual values. Table 1 provides a summary of Council's asset categories as at 30 June 2018.

**Table 1: Infrastructure, Property, Plant and Equipment Summary, as at 30 June 2018**

Asset Class	Net Fair Value \$'000	Accumulated Depreciation \$'000	Carrying Amount \$'000	Annual Depreciation \$'000
<b>LAND</b>				
Fair Value level 2*	10,063	-	10,063	-
Fair Value level 3**	41,951	-	41,951	-
<b>BUILDINGS &amp; STRUCTURES</b>				
Fair Value level 2*	1,018	-	1,018	-
Fair Value level 3***	98,268	33,793	64,475	2,363
Waste Management	8,876	6,068	2,808	623
<b>INFRASTRUCTURE</b>				
Stormwater drainage	7,185	1,986	5,199	99
Bridges	164	73	91	3
Footpaths and Kerbing	70,928	16,555	54,373	702
Roads	63,332	15,194	48,138	1,826
Carparks	10,231	2,092	8,139	249
Plant & Equipment	7,625	2,491	5,134	701
Office Equipment	2,060	1,648	412	158
Riddoch Collection	3,434	-	3,434	-
Other	3,232	1,501	1,731	280
<b>TOTAL</b>	<b>328,367</b>	<b>81,401</b>	<b>246,966</b>	<b>7,004</b>

\*Fair value hierarchy level 2 valuations





Certain land, and the buildings and structures thereon, are shown above as being based on fair value hierarchy level 2 valuation inputs. They are based on prices for similar assets in an active market, with directly or indirectly observable adjustments for specific advantages or disadvantages attaching to the particular asset.

**\*\*Fair value hierarchy level 3 valuations of land**

Valuations of Crown land, community land and land subject to other restrictions on use or disposal, shown above as being based on fair value hierarchy level 3 valuation inputs, are based on prices for similar assets in an active market, but include adjustments for specific advantages or disadvantages attaching to the particular asset that are not directly or indirectly observable in that market, or the number and / or amount of observable adjustments of which are so great that the valuation is more fairly described as being based on level 3 valuation inputs.

**\*\*\*Fair value hierarchy level 3 valuations of buildings, infrastructure and other assets**

There is no known market for these assets and they are valued at depreciated current replacement cost. This method involves:

- The determination of the cost to construct the asset (or its modern engineering equivalent) using current prices for materials and labour, the quantities of each being estimated based on recent experience of this or similar Councils, or on industry construction guides where these are more appropriate.
- The calculation of the depreciation that would have accumulated since original construction using current estimates of residual value and useful life under the prime cost depreciation method adopted by Council.

Council recognises the need for a high level strategy to manage its assets and has developed an Asset Management Strategy (the Strategy). The Strategy sets a clear direction for Council's approach to manage its assets whilst maximising their benefits to Council, the Community and utilising resources as efficiently and effectively as possible.

**1. Key Asset Management Projects**

**1.1. Footpath Construction Program**

Council is continuing its ongoing footpath construction program to improve accessibility to its Community using alternative means of transportation to motor vehicle transport. The Long Term Financial Plan (LTFP) supports an investment of approximately \$3.5M for this program over the next 10 years.

**1.2. Buildings and Structures strategic analysis**

Development of Council's categorisation and understanding of building and structure assets is a priority to enable better planning for annual budgeting, capital renewal and maintenance requirements. Council has recently established a set of five groupings that all its building and structure assets will be categorised within. Supporting these groupings are seven criteria or attribute questions. A key task of Council this year is to answer these attribute questions for all buildings to ensure a consistent and methodical approach to categorising the relevant assets. Attached to each grouping is a set of financial modelling assumptions. Once the grouping of each building asset is known, high-level financial modelling will be completed and assessed in conjunction with Council's LTFP and strategies.



## 2. Mobilising the Workforce

One of Council's priorities is to mobilise field staff to update and maintain asset data whilst on the job in real time.

Equipping staff in the field with appropriate technology / devices will allow identification and reporting of any asset-related issues in real time which will streamline maintenance schedules and procedures. It will also assist with more accurate costings, further strengthening the ability to allocate, track and forecast Council's resources.

## 3. Caroline Landfill

Caroline Landfill is a critical piece of infrastructure for the region, being the only engineered landfill in South Australia located south of Murray Bridge. This year Council will develop financial modelling on the anticipated consumption of airspace of waste cells to assist with annual forecasting of depreciation, long term movements in cash outlays and provide for more accurate forecasting of remediation provisions.

## 4. New Projects

Council has recently submitted funding applications to the State and Federal Government for the development of the Wulanda Recreation and Convention Centre. The build cost of this facility is \$57.3 million. This will be a substantial investment for our community and the broader region and require significant planning and resourcing. Over the next 2 years Council plans to continue to develop all forecasting, including its LTFP to ensure we are best placed to plan for asset renewal, cash flows and operating surpluses.

## 5. Asset Management Plans

This year Council has developed separate asset management plans for the following classes:

- Infrastructure
  - Roads
  - Footpaths
  - Drainage
  - Carparks
- Buildings and Structures
- Caroline Landfill (new)
- Plant and Equipment
- Information Technology and Systems (new).

Council has developed two new asset management plans (as listed above) for classes of assets that are considered significant in their own right and due to the nature of the asset(s) require detailed planning and forecasting.



## **6. Asset Management Practices**

### **6.1. Accounting / Financial Systems**

- Local Government authorities in South Australia are established under the provisions of the Local Government Act, 1999.
- Financial and Accounting practices and procedures are required to be in accordance with the Local Government Act 1999, Local Government (Financial Management) Regulations and the Australian Accounting Standard.
- Council's financial and accounting function is subject to a comprehensive Internal Control Policy and has reporting responsibilities to Council's Audit Committee whose membership is derived from persons both internal and external of the organisation.
- Council's audit regime includes the required annual statutory audit required by legislation and also a periodic 'procedural' audit. This process is also completed on an annual basis.
- Council's accounting and financial systems utilise the Civica local government enterprise software solution entitled 'Authority'.
- The Authority software solution enables integration of all Council operations including the accounting and AM functions.

### **6.2. Asset Management Systems**

Council uses the Civica software AM program as its core asset management program. This program records all asset classes owned by Council together with all the relevant information on each asset. It allows assets to be linked to inspection and condition assessments as well as the historical information about the asset.

The AM program allows the linking of Capital Value Records (CVR) for all assets and for the posting of actual costs for either planned work or maintenance work on assets through the work order system. The system also allows for the general ledger information to be directly linked and reported from within the AIM program

Civica have developed a link with GIS products to allow easier navigation to various assets that Council owns. This also makes the product more user friendly to browser users as well as assisting field staff undertake inspections, condition assessments and the recording of new assets in the field.

The program allows for the exporting of all data into excel spreadsheets for easier reporting and data manipulation purposes as it is limited in being able to undertake detailed asset management tasks such as asset consumption forecasts.

### **6.3. Information Flow Requirements and Processes**

The key information that flows into the AM Plans are:

- The asset register data on size, age, value, remaining life of the network
- The unit rates for categories of work/material
- The adopted service levels
- Projections of various factors affecting future demand for services



- Correlations between maintenance and renewal, including decay models
- Data on new assets acquired by Council.

The key information that flows from the AM Plans are:

- The assumed Works Program and trends
- The resulting budget, valuation and depreciation projections;
- The useful life analysis
- Funding gap/excess considerations
- Improvements for AM planning.

These will impact on the LTFP, Community Plan, Annual Budget and departmental business plans and budgets.

## **7. Plan Improvement and Monitoring**

### **7.1. Performance Measures**

The effectiveness of the Infrastructure and Asset Management Plan can be measured in the following ways:

- The degree to which the required cashflows identified in this AM Summary are incorporated into Council's LTFP and Community Plan;
- The degree to which 1-20 year detailed works programs, budgets, business plans and organisational structures take into account the 'global' works program trends provided by the Asset Management Plans.

### **7.2. Improvement Plan**

Improvements identified for each individual asset class are detailed in their relevant AM plan. General improvements identified across all categories include:

- Development of a single corporate Asset Register
- Defining levels of service
- Standard categorisation of assets for improved reporting.

### **7.3. Monitoring and Review Procedures**

This AM Summary will be reviewed during annual budget preparation and amended to recognise any changes in service levels and/or resources available to provide those services as a result of the budget decision process.

The Plan has a life of 4 years and is due for revision and updating within 2 years of each Council election.



## 8. REFERENCES

City of Mount Gambier Community Plan - The Futures Paper 2016-2020

City of Mount Gambier Annual Report and Budget

DVC, 2006, 'Asset Investment Guidelines', 'Glossary', Department for Victorian Communities, Local Government Victoria, Melbourne

IPWEA, 2006, 'International Infrastructure Management Manual', Institute of Public Works Engineering Australia, Sydney, [www.ipwea.org.au](http://www.ipwea.org.au)



1 Appendices

1.1 Asset Management Plan Summary

Asset Management Plan - 2022-2031											
		2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Infrastructure	Renewal	3,386,099	3,470,751	3,557,520	3,646,458	3,737,620	3,831,060	3,926,837	4,025,008	4,125,633	4,228,774
	Upgrade/new	374,125	383,478	393,065	402,892	412,964	423,288	433,870	444,717	455,835	467,231
Buildings	Renewal	562,101	588,654	615,870	1,143,767	1,172,361	1,201,670	1,231,712	1,262,505	1,294,067	1,326,419
	Upgrade/new	51,250	52,531	53,845	55,191	56,570	57,985	59,434	60,920	62,443	64,004
Plant	Renewal	790,000	773,000	1,624,000	1,159,000	520,000	1,275,000	402,000	1,283,000	1,473,000	1,085,000
	Upgrade/new	41,000	42,025	43,076	44,153	45,256	46,388	47,547	48,736	49,955	51,203
Caroline	Renewal	2,009,087	0	0	0	2,090,664	0	0	2,154,013	2,187,152	0
Library	Renewal	156,420	160,330	164,339	168,447	172,658	176,975	181,399	185,934	190,582	195,347
IT	Renewal	183,885	188,482	193,194	198,024	202,975	208,049	213,250	218,582	224,046	229,647
	Upgrade/new	75,000	76,875	78,797	80,767	82,786	84,856	86,977	89,151	91,380	93,665
Sundry	Renewal	52,682	53,999	55,349	56,733	58,151	59,605	61,095	62,622	64,188	65,793
	Upgrade/new	128,125	131,328	134,611	137,977	141,426	144,962	148,586	152,300	156,108	160,011
TOTAL	Renewal	7,140,274	5,235,217	6,210,272	6,372,429	7,954,429	6,752,359	6,016,293	9,191,664	9,558,668	7,130,980
	Upgrade/new	669,500	686,238	703,393	720,978	739,003	757,478	776,415	795,825	815,721	836,114
	TOTAL	7,809,774	5,921,455	6,913,666	7,093,408	8,693,432	7,509,837	6,792,708	9,987,489	10,374,389	7,967,093






# Infrastructure Asset Management Plan

## 2022-2031

February 2021



Document Control					
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Rev No	Date	Revision Details	Author	Reviewer	Approver
1	March 2019	Creation of Document – 1 <sup>st</sup> Draft	KR	DM	NS
2	January 2020	Updated during FY2022 Budget Process	CM	JZ	

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**TABLE OF CONTENTS**

<b>1</b>	<b>SUMMARY</b> .....	<b>4</b>
	1.1 A summary of the road assets used to provide this service are: .....	4
	1.2 What does it Cost? .....	4
	1.3 Plans for the Future.....	4
	1.4 The Next Steps .....	5
<b>2</b>	<b>INTRODUCTION</b> .....	<b>5</b>
	2.1 Background.....	5
	2.2 Goals and Objectives of Asset Management.....	7
	2.3 Plan Framework .....	7
<b>3</b>	<b>LEVELS OF SERVICE</b> .....	<b>9</b>
	3.1 Customer Research and Expectations .....	9
	3.2 Legislative Requirements .....	9
	3.3 Current Levels of Service .....	9
	3.4 Desired Levels of Service .....	10
<b>4</b>	<b>FUTURE DEMAND</b> .....	<b>10</b>
	4.1 Demand Forecast.....	10
	4.2 Changes in Technology.....	11
	4.3 Demand Management Plan.....	11
	4.4 New Assets from Growth.....	11
<b>5</b>	<b>LIFECYCLE MANAGEMENT PLAN</b> .....	<b>12</b>
	5.1 Background Data .....	12
	5.1.1 Physical Parameters.....	12
	5.1.2 Asset Capacity and Performance .....	12
	5.1.3 Asset Condition .....	12
	5.1.4 Asset Valuations.....	16
	5.2 Risk Management Plan .....	16
	5.3 Routine Maintenance Plan .....	16
	5.3.1 Maintenance Plan.....	16
	5.3.2 Standards and Specifications .....	17
	5.4 Renewal / Replacement Plan .....	17
	5.4.1 Renewal Plan .....	17
	5.4.2 Renewal Standards .....	17
	5.4.3 Summary of Future Renewal Expenditure .....	18
	5.5 Creation / Acquisition / Upgrade Plan.....	18
	5.5.1 Selection Criteria .....	18
	5.5.2 Standards and Specifications .....	18
	5.5.3 Summary of Future Upgrade / New Assets Expenditure.....	19
	5.6 Disposal Plan .....	19
<b>6</b>	<b>FINANCIAL SUMMARY</b> .....	<b>19</b>
	6.1 Financial Statements and Projections .....	19
	6.1.1 Sustainability of Service Delivery .....	19
	6.1.2 Long Term - Life Cycle Cost .....	19
	6.1.3 Medium term – 10 Year Financial Planning Period .....	19
	6.2 Key Assumptions made in Financial Forecasts .....	20
<b>7</b>	<b>PLAN IMPROVEMENT AND MONITORING</b> .....	<b>20</b>
	7.1 Performance Measures.....	20
	7.2 Monitoring and Review Procedures.....	20
<b>8</b>	<b>REFERENCES</b> .....	<b>21</b>
<b>9</b>	<b>Appendices</b> .....	<b>22</b>
	9.1 Infrastructure Asset Management Plan .....	22



## 1 SUMMARY

### 1.1 A summary of the road assets used to provide this service are:

- Sealed road area of 2,111,638m<sup>2</sup> (2,348,831m<sup>2</sup>) of road pavement)
- Kerb and Channel length of 453 km
- Constructed footpath area of 308,202m<sup>2</sup>
- Carpark area of 72,940m<sup>2</sup>
- Traffic Light Sets at 19 locations
- Approximately 465 drainage bores and associated drainage pipes.

### 1.2 What does it cost?

The total dollar value of the annual consumption of the road and drainage asset category is \$3,242,775.58 (i.e. annual depreciation expense for 2019/20). Council's goal for annual expenditure is to match this value so that no gap exists between the annual depreciation cost and the actual budget expenditure.

Council needs to continue to seek additional funding sources through Government grants to ensure any funding gap is manageable in the long term.

### 1.3 Plans for the Future

Council plans to operate and maintain the road network to achieve the following strategic objectives.

- Ensure the road network is maintained at a safe and functional standard as set out in this Infrastructure and Asset Management Plan.
- Provide for renewed infrastructure and access standards that meet the demands and expectations of the community in a financially sustainable environment.
- Maintain integration and functionality of local roads with state roads to ensure continuity of freight networks.
- Require service standards for newly created infrastructure acquired through land development and residential expansion to be complimentary with existing asset standards.

#### Quality

Roads assets will be maintained in a reasonably usable condition. Defects found or reported that are outside our service standard will be repaired. See our maintenance response service levels for further details.

#### Function

Our intent is that a 'fit for purpose' road network is maintained in partnership with other levels of government and stakeholders.



Road asset attributes will be maintained (subject to funding) at a safe level and associated signage and equipment be provided as needed to ensure public safety. We need to ensure the key functional objectives are met, i.e.:

- Council will endeavour to provide free flowing and unrestricted travel between destinations and locations to all recognised modes of transport and associated user groups.
- Ensure accidents are minimised and only minor consequences occur from accidents.

The main functional consequence of the road network not being able to cater for free flowing and unrestricted traffic is delays to industry and the local community and this is likely to decrease quality of life and increase the potential for accidents to occur through driver frustration. Consequently, this is likely to impose additional financial and social burdens onto the community.

### **Safety**

We inspect all roads regularly and prioritise and repair defects in accordance with our inspection schedule to ensure they are safe.

#### **1.4 The Next Steps**

The actions resulting from this Infrastructure and Asset Management Plan are:

- Ensure the road network is regularly inspected and any defects rectified in a timely manner to ensure public safety and to mitigate against public risk.
- To provide for renewal of assets and the creation of new road assets and associated infrastructure in a sustainable manner.
- To plan for growth of the City in a manner that is supported by a fit for purpose road network.

## **2 INTRODUCTION**

### **2.1 Background**

This Infrastructure and Asset Management Plan is designed to:

- Provide responsive management of assets (and services provided from assets);
- Ensure compliance with regulatory requirements;
- Assist in securing funding required to provide agreed levels of service.

The Infrastructure and Asset Management Plan is to be read with the following associated planning documents:

- City of Mount Gambier Community Plan
- City of Mount Gambier Long Term Financial Plan
- Council's Development Plan
- Council's Business Plan and Annual Budget

This Infrastructure and Asset Management Plan covers the entire road network and associated traffic control devices within the City of Mount Gambier including local roads, collector roads and boundary roads. Whilst it references and links to assets owned by both state and federal governments, it does not include these assets in the Plan.



**Table 1 - Assets covered by this Plan as at 30 June 2020**

<b>Asset Category</b>	<b>Current Value (\$)</b>	<b>Replacement Value (\$)</b>
Road surface (seal)	11,237,201	16,328,465
Road pavement	35,403,094	47,996,302
Road sub pavement	754,213	927,165
Kerb and channel	39,798,265	55,322,841
Constructed footpaths	15,735,863	18,882,664
Drainage	5,782,909	8,021,835
Carparks	7,842,705	10,450,212
Traffic Lights	1,516,541	2,132,718
<b>TOTAL</b>	<b>118,070,791</b>	<b>160,062,206</b>

Key stakeholders in the preparation and implementation of this Infrastructure and Asset Management Plan are:

- City of Mount Gambier
- Ratepayers and tenants
- Transport Industry
- District Council of Grant and its community
- Tourism sector
- Business Sector
- State and Federal Government (funding partners and regulators)



## 2.2 Goals and Objectives of Asset Management

The Council exists to provide services to its community. Some of these services are provided by infrastructure assets. Council has acquired infrastructure assets by 'purchase', by contract, construction by Council staff and by transfer of assets constructed by developers and others.

Council's goal in managing infrastructure assets is to meet the agreed level of service in the most cost-effective manner for present and future consumers. The key elements of infrastructure asset management are:

- Taking a life cycle approach
- Developing cost-effective management strategies for the long term
- Providing a defined level of service and monitoring performance
- Understanding and meeting the demands of growth through demand management and infrastructure investment
- Managing risks associated with asset failures
- Sustainable use of physical resources
- Continuous improvement in asset management practices.<sup>1</sup>

## 2.3 Plan Framework

Key elements of the Plan are

- Levels of service – specifies the services and levels of service to be provided by Council.
- Future demand – how this will impact on future service delivery and how this is to be met.
- Life cycle management – how Council will manage its existing and future assets to provide the required services.
- Financial summary – what funds are required to provide the required services.
- Asset management practices.
- Monitoring – how the Plan will be monitored to ensure it is meeting Council's objectives.
- Asset management improvement plan.

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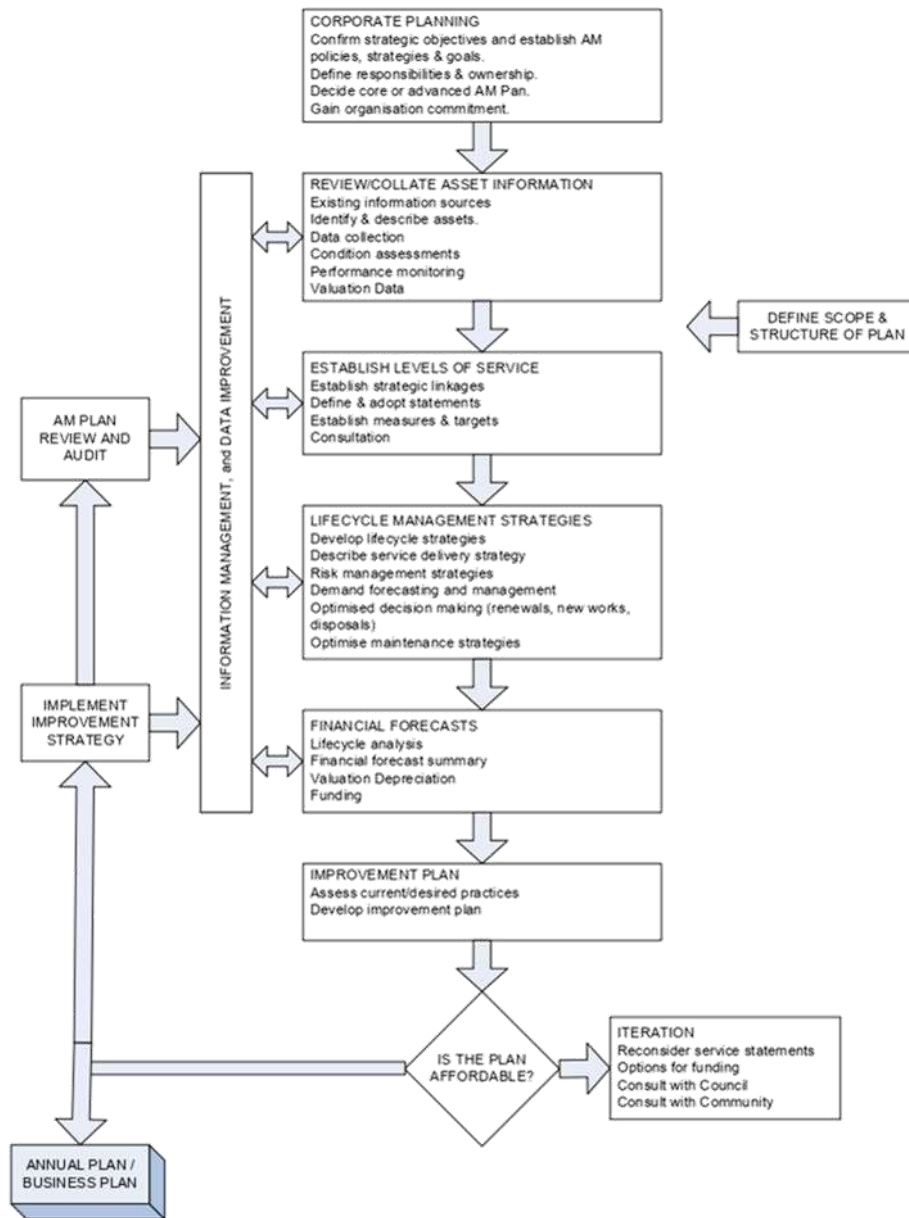
<sup>1</sup> IIMM 2006 Sec 1.1.3, p 1.3



A road map for preparing an Infrastructure and Asset Management Plan is shown below.

**Road Map for preparing an Infrastructure and Asset Management Plan**

Source: IMM Fig 1.5.1, p 1.11



### 3 LEVELS OF SERVICE

#### 3.1 Customer Research and Expectations

Council's anecdotal evidence (primarily based on the number of complaints received) suggests that current service levels are seen by the community as acceptable.

#### 3.2 Legislative Requirements

Council has to meet many legislative requirements including Australian and State legislation and State regulations. These include:

**Table 2 - Legislative Requirements**

Legislation	Requirement
Local Government Act	Sets out role, purpose, responsibilities and powers of local governments including the preparation of a long-term financial plan supported by Infrastructure and Asset Management Plans for sustainable service delivery.
Road Traffic Act	Provides Councils the power to install, maintain, operate, alter or remove traffic control devices on roads under their care and control

#### 3.3 Current Levels of Service

Council has defined service levels in two terms.

Community Levels of Service relate to how the community receives the service in terms of safety, quality, function, quantity, reliability, responsiveness, cost/efficiency and legislative compliance.

Supporting the community service levels are operational or technical measures of performance developed to ensure that the minimum community levels of service are met. These technical measures relate to service criteria such as:

Service Criteria	Technical measures may relate to
Quality	Smoothness of roads
Quantity	Area of parks per resident
Availability	Distance from a dwelling to a sealed road
Safety	Number of injury accidents

Council's current service levels are detailed in Table 3.3.



**Table 3.3. Current Service Levels**

Key Performance Measure	Level of Service	Performance Measure Process	Performance Target	Current Performance
<b>COMMUNITY LEVELS OF SERVICE</b>				
Quality	Provide a smooth ride on a surface that is clearly delineated	Customer service requests	Less than 5 per month per road segment	Less than 5 per month on any one segment
Function	Ensure that the road meets user requirements for travel time and availability	Customer complaints relating to travel time and availability	Less than 2 per month	Less than 2 per month
Safety	Provide safe suitable roads free from hazards	Number of injury accidents	Less than 3 per annum per location	Less than 3 per annum per location
<b>TECHNICAL LEVELS OF SERVICE</b>				
Condition	Carry out routine maintenance on potholes	Number of pothole complaints	Less than 5 per month	Less than 5 per month
Accessibility	Provide unrestricted access to residential, commercial and industrial sectors of the City	Limit property access from road works and maintenance works	Less than 60 minutes for minor maintenance works. Less than 2 days for major reconstruction works	70 minutes for minor works and 2.5 days for major works
Safety	Provide clear safety signage and line marking	Annual defect and condition survey	Less than 5% of signs defective. Less than 5% of line marking not clearly visible	Less than 5% of signs defective 10% of line marking not clearly visible

### 3.4 Desired Levels of Service

At present, indications of desired levels of service are obtained from various sources including the LGASA Customer Satisfaction survey, residents' feedback to Councillors and staff, service requests and correspondence. Council has still to quantify all desired levels of service. This will be incorporated in future revisions of this Infrastructure and Asset Management Plan.

## 4 FUTURE DEMAND

### 4.1 Demand Forecast

Factors affecting demand include population change, changes in demographics, seasonal factors, vehicle ownership, consumer preferences and expectations, economic factors, agricultural and industry practices, environmental awareness, etc.

Demand factor trends and impacts on service delivery are summarised in Table 4.1.





**Table 4.1 Demand Factors, Projections and Impact on Services**

Demand factor	Present position	Projection	Impact on services
Population	26,276 (30 <sup>th</sup> June 2016)	1% growth	Moderate residential growth. Increased traffic on collector roads
Demographics	Ageing population	2 to 3% growth	Increase in aged care accommodation
Climate change	Substantial bicycle network  Adequate public transport systems	Significant growth in bicycle network and associated infrastructure  Increased public transport	Increase in bike paths, dedicated bus lanes and crossing facilities in road network

#### 4.2 Changes in Technology

Technology changes are forecast to have an effect on the delivery of services covered by this Plan (eg. road reconstruction methodology) and will also likely improve customer feedback and advice to Council (eg. Web based communication to Council, smart phone technology).

#### 4.3 Demand Management Plan

Demand for new services will be managed through a combination of managing existing assets, upgrading of existing assets and providing new assets to meet demand and demand management. Demand management practices include non-asset solutions, insuring against risks and managing failures.

Opportunities identified to date for demand management are shown in Table 4.3. Further opportunities will be developed in future revisions of this Infrastructure and Asset Management Plan.

**Table 4.3 Demand Management Plan Summary**

Service Activity	Demand Management Plan
Traffic control devices (roundabouts, signals)	Revise traffic management plan every 5 years (major revision), and annual update
Improve boundary roads and collector roads	Continue with boundary roads program  Upgrade designated collector roads

#### 4.4 New Assets from Growth

Where new assets are required for growth, these will be constructed by developers and donated to Council or constructed / acquired by Council. The growth financial model forecasts asset values acquired from developers or constructed by Council over the next 20 years.

Acquiring these new assets will commit Council to fund ongoing operations and maintenance costs for the period that the service provided from the assets is required and also capital renewal costs for assets required beyond their useful life. These future costs are identified and considered in developing forecasts of future operating and maintenance costs.



## 5 LIFECYCLE MANAGEMENT PLAN

The Lifecycle Management Plan details how Council plans to manage and operate the assets at the agreed levels of service (defined in section 3) while optimising life cycle costs.

### 5.1 Background Data

#### 5.1.1 Physical Parameters

The assets covered by this Infrastructure and Asset Management Plan are shown below:

- Road sub pavement
- Road surface (seal)
- Constructed footpaths / nature strips
- Traffic control devices
- Road pavement
- Kerb and channel
- Drainage
- Carparks

Generally, the road assets mentioned above are in good condition although asset ages vary considerably across the City. Council has limited data on the age profile of its asset stock but does have up to date condition data for most road asset categories. Council uses the condition data to set future works programs and to prepare risk control strategies.

Note: Comprehensive condition or age data currently does not exist for Council's drainage assets but is currently being developed.

#### 5.1.2 Asset Capacity and Performance

Council's services are generally provided to meet design standards where these are available.

#### 5.1.3 Asset Condition

The condition profile of Council's road assets as of February 2019 is shown below.

Condition is measured using a 0 – 10 rating system.<sup>2</sup>

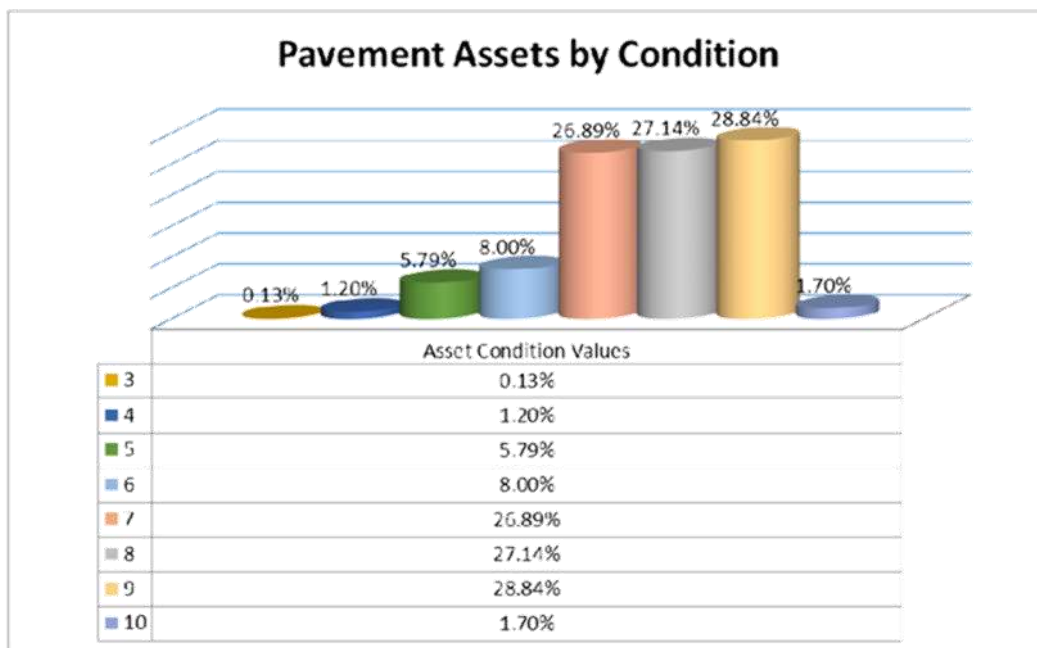
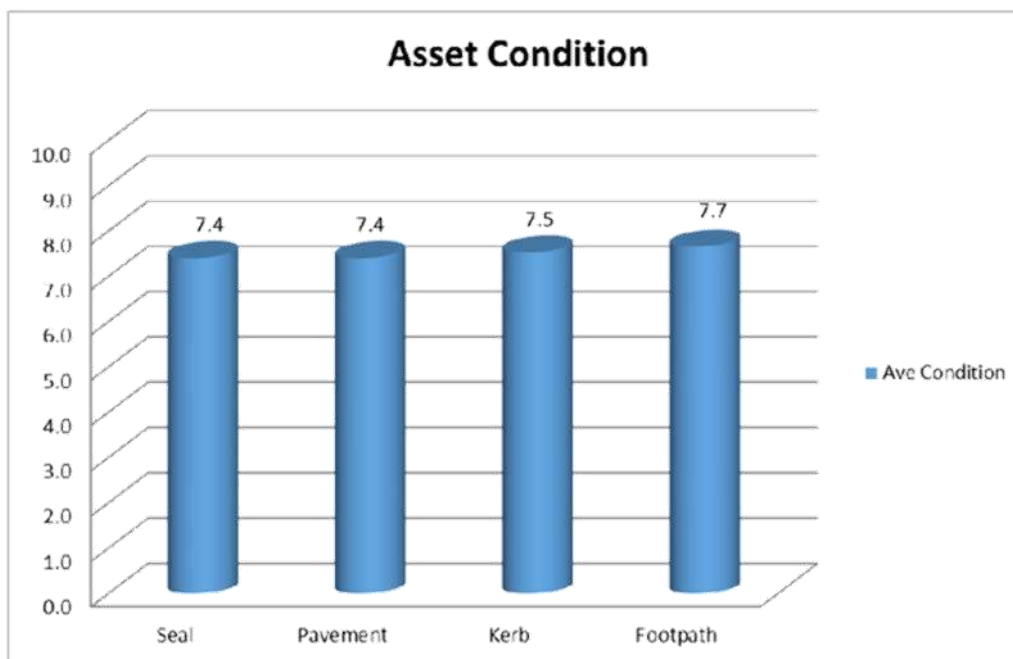
Rating	Description of Condition
10	Excellent condition: Only planned maintenance required. New asset.
8	Very good: Minor maintenance required plus planned maintenance.
6	Good: Significant maintenance required.
5	Average condition. Significant maintenance required.
4	Failing: Significant renewal/upgrade required (start of rapid deterioration).
<2	Poor: Unserviceable. Asset renewal or disposal required.

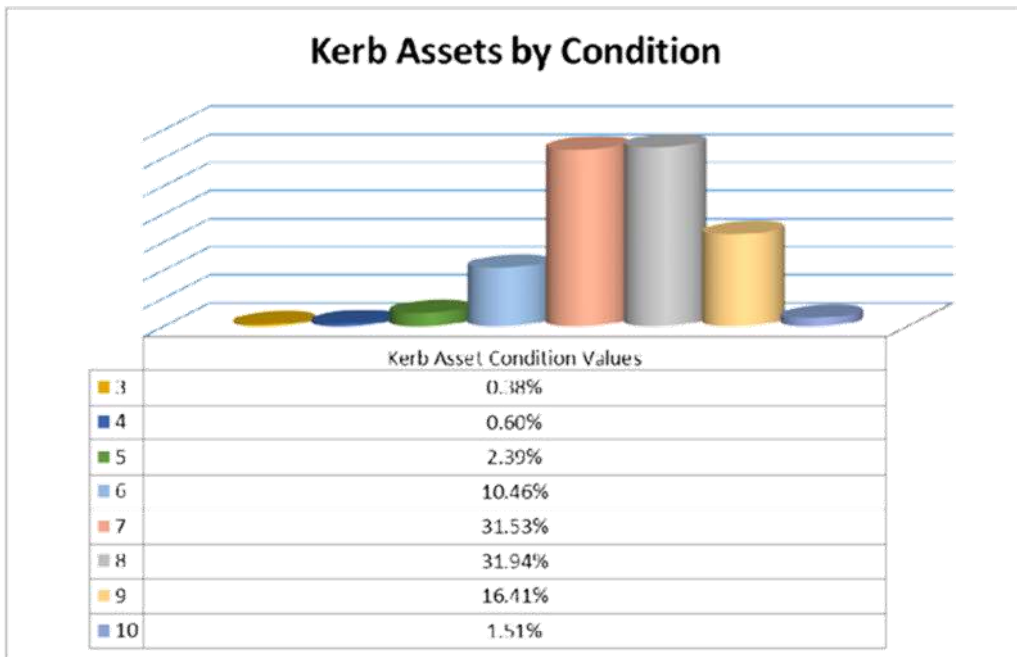
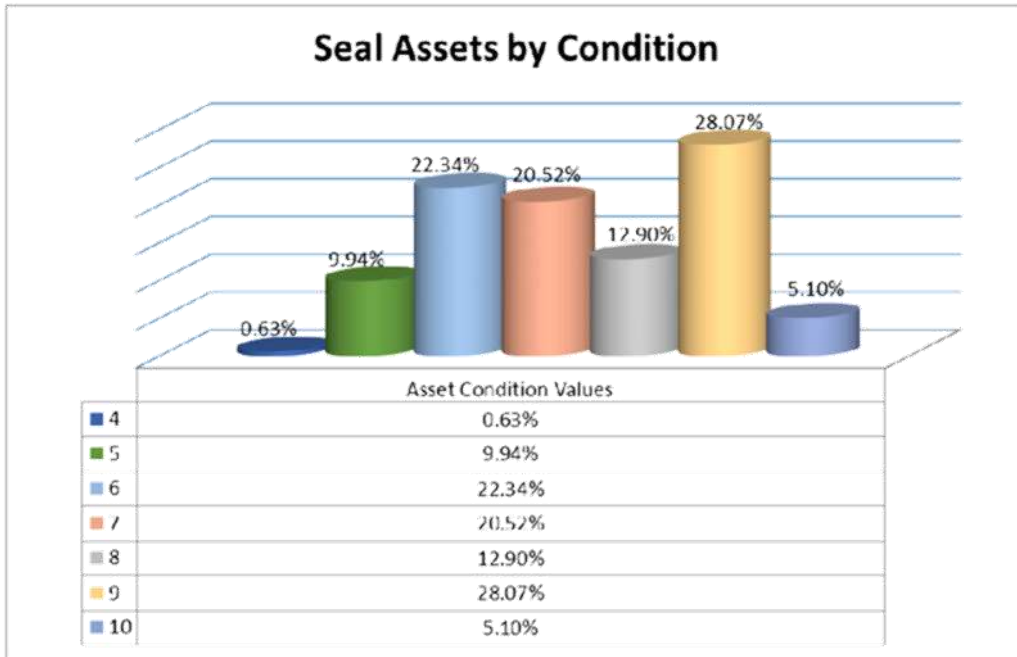
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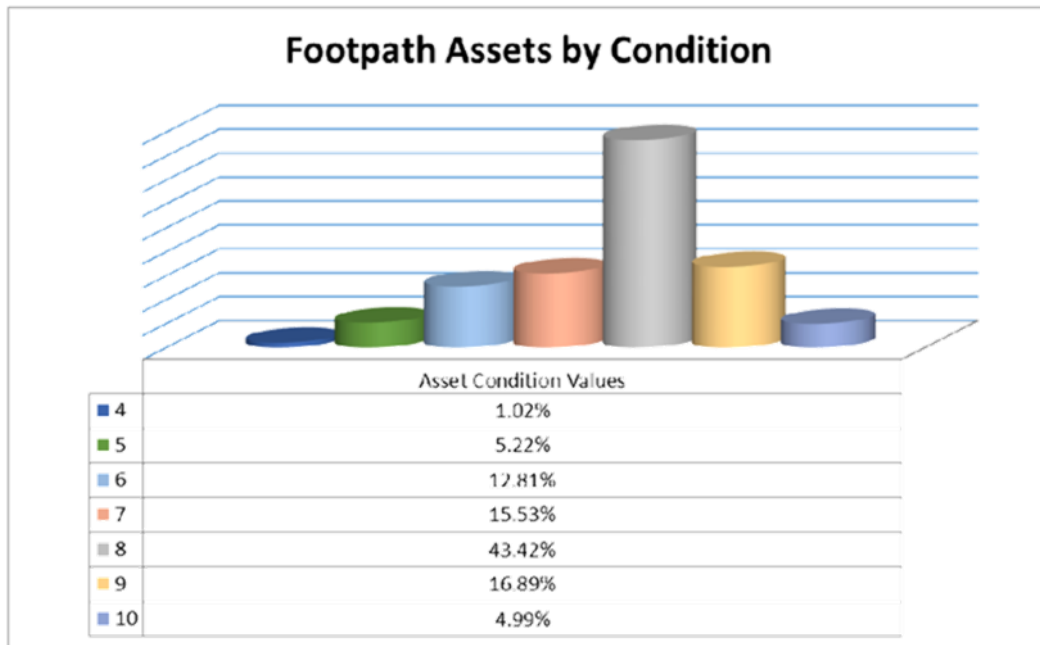
<sup>2</sup> IIMM 2006, Appendix B, p B:1-3 ('cyclic' modified to 'planned')



**Fig 3. Asset Condition Profiles**







#### 5.1.4 Asset Valuations

The value of assets as at 1<sup>st</sup> July 2020 covered by this Infrastructure and Asset Management Plan is summarised below. Assets are valued at green field rates.

• Current Replacement Cost	\$160,062,206
• Net Fair Value	\$118,070,791
• Annual Depreciation	\$3,303,511
• Accumulated Depreciation	\$41,991,415

#### 5.2 Risk Management Plan

An assessment of risks associated with service delivery from infrastructure assets identifies critical risks to Council. The risk assessment process identifies credible risks, the likelihood of the risk event occurring, the consequences should the event occur, develops a risk rating, evaluates the risk and develops a risk treatment plan for non-acceptable risks.

Council's risk assessment for roads did not uncover any risks in either the high or very high-risk category with only 6 out of 11 identified risks as being in the medium risk category. The remaining 5 risks were considered low. (Refer to Council's Risk Management Plan for details)

#### 5.3 Routine Maintenance Plan

Routine maintenance is the regular on-going work that is necessary to keep assets operating, including instances where portions of the asset fail and need immediate repair to make the asset operational again. This function is essential to the long-term sustainability of the network and is one of several maintenance functions **should receive priority in Council's annual budget.**

##### 5.3.1 Maintenance Plan

Maintenance includes reactive, planned and cyclic maintenance work activities.

Reactive maintenance is unplanned repair work carried out in response to service requests and management/supervisory directions.

Planned maintenance is repair work that is identified and managed through a maintenance management system (MMS). MMS activities include inspection, assessing the condition against failure/breakdown experience, prioritising, scheduling, actioning the work and reporting what was done to develop a maintenance history and improve maintenance and service delivery performance.

Cyclic maintenance is replacement of higher value components/sub-components of assets that is undertaken on a regular cycle including road resealing, repainting, building roof replacement, etc. This work generally falls below the capital/maintenance threshold.

Current maintenance expenditure levels are considered to be marginally below adequate to maintain current service levels. Future maintenance and asset renewal expenditure is expected to grow at a rate of 2.5% per annum. Future revision of this Infrastructure and Asset Management Plan will include linking required maintenance expenditures with required service levels as a means to further manage assets in a sustainable manner.

Assessment and prioritisation of reactive maintenance is undertaken by Council staff using experience and judgement.



### 5.3.2 Standards and Specifications

Maintenance work is carried out in accordance with the following Standards and Specifications:

- Current Australian and Industry Standards
- Council Policy - Road Pavement – Excavation and Reinstatement of (revised 2017)
- Council Policy - Land Division (revised 2018)
- Civil Contractors Federation Guidelines
- Work Health Safety Act and Regulations

### 5.4 Renewal / Replacement Plan

Renewal expenditure is major work which does not increase the asset's design capacity but restores, rehabilitates, replaces or renews an existing asset to its original service potential. Work over and above restoring an asset to original service potential is upgrade/expansion or new works expenditure.

#### 5.4.1 Renewal Plan

Assets requiring renewal are identified from estimates of remaining life obtained from the asset register through the '*Renewal Model*'. Candidate proposals are inspected to verify accuracy of remaining life estimate and to develop a preliminary renewal estimate. Verified proposals are ranked by priority and available funds and scheduled in future works programmes. The priority ranking criteria is based on asset condition and is then adopted ultimately by Council.

Renewal will be undertaken using 'low-cost' renewal methods where practical. The aim of 'low-cost' renewals is to restore the service potential or future economic benefits of the asset by renewing the assets at a cost less than replacement cost.

Examples of low-cost renewal include footpath asphalt overlay versus complete reconstruction of a bitumen footpath. This method provides a better level of service than currently available at a smaller renewal cost than complete reconstruction, and also provides an extended asset life which matches current service levels.

#### 5.4.2 Renewal Standards

Renewal work is carried out in accordance with the following Standards and Specifications.

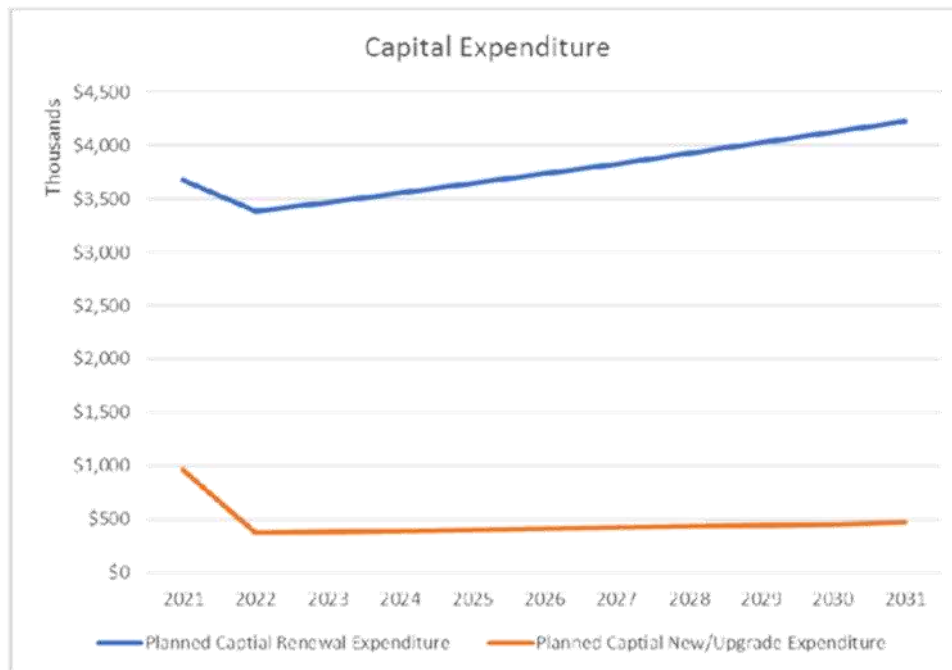
- Current Australian and Industry Standards
- Council's Road Pavement – Excavation and Reinstatement of
- Council's Land Division Policy
- Civil Contractors Federation Guidelines
- Work Health Safety Act and Regulations



### 5.4.3 Summary of Future Renewal Expenditure

Projected future renewal expenditures are forecast to increase over time as the asset are consumed. The costs are summarised in Fig 5.

**Fig 5. Projected Capital Expenditure**



Renewals are to be funded from Council's capital works program and grants where available. This is further discussed in Section 6.2.

### 5.5 Creation / Acquisition / Upgrade Plan

New works are those works that create a new asset that did not previously exist or works which upgrade or improve an existing asset beyond its existing capacity. They may result from growth, social or environmental needs. Assets may also be acquired at no cost to the Council from land development. These assets from growth are considered in Section 4.4.

#### 5.5.1 Selection Criteria

New assets and upgrade/expansion of existing assets are identified from various sources such as community requests, proposals identified by strategic plans or partnerships with other organisations. Candidate proposals are inspected to verify need and to develop a preliminary renewal estimate. Verified proposals are ranked by priority and available funds and scheduled in future works programmes. Council ultimately makes the decision on priority ranking of new assets based on this information.

#### 5.5.2 Standards and Specifications

Standards and specifications for new assets and for upgrade/expansion of existing assets are the same as those for renewal shown in Section 5.4.2.





### **5.5.3 Summary of Future Upgrade / New Assets Expenditure**

New assets and services are to be funded from Council's capital works program and grants where available. This is further discussed in Section 6.2.

### **5.6 Disposal Plan**

Currently there are no assets in the road category that are listed for disposal.

## **6 FINANCIAL SUMMARY**

This section contains the financial requirements resulting from all the information presented in the previous sections of this Infrastructure and Asset Management Plan. The financial projections will be improved as further information becomes available on desired levels of service and current and projected future asset performance.

### **6.1 Financial Statements and Projections**

#### **6.1.1 Sustainability of Service Delivery**

There are two key indicators for financial sustainability that have been considered in the analysis of the services provided by this asset category, these being long term life cycle costs and medium-term costs over the 10 year financial planning period.

#### **6.1.2 Long Term - Life Cycle Cost**

Life cycle costs (or whole of life costs) are the average costs that are required to sustain the service levels over the longest asset life. Life cycle costs include maintenance and asset consumption (depreciation expense). The annual life cycle cost for the services covered in this Infrastructure and Asset Management Plan is \$3,095,497.

Life cycle costs can be compared to life cycle expenditure to give an indicator of sustainability in service provision. Life cycle expenditure includes maintenance plus capital renewal expenditure. Life cycle expenditure will vary depending on the timing of asset renewals. The life cycle expenditure at the start of the plan (2020) is \$3,171,200.

A gap between life cycle costs and life cycle expenditure gives an indication as to whether present consumers are paying their share of the assets that are consumed each year. The purpose of this Infrastructure and Asset Management Plan is to identify levels of service that the community needs and can afford and develop the necessary long-term financial plans to provide the service in a sustainable manner.

#### **6.1.3 Medium term - 10 Year Financial Planning Period**

This Infrastructure and Asset Management Plan identifies the estimated maintenance and capital expenditures required to provide an agreed level of service to the community over a 20-year period for input into a 10 year financial plan and funding plan to provide the service in a sustainable manner.

This may be compared to existing or planned expenditures in the 20-year period to identify any gap. In a core Infrastructure and Asset Management Plan, a gap is generally due to increasing asset renewals or underfunding of capital renewal programs.



## 6.2 Key Assumptions made in Financial Forecasts

This section details the key assumptions made in presenting the information contained in this Infrastructure and Asset Management Plan and in preparing forecasts of required operating and capital expenditure and asset values. It is presented to enable readers to gain an understanding of the levels of confidence in the data behind the financial forecasts.

Key assumptions made in this Infrastructure and Asset Management Plan are:

- Asset condition and age has been determined based on engineering knowledge, best available data and previous asset deterioration rates. Some asset categories such as road seals have more accurate data available than other asset categories such as drainage infrastructure. However, current asset age can be reasonably determined by reverse engineering from total asset life and current asset condition.
- Straight line depreciation of asset condition has been assumed but the asset condition tends to drop off significantly towards the end of the asset life. This sharp drop off will impact on funding requirements needed to maintain asset stock in a reasonable condition and therefore Council's approach is to renew assets before this sharp drop in asset condition.
- This Infrastructure and Asset Management Plan was put together based on the information at hand at the time of preparing the Plan.
- It is assumed that there will be minimal effect to asset service and delivery from future technological changes.
- Projected renewals are assumed to increase in value at a rate of 2.5% per annum. Any variation from 2.5% can affect the cumulative gap significantly (the data presented in this report is very sensitive to this assumption).

## 7 PLAN IMPROVEMENT AND MONITORING

### 7.1 Performance Measures

The effectiveness of the Infrastructure and Asset Management Plan can be measured in the following ways:

- The degree to which the required cashflows identified in this Infrastructure and Asset Management Plan are incorporated into Council's LTFP and Community Plan;
- The degree to which 1-10 year detailed works programs, budgets, business plans and organisational structures take into account the 'global' works program trends provided by the Infrastructure and Asset Management Plan.

### 7.2 Monitoring and Review Procedures

This Infrastructure and Asset Management Plan will be reviewed during annual budget preparation and amended to recognise any changes in service levels and/or resources available to provide those services as a result of the budget decision process.

The Plan has a maximum life of 4 years and is due for revision and updating within 2 years of each Council election.



## 8 REFERENCES

City of Mount Gambier Community Plan – The Futures Paper 2016-2020

City of Mount Gambier Annual Report and Budget

DVC, 2006, 'Asset Investment Guidelines', 'Glossary', Department for Victorian Communities, Local Government Victoria, Melbourne

IPWEA, 2006, 'International Infrastructure Management Manual', Institute of Public Works Engineering Australia, Sydney, [www.ipwea.org.au](http://www.ipwea.org.au)



**9 Appendices**

**9.1 Infrastructure Asset Management Plan**

Infrastructure Asset Management Plan - 2022-2031										
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
<b>Renewal</b>	3,386,099	3,470,751	3,557,520	3,646,458	3,737,620	3,831,060	3,926,837	4,025,008	4,125,633	4,228,774
<b>Upgrade/new</b>	374,125	383,478	393,065	402,892	412,964	423,288	433,870	444,717	455,835	467,231






# Plant & Equipment Asset Management Plan 2022-2031

February 2021



Document Control					
Document ID: AF11/1786 City of Mount Gambier Infrastructure and Asset Management Plan					
Rev No	Date	Revision Details	Author	Reviewer	Approver
1	February 2019	1 <sup>st</sup> version as a standalone document	KR	NS	NS
2		Updated during FY2022 Budget Process	CM	JZ	

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TABLE OF CONTENTS

<b>1</b>	<b>SUMMARY</b> .....	<b>4</b>
1.1	What does it cost? .....	4
1.2	Future Plans .....	4
1.3	Relationship to Long Term Financial Plan and Annual Budgets .....	4
<b>2</b>	<b>FINANCIAL SUMMARY</b> .....	<b>5</b>
2.1	Financial Statements and Projections .....	5
2.1.1	Sustainability of Service Delivery .....	5
2.2	Funding Strategy .....	6
2.3	Valuation Forecasts .....	6
<b>3</b>	<b>ASSET MANAGEMENT PRACTICES</b> .....	<b>7</b>
3.1	Accounting / Financial Systems .....	7
3.2	Information Flow Requirements and Processes .....	7
<b>4</b>	<b>PLAN IMPROVEMENT AND MONITORING</b> .....	<b>8</b>
4.1	Performance Measures .....	8
4.2	Monitoring and Review Procedures .....	8
<b>5</b>	<b>REFERENCES</b> .....	<b>8</b>
<b>6</b>	<b>Appendices</b> .....	<b>9</b>
6.1	Plant and Machinery Asset Management Plan .....	9



## **1 SUMMARY**

Plant and equipment owned by Council is range from large earthmoving equipment, refuse collection vehicles, work utilities and small trucks, mowers, office vehicles, and specialised equipment such as footpath sweeping machine and paver laying machine.

### **1.1 What does it cost?**

Total Carrying value of Plant and Equipment as at 30 June 2020 was \$5.875M with annual consumption approximately \$677,166 (i.e. annual depreciation expense). Council's goal is to align the consumption of plant and equipment reasonably over the life of the asset with its planned renewal so that minimal gap exists between the annual depreciation cost and the actual budget expenditure.

### **1.2 Future Plans**

Council plans to manage its plant and equipment fleet to achieve the following strategic objectives.

- Ensure the fleet is maintained at a safe and functional standard and is fit for purpose.
- Provide for plant and equipment renewal in accordance with Council Policy C375 (as amended from time to time).
- Project plant and equipment renewals over a 20-year period, see Appendix D (values have been included based on anticipated dollar value at the time of purchase).
- Council has historically only owned plant and equipment to satisfy 'core function' activities and has sub-contracted or contracted specialist equipment on an as needs basis (e.g. excavators, backhoes, bobcats, asphalt laying equipment).
- Identify and dispose of any surplus equipment or equipment that becomes available of a specialist nature which will help provide and/or improve efficient service delivery to the community.
- Review the most efficient and effective means of owning fleet, for e.g. lease, hire purchase, own outright, buy new, and buy second hand.
- Complete cyclical audits on its plant and equipment fleet to ensure they are stored correctly, onsite and ready for use.

### **1.3 Relationship to Long Term Financial Plan and Annual Budgets**

Plant and equipment purchases are not uniform in value and annual budget allocations can vary significantly from year to year. This Asset Management Plan considers the scheduled replacement cost of purchase for the next ten years which is duplicated in both the Annual Budget and the Long-Term Financial Plan.





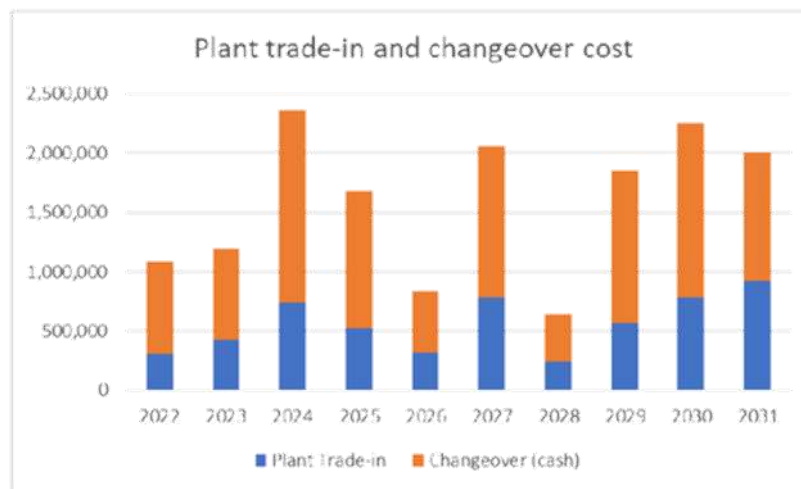
## 2 FINANCIAL SUMMARY

This section contains the financial requirements resulting from all the information presented in the previous sections of this Infrastructure and Asset Management Plan. The financial projections will be improved as further information becomes available on desired levels of service and current and projected future asset performance.

### 2.1 Financial Statements and Projections

The financial projections are shown in Figure 1 for planned replacement and net capital changeover expense.

**Figure 1: Plant replacement and changeover**



#### 2.1.1 Sustainability of Service Delivery

There are two key indicators for financial sustainability that have been considered in the analysis of the services provided by this asset category, these being long term life cycle costs and medium-term costs over the 10-year financial planning period.

##### Long term - Life Cycle Cost

Life cycle costs (or whole of life costs) are the average costs that are required to sustain the service levels over the longest asset life. Life cycle costs include maintenance and asset consumption (depreciation expense).

Life cycle costs can be compared to life cycle expenditure to give an indicator of sustainability in service provision. Life cycle expenditure includes maintenance plus capital renewal expenditure. Life cycle expenditure will vary depending on the timing of asset renewals.

A gap between life cycle costs and life cycle expenditure gives an indication as to whether present consumers are paying their share of the assets they are consuming each year. The purpose of this Asset Management Plan is to identify levels of service that the community needs and can afford and develop the necessary long-term financial plans to provide the service in a sustainable manner.



**Medium term - 10 Year Financial Planning Period**

This Asset Management Plan identifies the estimated maintenance and capital expenditures required to provide an agreed level of service to the community over a 20-year period for input into a 10-year financial plan and funding plan to provide the service in a sustainable manner.

This may be compared to existing or planned expenditures in the 10-year period to identify any gap. In a core Asset Management Plan, a gap is generally due to increasing asset renewals or underfunding of capital renewal programs.

Table 1 provides a breakdown over the next 10 years comparing projected renewals and planned renewals. In most cases it is evidenced that Council's planned renewals (net changeover) exceed projected renewals (depreciation).

**Table 1: Projected and Planned Renewals and Expenditure Gap**

Year	Projected Renewals / Depreciation \$'000	Planned Renewals \$'000	Renewal Funding Gap/Excess \$'000	Cumulative Gap \$'000
2022	694	790	96	96
2023	711	773	62	157
2024	729	1,624	895	1,052
2025	747	1,159	412	1,464
2026	766	520	-246	1,218
2027	785	1,275	490	1,707
2028	805	402	-403	1,304
2029	825	1,283	458	1,762
2030	846	1,473	627	2,390
2031	867	1,085	218	2,608

Providing services in a sustainable manner will require matching of projected asset renewals to meet agreed service levels with planned capital works programs and available revenue.

Future iterations of this Plan will refine the assumptions used to project plant and equipment renewals with the objective of better aligning net changeover values to depreciation over the life of the asset. The current positive gap indicates that Council's plant & equipment programme more than offsets the depreciation in this AMP. Further iterations of this AMP will aim to bring these more into line, which include a clearer delineation between asset renewal versus new asset acquisition, as well as review of the depreciation as the optimal level for renewal.

**2.2 Funding Strategy**

Projected expenditure identified in Section 2.1 is to be funded from Council's operating and capital budgets. The funding strategy is detailed in the Council's Long-Term Financial Plan.

**2.3 Valuation Forecasts**

Asset values are forecast to increase as additional assets are added to the asset stock from acquisition by Council. Depreciation expense values are forecast in line with asset values based on asset useful life and expected residual values. Due to the high turnover and nature of Council's plant and equipment assets, Council does not revalue this asset category.



The depreciated replacement cost (current replacement cost less accumulated depreciation) will vary over the forecast period depending on the rates of addition of new assets, disposal of old assets and consumption and renewal of existing assets.

### **3 ASSET MANAGEMENT PRACTICES**

#### **3.1 Accounting / Financial Systems**

- Local Government authorities in South Australia are established under the provisions of the Local Government Act, 1999.
- Financial and Accounting practices and procedures are required to be in accordance with the Local Government Act 1999, Local Government (Financial Management) Regulations and the Australian Accounting Standard.
- Council's financial and accounting function is subject to a comprehensive Internal Control Policy and has reporting responsibilities to Council's Audit Committee whose membership is derived from persons both internal and external of the organisation.
- Council's audit regime includes the required annual statutory audit required by legislation and also a periodic 'procedural' audit. This process is also completed on an annual basis.
- Council's accounting and financial systems utilise the Civica local government enterprise software solution entitled 'AUTHORITY'.
- The 'AUTHORITY' software solution enables integration of all Council operations including the Accounting and Asset Management functions.

#### **3.2 Information Flow Requirements and Processes**

The key information that flows into this Infrastructure and Asset Management Plan are:

- The asset register data on size, age, value, remaining life of the network
- The adopted service levels
- Projections of various factors affecting future demand for services
- Correlations between maintenance and renewal, including decay models
- Data on new assets acquired by Council.

The key information flows from this Asset Management Plan are:

- The assumed Works Program and trends
- The resulting budget, valuation and depreciation projections
- The useful life analysis
- Funding gap/excess considerations
- Improvements for asset management planning.

These will impact on the Long-Term Financial Plan, Community Plan, Annual Budget and business unit plans and budgets.



## **4 PLAN IMPROVEMENT AND MONITORING**

### **4.1 Performance Measures**

The effectiveness of the Asset Management Plan can be measured in the following ways:

- The degree to which the required cash flows identified in this Asset Management Plan are incorporated into Council's LTFP
- The degree to which 1-5-year detailed works programs, budgets, business plans and organisational structures take into account the 'global' works program trends provided by the Asset Management Plan.

### **4.2 Monitoring and Review Procedures**

This Asset Management Plan will be reviewed during annual budget preparation and amended to recognise any changes in service levels and/or resources available to provide those services as a result of the budget decision process.

The Plan has a life of 4 years and is due for revision and updating within 2 years of each Council election in accordance with the Local Government Act.

## **5 REFERENCES**

City of Mount Gambier Annual Report and Budget

IPWEA, 2006, 'International Infrastructure Management Manual', Institute of Public Works Engineering Australia, Sydney, [www.ipwea.org.au](http://www.ipwea.org.au)



**6 Appendices**

**6.1 Plant and Machinery Asset Management Plan**

<b>Plant &amp; Machinery Asset Management Plan - 2022-2031</b>										
	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>	<b>2030</b>	<b>2031</b>
<b>Renewal</b>	790,000	773,000	1,624,000	1,159,000	520,000	1,275,000	402,000	1,283,000	1,473,000	1,085,000
<b>Upgrade/new</b>	41,000	42,025	43,076	44,153	45,256	46,388	47,547	48,736	49,955	51,203






# Caroline Asset Management Plan 2022-2031

February 2021



Document Control					
Document ID: AF11/1786 City of Mount Gambier Infrastructure and Asset Management Plan					
Rev No	Date	Revision Details	Author	Reviewer	Approver
1	February 2019	Creation of separate asset management plan for Caroline Landfill	KR	DM	NS
2	January 2021	Updated in preparation for FY2022 budget process	CM	JZ	

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**TABLE OF CONTENTS**

<b>1</b>	<b>INTRODUCTION</b> .....	<b>4</b>
	1.1 Background .....	4
	1.2 Assumptions .....	4
	1.3 Goals and Objectives of Asset Management .....	5
	1.4 Plan Framework .....	6
<b>2</b>	<b>LEVELS OF SERVICE</b> .....	<b>7</b>
	2.1 Legislative Requirements .....	8
	2.2 Current Levels of Service .....	8
<b>3</b>	<b>FUTURE DEMAND</b> .....	<b>10</b>
	3.1 Demand Forecast.....	10
	3.2 Changes in Technology .....	10
	3.3 Demand Management Plan .....	11
<b>4</b>	<b>LIFECYCLE MANAGEMENT PLAN</b> .....	<b>12</b>
	4.1 Background Data .....	12
	4.1.1 Physical Parameters.....	12
	4.1.2 Asset Capacity and Performance .....	12
	4.1.3 Asset Condition .....	12
	4.1.4 Asset Valuations.....	13
	4.2 Routine Maintenance Plan .....	13
	4.2.1 Maintenance Plan.....	13
	4.2.2 Standards and Specifications .....	13
	4.3 Renewal / Replacement Plan .....	14
	4.3.1 Renewal Plan .....	14
	4.3.2 Renewal Standards .....	14
	4.3.3 Summary of Future Renewal Expenditure .....	14
<b>5</b>	<b>FINANCIAL SUMMARY</b> .....	<b>16</b>
	5.1 16	
	5.2 Financial Statements and Projections .....	16
	5.2.1 Sustainability of Service Delivery.....	16
	5.3 Funding Strategy.....	16
	5.4 Valuation Forecasts.....	16
	5.5 Key Assumptions made in Financial Forecasts .....	17
	5.6 Improvement and Monitoring.....	17
	5.6.1 Accounting and financial systems.....	17
<b>6</b>	<b>REFERENCES</b> .....	<b>18</b>
<b>7</b>	<b>Appendices</b> .....	<b>19</b>
	7.1 Caroline Asset Management Plan .....	19





## 1 INTRODUCTION

### 1.1 Background

Caroline Landfill Infrastructure and Asset Management Plan is to be read in conjunction with Council's Asset management Policy, Asset management Strategy and the following associated planning documents:

- Community Plan
- Long Term Financial Plan (LTFFP)
- Annual Business Plan and Budget (ABP&B)
- Landfill Environmental Management Plan
- Cell Layout and construction plans

The Landfill components covered by this Infrastructure and Asset Management (AM) Plan are shown in Table 1.

**Table 1 : Landfill assets covered by this Plan at 30 June 2020**

Asset Category	Number	Net Fair Value (\$) \$'000
Caroline Landfill Existing (incorporates future restoration of cells 1 and 2)	2	\$1.000M
Caroline Landfill Cell 3 including capping and future restoration	1	\$1.705M
<b>TOTAL</b>		<b>\$1.805M</b>
Remaining Caroline Landfill Cells yet to be constructed, filled and capped (refer Attachment 1)	13	

### 1.2 Assumptions

This Landfill AM Plan is based on current service levels.

It is assumed that the current financing approach will continue.

Key stakeholders in the preparation and implementation of this Infrastructure and Asset Management Plan are shown in Table 2.

Key Stakeholder	Role in AM Plan
Councillors	<ul style="list-style-type: none"> <li>• Represent needs of the community and stakeholders</li> <li>• Set targeted sustainability ratios</li> </ul>
Executives	<ul style="list-style-type: none"> <li>• Adopt Infrastructure and Asset Management Plan</li> <li>• Annual budget approvals</li> <li>• Portfolio sponsor</li> </ul>



Customers	<ul style="list-style-type: none"> <li>• End users of service/assets</li> </ul>
Insurers and Lessors	<ul style="list-style-type: none"> <li>• Partner with Council to mutually cover risk exposure</li> <li>• Partner with Council to provide alternate financial solutions</li> </ul>
Engineering Business Unit	<ul style="list-style-type: none"> <li>• Plan and facilitate asset construction and capping in accordance with this plan</li> <li>• Establish service levels</li> <li>• Mitigate risk exposure</li> <li>• Monitor assets (including condition)</li> <li>• Coordinate planned and reactive maintenance with Council staff</li> <li>• Management of operational requirements</li> <li>• Ensure compliance with legislative requirements</li> </ul>
Strategic Finance & Accountability Business Unit	<ul style="list-style-type: none"> <li>• Council's LTFP</li> </ul>
Finance Business Unit	<ul style="list-style-type: none"> <li>• Asset valuation and depreciation</li> <li>• Procurement facilitation</li> </ul>

### 1.3 Goals and Objectives of Asset Management

The Council exists to provide services to its community; one of these services is Waste Management. Caroline Landfill is the only engineered landfill site located in the South East of South Australia and began operations in 1997. Council's goal in managing building and structure assets is to meet the agreed level of service in the most cost-effective manner for present and future consumers. The key elements of landfill asset management are:

- Taking a life cycle approach to developing cost-effective management strategies for the long term
- Providing a defined level of service and monitoring performance in line with stakeholder needs
- Managing risks associated with asset failures and disasters
- Continuous improvement in asset management practices.<sup>1</sup>

A 'bottom up' approach has been used to develop organisational requirements for sustainable service delivery and long term financial planning and reporting. This is mainly due to the key drivers that influence when and how construction and capping of landfill cells is required. The key drivers are:

- The amount (in tonnes) of waste to be entombed
- The strict legislative requirements surrounding waste management practices and landfill operations.

<sup>1</sup> IIMM 2006 Sec 1.1.3, p 1.3



This plan is prepared to facilitate community consultation and in line with section 122(6) and 122(7) of the Local Government Act the draft plan is made available to the public at our principal office for feedback prior to adoption by Council.

Future revisions may include greater community consultation on service levels and costs of provision to assist Council and the community in balancing the level of service needed and/or desired with the community's ability and willingness to pay for the service(s) incorporating a wider view of all waste management services.

#### **1.4 Plan Framework**

Key elements of the Plan are

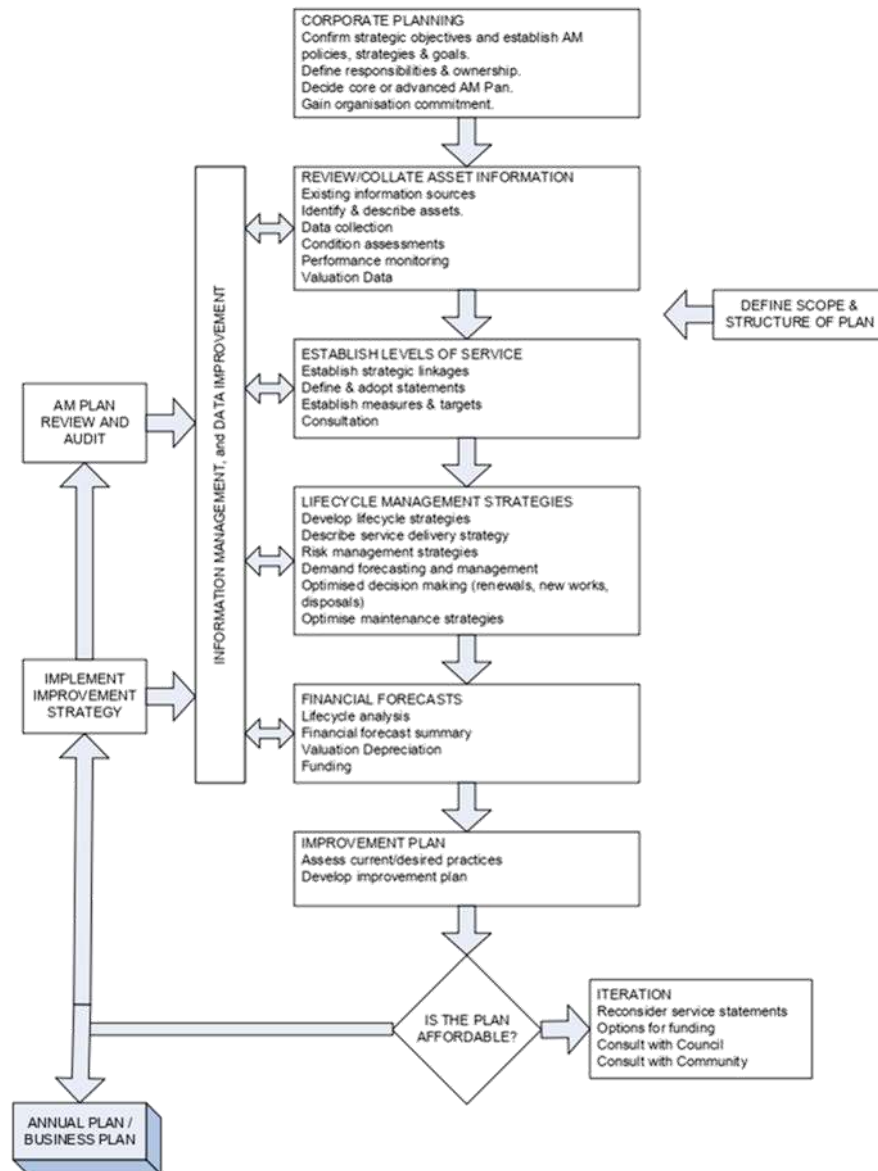
- Levels of service - specifies the services and levels of service to be provided by Council
- Future demand - how this will impact on future service delivery and how this is to be met
- Life cycle management - how Council will manage its existing and future assets to provide the required services
- Financial summary - what funds are required to provide the required services
- Asset management practices
- Monitoring - how the Plan will be monitored to ensure it is meeting Council's objectives
- Asset management improvement plan



A road map for preparing an Infrastructure and Asset Management Plan is shown below.

**Figure 1: Road Map for preparing an Infrastructure and Asset Management Plan**

Source: IMM Fig 1.5.1, p1.11



## 2.1 Legislative Requirements

Council has to meet many legislative requirements including Australian and State legislation and State regulations. These include:

**Table 3: Legislative Requirements**

Legislation	Requirement
Local Government Act, 1999	Sets out role, purpose, responsibilities and powers of local governments including the preparation of a long-term financial plan supported by Infrastructure and Asset Management Plans for sustainable service delivery.
Development Act and subordinate legislation (example Development Plan and Building Code)	Provides Council with the legislative framework to guide the preservation and enhancement of its landfill.
Environment Protection Act	To guide the development and operation of Caroline Landfill
State Records Act, 1997	Set out responsibilities and requirement in relation to the management of Council records.
Work Health and Safety Act, 2012	Sets out roles and responsibilities to secure the health, safety and welfare of persons at work

## 2.2 Current Levels of Service

Council has defined service levels in two terms:

### 1. Community Service Levels

These relate to how the community receives the service in terms of safety, quality, function, quantity, reliability, responsiveness and cost/efficiency.

### 2. Operational or Technical Service Levels

These measures relate to the allocation of resources to service activities that the Council undertakes to best achieve the desired community outcomes, whilst meeting all legislative requirements.

Community Levels of Service relate to how the community receives the service in terms of safety, quality, function, quantity, reliability, responsiveness, cost/efficiency and legislative compliance.

Supporting the community service levels are operational or technical measures of performance developed to ensure that the minimum community levels of service are met. These technical measures relate to service criteria such as:

Operations - the regular activities to provide services such as opening hours, compacting and covering of waste.



Maintenance - the activities necessary to retain assets as near as practicable to their original condition for example repairing weather damage.

Renewal - the activities that return the service capacity of an asset up to that which it had originally, for example, frequency and cost of new landfill cell construction.

Upgrade - upgrading the activities to provide a higher level of service for example, extending opening hours, introducing a new initiative such as gas collection and utilisation facilities, installing a weighbridge at the landfill site.

Quantity - ability to accept varying volumes of waste.

Safety - protection of person(s) from injury and accidents, for example, safe work method statements.

Council's current service levels are detailed in Table 4.

**Table 4: Current Service Levels**

Key Performance Measure	Level of Service	Performance Measure Process	Performance Target
<b>COMMUNITY LEVELS OF SERVICE</b>			
Quality	Landfill is tidy and accessible	customer complaints	1 complaint per year
Function	Tip face is compacted and covered with appropriate cover material each day it is operational	Manager to review	100%
Safety	Public and customer access is clearly monitored and signed	Reported accidents and incidents	zero
<b>TECHNICAL LEVELS OF SERVICE</b>			
Condition	1) Site is managed to legislative requirements/ best practice standards 2) Machinery is reliable and well maintained	1) EPA Reports and responses, customer complaints 2) Machine availability	1) Zero 2) 100% of scheduled time
Safety	Site is safe and meets all legislative requirements	reported accidents/ incidents	Zero
Cost Effectiveness	Landfill is operated within budget	\$/% amount over/underspent of the budget	Expense within 5% of budget and does not exceed income generated



### 3 FUTURE DEMAND

#### 3.1 Demand Forecast

Drivers affecting demand include population change, changes in demographics, seasonal factors, consumer preferences and expectations, technological advances, economic factors, environmental awareness, changing legislative requirements, risk management practices, etc.

Demand factor trends and impacts on service delivery are summarised in Table 5.

**Table 5 : Demand Factors, Projections and Impact on Services**

Demand factor	Present position	Projection	Impact on services
Population	26,276 (census 2016))	1% growth 32,000 people by 2027 (aspiration target noted in feasibility study)	Should the aspirational target projection be met filling rates at the landfill would increase. It is expected that these would be offset by increased rates and user pays revenue.
Demographics	Ageing population  Already servicing wider District Council of Grant area	2 to 3% growth	Demographic factors unlikely to have significant impact on waste management facilities as Council is already servicing a much wider region.
Climate change	susceptible to el nino conditions periods of intense rainfall can have adverse effects on leachate contamination at the landfill site	Once in every 10 years	Large impact on budget to manage contamination in line with EPA requirements
Legislative changes	Landfill Environmental Management Plan (LEMP) Meeting all EPA requirements	Continuation of LEMP and meeting all EPA requirements	No significant impacts to services

#### 3.2 Changes in Technology

Technology changes are forecast to have little effect on the delivery of services covered by this Plan, but will likely improve monitoring, customer feedback and advice to Council.

Technology changes forecast to affect the delivery of services covered by this plan are detailed in Table 6.



**Table 6 : Forecast changes in technology and effect on service delivery**

Technology Change	Effect on Service Delivery
Introduction of weighbridge of landfill site	At present customers weigh in at the Waste Transfer Centre before driving to Caroline Landfill to deposit their load of waste. This requires the site operator to check all tickets before allowing the load to be unloaded. A weighbridge onsite has potential to: <ul style="list-style-type: none"> <li>• automate gate opening and security over site</li> <li>• mobile technology to automatically deliver results to landfill operator and officers located offsite to the Landfill</li> <li>• provide more accurate data</li> <li>• provide increased control</li> <li>• reduces risk of customers collecting rubbish after they have weighed in at the Waste Transfer Station</li> </ul>
CCTV Cameras	Council are in the process of implementing CCTV systems and this may be able to be utilised in asset management, assessment and surveillance to assist in reduction of damage to infrastructure and machinery.
Gas Utilisation and Collection	Council is currently seeking tenders for the provision of landfill gas management services utilising automated technology to monitor and provide data.

### 3.3 Demand Management Plan

Demand for new services will be managed through a combination of managing existing assets, upgrading of existing assets and providing new assets to meet demand and demand management. Demand management practices include non-asset solutions, insuring against risks and managing failures.

Non-asset solutions focus on providing the required service without the need for the organisation to own the assets, such as leasing arrangements or providing services from existing infrastructure which may be located in another community area. They also include managing expectations in relation to service standards and service failures.





#### 4 LIFECYCLE MANAGEMENT PLAN

The Lifecycle Management Plan details how Council plans to manage and operate the assets at the agreed levels of service (defined in the section “Levels of Service”) while optimising life cycle costs.

##### 4.1 Background Data

##### 4.1.1 Physical Parameters

The assets covered by this plan are shown in Table 1.

##### 4.1.2 Asset Capacity and Performance

Council’s services are generally provided to meet design and environmental standards where these are available. Areas targeted for improvement are detailed in Table 8.

**Table 8 : Areas targeted for improvement**

Service	Improvement
Cover Material	Identification of alternative cover materials from stockpiles of concrete, brick and limestone to meet EPA requirements. Aim to reduce stockpiles and utilise as cover due to the diminishing levels of cover material available.
Litter	Reduction of windblown litter and digestion from nearby livestock.
Critical machinery	Alternative solutions should the landfill compactor be out of action  Consideration of insurance to cover loss of production.
Leachate Ponds	Alternative solutions to vetiver grasses include covering leachate ponds to reduce increase in volume due to rainfall. Consideration of alternate options should the vetiver grass trial not be successful.

##### 4.1.3 Asset Condition

The condition profile of Council’s Landfill Cell’s is not a key driver for renewal. The capacity used in the cell is a key driver as this relates to the amount of airspace remaining for waste to be entombed.

The buildings and structures, plant and machinery currently used at Caroline Landfill are captured under their own category of asset management plans. Asset condition is a key driver for the buildings located at the landfill site but is not a key driver for renewal of the critical plant and machinery required used to operate the site.



#### 4.1.4 Asset Valuations

The value of Caroline Landfill assets in this IAMP related to cell construction and capping only. Landfill remediation and cell development assets are amortised on a consumption basis over the individual landfill cell's capacity to receive waste. At the time of construction of a cell, Council includes the present value of estimated costs to cap and close the cell into the landfill cell. This estimate is offset by the recognition of a provision. This recognition of the capping costs is amortised in line with the consumption of the landfill cell's capacity used in any one year. Unwinding of present values are completed annually to bring values into alignment with present day.

As at 30 June 2020 the value of these assets was:

Total value (at cost & fair value)	\$9.931M
Accumulated depreciation	\$8.125M
Carrying amount	\$1.806M
Annual depreciation expense	\$0.721M

#### 4.2 Routine Maintenance Plan

Routine maintenance is the regular on-going work that is necessary to keep assets operating, including instances where portions of the asset fail and need immediate repair to make the asset operational again.

##### 4.2.1 Maintenance Plan

Maintenance includes reactive, planned and cyclic maintenance work activities.

Reactive maintenance is unplanned repair work carried out in response to service requests and management/supervisory directions.

Planned maintenance is repair work that is identified and managed through a maintenance management system (MMS). MMS activities include inspection, assessing the condition against failure/breakdown experience, prioritising, scheduling, actioning the work and reporting what was done to develop a maintenance history and improve maintenance and service delivery performance.

Cyclic maintenance is replacement of higher value components/sub-components of assets that is undertaken on a regular cycle and may include painting, re-roofing, replace occasional window etc.

Assessment and prioritisation of reactive maintenance is undertaken by Council staff using experience and judgement.

##### 4.2.2 Standards and Specifications

Maintenance work is carried out in accordance with the following Standards and Specifications:

- Current Australian and Industry Standards
- Environmental Guidelines
- Work Health Safety Act and Regulations
- Council Standards and Specifications



### **4.3 Renewal / Replacement Plan**

Renewal expenditure is major work which does not increase the asset's design capacity but restores, rehabilitates, replaces or renews an existing asset to its original service potential. Work over and above restoring an asset to original service potential is upgrade/expansion or new works expenditure.

#### **4.3.1 Renewal Plan**

Assets requiring renewal are identified from one of three methods:

Method 1 uses Asset Register data to project the renewal costs using acquisition year and useful to determine the renewal year

Method 2 uses capital renewal expenditure projections from external condition/usage modelling systems

Method 3 uses a combination of average network renewals plus defect repairs.

Method 2 was used for this Plan using in-house engineering construction plans and modelling.

Renewal will be undertaken using 'low-cost' renewal methods where practical. The aim of 'low-cost' renewals is to restore the service potential or future economic benefits of the asset by renewing the assets at a cost less than replacement cost.

#### **4.3.2 Renewal Standards**

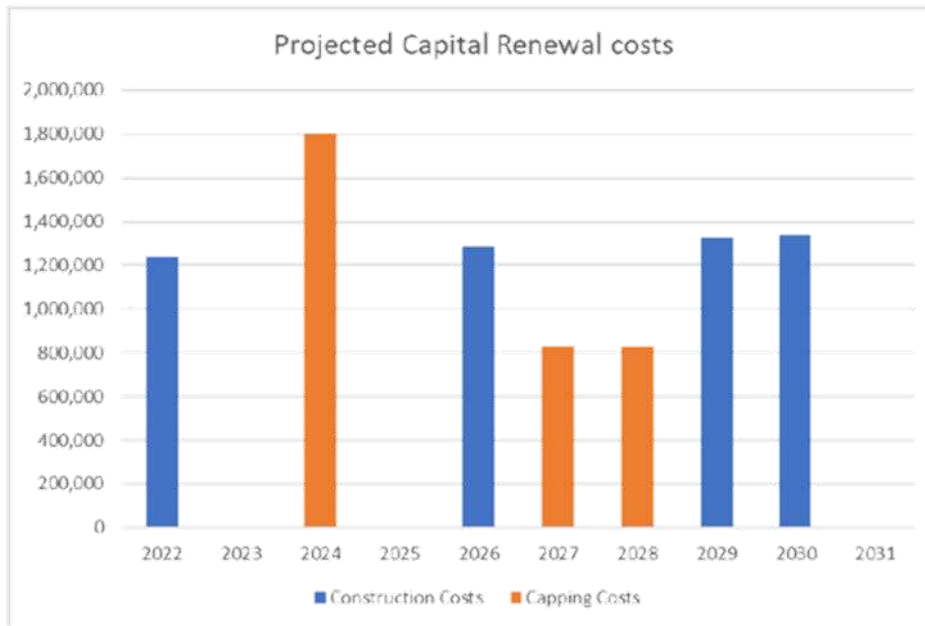
Renewal work is carried out in accordance with the following Standards and Specifications:

- Current Australian and Industry Standards
- Environmental Guidelines
- Work Health Safety Act and Regulations
- Best Industry Practice Standards
- Planning and scheduling renewal projects to meet defined service levels in the most efficient and effective manner.

#### **4.3.3 Summary of Future Renewal Expenditure**

Projected future renewal expenditures are forecast to increase over time as the cost of contractors, materials and employees increases. The costs are summarised in Figure 1.





**Figure 1 : Projected Capital Renewal costs**

Renewals are to be funded from Council's capital works program and grants where available.



## **FINANCIAL SUMMARY**

This section contains the financial requirements resulting from all the information presented in the previous sections of this Infrastructure and Asset Management Plan. The financial projections will be improved as further information becomes available on desired levels of service and current and projected future asset performance.

### **4.4 Financial Statements and Projections**

Providing services in a sustainable manner will require matching of projected asset renewals to meet agreed service levels with planned capital works programs and available revenue.

#### **4.4.1 Sustainability of Service Delivery**

There are two key indicators for financial sustainability that have been considered in the analysis of the services provided by this asset category, these being long term life cycle costs and medium-term costs over the 10 year financial planning period.

##### **Long term - Life Cycle Cost**

Life cycle costs (or whole of life costs) are the average costs that are required to sustain the service levels over the longest asset life. Life cycle costs include maintenance and asset consumption (depreciation expense). The landfill annual life cycle cost for the services covered in Part 2 of this Infrastructure and Asset Management Plan is \$750

Life cycle costs can be compared to life cycle expenditure to give an indicator of sustainability in service provision. Life cycle expenditure includes maintenance plus capital renewal expenditure. Life cycle expenditure will vary depending on the timing of asset renewals. The life cycle expenditure at the start of the plan (2020) is \$864

A gap between life cycle costs and life cycle expenditure gives an indication as to whether present consumers are paying their share of the assets they are consuming each year. The purpose of this Infrastructure and Asset Management Plan is to identify levels of service that the community needs and can afford and develop the necessary long term financial plans to provide the service in a sustainable manner.

##### **Medium term - 10 Year Financial Planning Period**

This AMP identifies the estimated maintenance and capital expenditures required to provide an agreed level of service to the community over a 20 year period for input into a 10 year financial plan and funding plan to provide the service in a sustainable manner.

This may be compared to existing or planned expenditures in the 20 year period to identify any gap. In a core AMP, a gap is generally due to increasing asset renewals or underfunding of capital renewal programs.

### **4.5 Funding Strategy**

Projected expenditure identified in Section 6.1 is to be funded from Council's operating and capital budgets. The funding strategy is detailed in the Council's Long Term Financial Plan.

### **4.6 Valuation Forecasts**

Asset values are forecast to increase as additional assets are added to the asset stock from construction and acquisition by Council. Depreciation expense values are forecast in line with estimated capacity of use.



The depreciated replacement cost (current replacement cost less accumulated depreciation) will vary over the forecast period depending on the consumption and renewal of existing assets. However,

#### **4.7 Key Assumptions made in Financial Forecasts**

This section details the key assumptions made in presenting the information contained in this Infrastructure and Asset Management Plan and in preparing forecasts of required operating and capital expenditure and asset values. It is presented to enable readers to gain an understanding of the levels of confidence in the data behind the financial forecasts.

Key assumptions made in this Infrastructure and Asset Management Plan are:

- Units of Production method of depreciation which results in a charge based on the expected use or output of the asset. In the case of the Caroline Landfill, it refers to the expected use of airspace.
- The construction of a new cell is considered renewal expenditure as Council is renewing its capacity to receive waste and operate.
- Dollars are in real terms and no indexation has been applied.
- This Infrastructure and Asset Management Plan was put together based on the information at hand at the time of preparing the Plan. As asset information is updated and more accurate information becomes available, the Infrastructure and Asset Management Plan will become more accurate.

Accuracy of future financial forecasts may be improved in future revisions of this Infrastructure and Asset Management Plan by the following actions:

- Full cost attribution on future works programs through more sophisticated accounting measures.
- Improved data collection and assessment of assets and recording of this data in AIM program through centralised asset management and data analysis.

#### **4.8 Improvement and Monitoring**

##### **4.8.1 Accounting and financial systems**

Council uses Civica Authority as its accounting and financial system. This system integrates with Council's asset management system another module of the Civica Authority suite.

The Australian Accounting Standards provide the benchmark against which Council reports on asset accounting. Council's current capitalisation threshold is \$5,000.

The link between asset management and the financial system includes:

- The assumed works programs and trends
- The resulting budget, valuation and depreciation projections
- Useful life analysis (including renewal projections)
- Inputs to Council's LTFP and ABP&B



## 5 REFERENCES

City of Mount Gambier Community Plan – The Futures Paper 2016-2020

City of Mount Gambier Annual Report and Budget

DVC, 2006, 'Asset Investment Guidelines', 'Glossary', Department for Victorian Communities, Local Government Victoria, Melbourne

IPWEA, 2006, 'International Infrastructure Management Manual', Institute of Public Works Engineering Australia, Sydney, [www.ipwea.org.au](http://www.ipwea.org.au)



**6 Appendices**

**6.1 Caroline Asset Management Plan**

Caroline Asset Management Plan - 2022-2031										
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Renewal	2,009,087	0	0	0	2,090,664	0	0	2,154,013	2,187,152	0








# Building and Structures Asset Management Plan 2022-2031

February 2021



<b>Document Control</b>					
Document ID: AR19/9672 City of Mount Gambier Building and Structures Asset Management Plan 2022-2031					
Rev No	Date	Revision Details	Author	Reviewer	Approver
1	March 2019	1 <sup>st</sup> version as a stand-alone document	KR	DM	NS
2	January 2021	Updated in preparation for FY2022 budget process	CM	JZ	

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**TABLE OF CONTENTS**

<b>1</b>	<b>INTRODUCTION</b> .....	<b>4</b>
	1.1 Background .....	4
	1.2 Goals and objectives of Asset Management .....	5
	1.3 Plan Framework .....	5
<b>2</b>	<b>LEVELS OF SERVICE</b> .....	<b>7</b>
	2.1 Legislative Requirements .....	7
	2.2 Current Levels of Service .....	7
<b>3</b>	<b>FUTURE DEMAND</b> .....	<b>9</b>
	3.1 Demand Forecast.....	9
	3.2 Changes in Technology.....	10
	3.3 Demand Management Plan .....	11
<b>4</b>	<b>LIFECYCLE MANAGEMENT PLAN</b> .....	<b>12</b>
	4.1 Background Data .....	12
	4.1.1 Physical Parameters.....	12
	4.1.2 Asset Capacity and Performance .....	12
	4.1.3 Asset Condition .....	13
	4.1.4 Asset Valuations.....	13
	4.2 Risk Management Plan .....	14
	4.3 Operations and Maintenance .....	14
	4.3.1 Maintenance Plan.....	14
	4.3.2 Renewal Plan .....	15
	4.3.3 Renewal Standards .....	15
	4.3.4 Summary of Future Renewal Expenditure .....	15
	4.4 Creation / Acquisition / Upgrade Plan .....	17
	4.4.1 Selection Criteria .....	17
	4.4.2 Standards and Specifications .....	17
	4.4.3 Summary of Future Upgrade / New Assets Expenditure .....	17
	4.5 Disposal Plan .....	17
<b>5</b>	<b>FINANCIAL SUMMARY</b> .....	<b>18</b>
	5.1 Financial Statements and Projections .....	18
	5.1.1 Sustainability of Service Delivery .....	18
	5.2 Funding Strategy .....	18
	5.3 Valuation Forecasts.....	19
	5.4 Key Assumptions made in Financial Forecasts .....	20
	5.5 Improvement and Monitoring.....	20
	5.5.1 Accounting and financial systems.....	20
<b>6</b>	<b>REFERENCES</b> .....	<b>20</b>
<b>7</b>	<b>APPENDICES</b> .....	<b>21</b>
	7.1 Buildings and structures Asset Management Plan.....	21



## 1 INTRODUCTION

### 1.1 Background

The purpose of the Buildings and Structures Asset Management Plan (AMP) is to outline a broad approach asset management, demonstrate proactive management of assets (and services provided from those assets) and model the funding required from the assumptions developed for those assets. This AMP is to be read in conjunction with Council's Asset Management Policy, Asset Management Strategy and the following associated planning documents:

- Long Term Financial Plan (LTFP)
- Council's Development Plan
- Annual Business Plan and Budget (ABP&B)
- Council's Strategic Plan
- Community Land Management Plans
- Management Agreements for the management of Council facilities

This AMP covers all Council controlled buildings and structures within the City of Mount Gambier as indicated in the following summary:

**Table 1 : Building and Structures covered by this Plan (as at 30 June 2020)**

Asset Category	At Cost Value	Carrying Value (\$)
Buildings	\$84.75M	\$45.99M
Structures	\$23.59M	\$12.85M
<b>TOTAL</b>	<b>\$108.34M</b>	<b>\$58.84M</b>

**Table 2 : Key Stakeholders**

Key Stakeholder	Role in AMP
Councillors	<ul style="list-style-type: none"> <li>• Represent needs of the community and stakeholders</li> <li>• Set targeted sustainability ratios</li> <li>• Ensure organisation is financial sustainable</li> <li>• Adopt Strategic Plans, LTFP (biennially), AMPs (biennially) and Annual budget</li> </ul>
Executives	<ul style="list-style-type: none"> <li>• Setting / review of LTFP (annually), AMPs (annually) and Annual budget</li> <li>• Portfolio sponsor</li> </ul>
Customers	<ul style="list-style-type: none"> <li>• End users of service/assets</li> <li>• Licence/Leaseholders</li> </ul>
Insurers	<ul style="list-style-type: none"> <li>• Partner with Council to mutually cover risk exposure</li> </ul>
Contractors/suppliers	<ul style="list-style-type: none"> <li>• Support the provision of human and physical resources</li> <li>• External valuations, including insurance valuations</li> </ul>
Government	<ul style="list-style-type: none"> <li>• Provides occasional grants to Council for building projects</li> </ul>



Building Maintenance Business Unit	<ul style="list-style-type: none"> <li>Responsible for actual maintenance and renewal for identified buildings and structures</li> <li>Contract manage relevant building maintenance contracts</li> </ul>
Strategic Finance & Accountability / Finance Business Unit	<ul style="list-style-type: none"> <li>Preparation of Council's LTFFP, AMPs and Annual budget</li> <li>Asset valuation and depreciation</li> <li>Procurement facilitation</li> </ul>

**1.2 Goals and objectives of Asset Management**

The Council exists to provide services to its community. Some of these services are provided by building and structure assets. Council has acquired assets by purchase, construction and by donation/gift.

Council's goal in managing building and structure assets is to meet the defined level of service in the most cost-effective manner for present and future consumers. The key elements of building and structure asset management are:

- Taking a life cycle approach to developing cost-effective management strategies for the long term
- Providing a defined level of service and monitoring performance in line with stakeholder needs
- Managing risks associated with asset failures and disasters
- Having an LTFFP which includes required, affordable expenditure and how it will be financed
- Continuous improvement in asset management practices.<sup>1</sup>

This AMP is prepared under the direction of Council's Strategic Plan which represents the vision, aspirations and priorities of the community now and into the future.

A 'top down' approach has been used where analysis is applied at the system or network level to meet minimum legislative and organisational requirements for sustainable service delivery and long-term financial planning and reporting.

Future versions of the AM Plan will move towards 'advanced' asset management using both a hybrid 'top down' and 'bottom up' approach for reporting up to date information about individual assets.

Future revisions may include greater community consultation on service levels and costs of provision to assist Council and the community in balancing the level of service needed and/or desired with the community's ability and willingness to pay for the service(s).

**1.3 Plan Framework**

Key elements of the Plan are

- Levels of service – specifies the services and levels of service to be provided by Council.
- Future demand – how this will impact on future service delivery and how this is to be met.
- Life cycle management – how Council will manage its existing and future assets to provide the required services.
- Financial summary – what funds are required to provide the required services.
- Asset management practices.
- Monitoring – how the Plan will be monitored to ensure it is meeting Council's objectives.
- Asset management improvement plan.

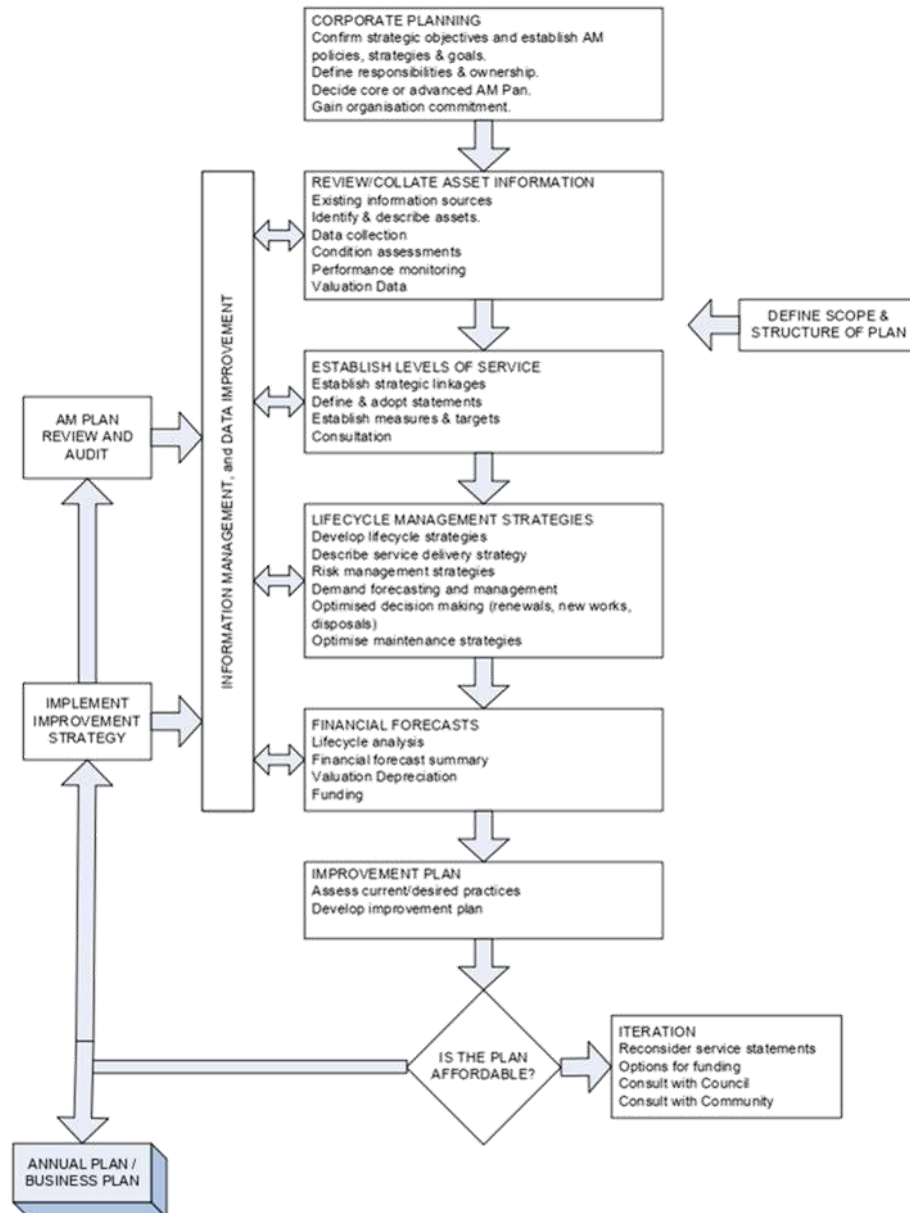
<sup>1</sup> IIMM 2006 Sec 1.1.3, p 1.3



A road map for preparing an Asset Management Plan is shown below.

**Figure 1: Road Map for preparing an Asset Management Plan**

Source: IMM Fig 1.5.1, p 1.11



## 2 LEVELS OF SERVICE

Levels of service provide the basis for life cycle management strategies and works programs, whilst supporting the Council's strategic goals. Ongoing planning for the ownership and management of Council's buildings aims to ensure that building assets provide, or help to provide, appropriate services for the community.

### 2.1 Legislative Requirements

Council must meet many legislative requirements including Australian and State legislation and State regulations. These include:

**Table 3 : Legislative requirements**

Legislation	Requirement
Local Government Act, 1999	Sets out role, purpose, responsibilities and powers of local governments including the preparation of a long-term financial plan supported by infrastructure and asset management plans for sustainable service delivery.
Development Act and subordinate legislation (example Development Plan and Building Code)	Provides Council with the legislative framework to guide the preservation and enhancement of its buildings and structures.
Heritage Act, 2004	An Act that conserves places with heritage value
Building Code of Australia, 2016	States the minimum requirements for the design, construction and maintenance of buildings
Work Health and Safety Act, 2012	Secures the health, safety and welfare of persons at work
Asbestos Removal Code of Practice	The management and maintenance of asbestos in accordance with the code
Disability Discrimination Act (DDA), 2012	An Act that bans discrimination of people based on a disability
Environmental Protection Act, 1997	An Act that covers the protection of the environment

### 2.2 Current Levels of Service

Council has defined service levels in two terms:

#### 1. Community Service Levels

These relate to how the community receives the service in terms of safety, quality, function, quantity, reliability, responsiveness and cost/efficiency.

#### 2. Operational or Technical Service Levels

These measures relate to the allocation of resources to service activities that the Council undertakes to best achieve the desired community outcomes, whilst meeting all legislative requirements.

Council's current service levels are detailed in Table 4.



**Table 4 : Current Service Levels**

Key Performance Measure	Level of Service	Performance Measure Process	Performance Target	Current Performance
<b>COMMUNITY LEVELS OF SERVICE</b>				
Quality	Provide buildings that are fit for purpose	Customer service requests Condition rating	Less than 2 per month for any particular building or structure	Less than 2 per month for any particular building or structure
Function	Buildings and structures are available and accessible for intended use at all times (apart from during times of maintenance)	Customer complaints relating to unavailability of building or structure	Less than 2 per month for any particular building or structure	Less than 2 per month for any particular building or structure
	Building facilities meet user requirements	Usage of facility	Average usage of facility 50% occupancy for each building	TBC
Safety	Provide buildings that comply with the principles of the BCA and DDA Buildings are free from hazards	Number of injury incidents relating to health, safety and disability for Council owned buildings and structures	Less than 3 per month per building or structure	Less than 3 per month per building or structure
Asbestos	Ensure that all building facilities meet asbestos regulations	Asbestos registers onsite and program in place to remove and/or manage asbestos from, in and around buildings	<2 incidents per year	0 incidents reported
<b>TECHNICAL LEVELS OF SERVICE</b>				
Condition	Carry out routine maintenance on buildings and structures	Number of complaints relating to minor maintenance matters	Less than 5 per month for any particular building or structure	Less than 5 per month for any particular building or structure
Compliance	Compliance with Building Codes and technical standards	All new work and significant refurbishment to comply with current standards	Development Act approval and compliance with Building Code of Australia	Plans and specifications are submitted to gain development approval
Costings/Affordability	Operational expenditure costs are known	Introduction of work order costing system to track maintenance of buildings	All plant, labour and material costs booked to work orders for individual buildings	All plant, labour and material costs booked to work orders for individual buildings
Safety	Condition assessment surveys to identify any issue relating to occupier safety	Building and structure condition assessments to be carried out on a one in three year cycle	Identified safety issues are documented and included in works program for the following financial year budget	Issues addressed as they are identified, assessment frequency not currently stipulated





### 3 FUTURE DEMAND

#### 3.1 Demand Forecast

Factors affecting demand include population change, changes in demographics, seasonal factors, consumer preferences and expectations, economic factors, environmental awareness, changing legislative requirements, risk management practices, etc.

Demand factor trends and impacts on service delivery are summarised in Table 5

**Table 5 : Demand Factors, Projections and Impact on Services**

Demand factor	Present position	Projection	Impact on services
Population	26,276 ( <i>census 2016</i> )	32,000 people by 2027 <sup>2</sup>	Population growth will have marginal impact on existing services
Demographics	Ageing population		Increase in aged care accommodation and facilities to service the elderly. Disability access will become increasingly important.
Legislative changes	Compliance with BCA	Increasing legislative and governance demands, long term financial sustainability, environmental sustainability for the existing building stock as well as pressure for additional buildings	Demand for retrofitting buildings for, environmental sustainability etc. and impact on financial resources in the provision of new buildings

<sup>2</sup> Referenced from Community and Recreation Hub Feasibility Study



### 3.2 Changes in Technology

Technology changes are forecast to have little effect on the delivery of services covered by this plan, but will likely improve customer feedback and advice to Council (e.g. Web based communication to Council, smart phone technology, automated monitoring of building services, online/interactive building lighting/art).

Council will face increasing community pressure to retrofit existing facilities with technology that will improve the overall environmental sustainability of the facility and safety.

Technology changes forecast to affect the delivery of services covered by this plan are detailed below.

**Table 6 : Potential changes in technology and effect on service delivery**

Technology Change	Effect on Service Delivery
CCTV Cameras	Council have implemented CCTV systems that are utilised in asset management, assessment and surveillance to assist in reduction of damage to its buildings and structures.
Automatic detection and safety systems	Expansion of electronic access to buildings
Plant & Equipment	Updated plant & equipment may result in improved service delivery within a more efficient timeframe and to a better standard.
Mobile computing	Use of improved technology for condition rating may lead to increased data integrity and ability to link to GIS for improved visualisation. Will also mean simpler and more efficient information transfer without double handing of data.
Environment Sustainability	Installation of energy and water saving equipment for environmental responsibility and for cost efficiency.



### 3.3 Demand Management Plan

Demand for new services will be managed through a combination of managing existing assets, upgrading of existing assets and providing new assets to meet demand. Demand management practices include non-asset solutions, insuring against risks and managing failures.

Non-asset solutions focus on providing the required service without the need for the organisation to own the assets, such as leasing arrangements or providing services from existing infrastructure which may be located in another community area or contributing to capital improvements of another organisation that provide benefits for our community. An example of this includes, the Mount Gambier Airport, located outside the City of Mount Gambier boundary, however Council has contributed funding to upgrade its facilities.

The current lack of information on the extent of service provision required to meet community demand for buildings makes it difficult to assess the gap between the community desires/needs and existing service provision. Opportunities identified to date for demand management are shown in Table 7. Further opportunities will be developed in future revisions of this AM Plan.

**Table 7 : Demand Management Plan Summary**

Service Activity	Demand Management Plan
Operations	Utilise office space more efficiently. Identify buildings not being used to their full potential and consult the community on other uses.
Financial	Develop long-term financial management plans to ensure financial sustainability
DDA provision improvements	To enact works programs developed as part of the accessibility assessment identified in Table 6
Environmental sustainability	Use Triple Bottom Line analysis to assess whether any identified project is to proceed. Council will need to ensure that the community is aware of this Plan and understands the long-term financial implications.
Public Toilet Facilities	Councillors and community have recently encouraged investment in building renewal for primary public toilet facilities.



## **4 LIFECYCLE MANAGEMENT PLAN**

The lifecycle management plan details how Council plans to manage and operate the assets at the agreed levels of service (defined in the section "Levels of Service") while optimising life cycle costs.

### **4.1 Background Data**

#### **4.1.1 Physical Parameters**

The assets covered by this Plan are shown in Table 1.

Over 5% of Council's building and structure assets are identified as heritage. Generally, the building and structure assets are in fair to good condition although asset ages vary considerably across the City. Council has limited data on the age profile of its Asset stock but does have an increasing understanding of the condition data for building and structure asset categories. Council uses a combination of the age and condition data to set future works programs and also to prepare risk control strategies.

#### **4.1.2 Asset Capacity and Performance**

Council's services are generally provided to meet design standards where these are available.

Council engaged a consultant in July 2018 to complete a preliminary disability audit on a selection of buildings including public amenities and heritage sites. Refer Appendix A for a copy of the Preliminary Disability Access Report.

Council to adopt inclusive design principles that encourages best practice rather than meeting minimum legislative requirements.

The Preliminary Disability Access Report (the Report) provides a snapshot of where Council is at in terms of general disabled access. It also identifies buildings (including surrounds) that are not meeting compliance standards and should be ear marked for demolishing or significant works. At the time of writing this Plan, further analysis of the Report was in progress. Council's key tasks in relation to the Report are to:

- Consult with the community
- Prioritise works to be completed
- Design and project cost works
- Ensure strategic alliance (both financial and non-financial)

Future iterations of this Plan will provide further detail on forward works programming.



**4.1.3 Asset Condition**

Council’s building and structure assets were last assessed for condition as at 30 June 2020 by external consultants as part of the revaluation process. The condition is measured using a 0 – 5 rating system.

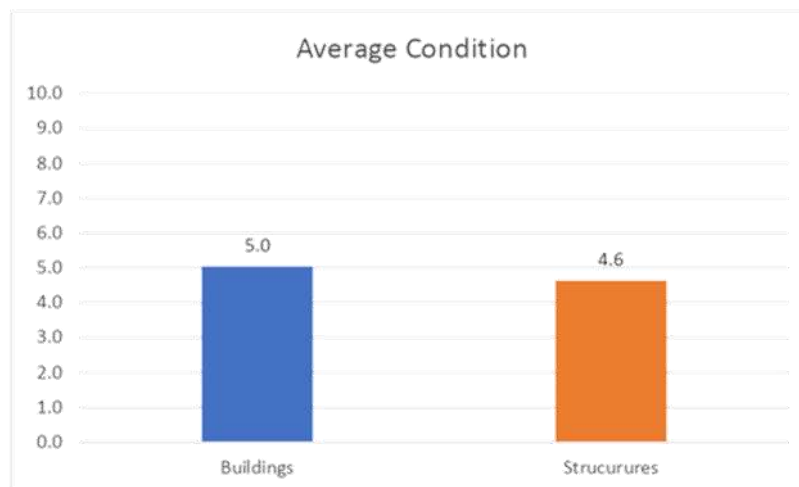
The condition profile of Council’s assets will be further assessed by technical building experts and include review of compliance standards, appearance, security, fit for purpose and environmental fitness and be reflected in future updates of this Plan.

**Table 8 : Condition Rating Scale**

Rating	Description of Condition
1	Asset Unserviceable
2	Extremely Poor
3	Poor
4	Below Average
5	Average
6	Fair
7	Good
8	Very Good
9	Excellent
10	New

The condition profile of Council’s building and structure assets is shown below in figures 2 and 3.

**Figure 2: Building and Structure Asset Condition Profile**



**4.1.4 Asset Valuations**

The value of building and structure assets covered by this AMP is summarised below. Building and Structure assets were last re-valued at 30 June 2020 by AssetVal Pty Ltd.

As at 30 June 2020 the value of these assets was:

Total Value (at cost & fair value)	\$ 108.3M
Accumulated Depreciation and Impairment	\$ 49.5M



Carrying Amount	\$ 58.8M
Annual Depreciation Expense	\$ 2.34M

#### 4.2 Risk Management Plan

An assessment of risks associated with service delivery from infrastructure assets identifies critical risks to Council. The risk assessment process identifies credible risks, the likelihood of the risk event occurring, the consequences should the event occur, develops a risk rating, evaluates the risk and develops a risk treatment plan for non-acceptable risks.

#### 4.3 Operations and Maintenance

Routine maintenance is the regular on-going work that is necessary to keep assets operating, including instances where portions of the asset fail and need immediate repair to make the asset operational again.

##### 4.3.1 Maintenance Plan

Maintenance includes reactive, planned and cyclic maintenance work activities.

Reactive maintenance is unplanned repair work carried out in response to service requests and management/supervisory directions.

Planned maintenance is repair work that is identified and managed through a maintenance management system (MMS). MMS activities include inspection, assessing the condition against failure/breakdown experience, prioritising, scheduling, actioning the work and reporting what was done to develop a maintenance history and improve maintenance and service delivery performance.

Cyclic maintenance is replacement of higher value components/sub-components of assets that is undertaken on a regular cycle and may include painting, re-roofing, replace occasional window etc. This work generally falls below the capitalisation threshold.

Assessment and prioritisation of reactive maintenance is undertaken by Council staff using experience and judgement.



## Renewal / Replacement Plan

Renewal expenditure is major work which does not increase the asset's design capacity but restores, rehabilitates, replaces or renews an existing asset to its original service potential. Work over and above restoring an asset to original service potential is upgrade/expansion or new works expenditure.

### 4.3.2 Renewal Plan

Assets requiring renewal are identified from one of three methods:

- Method 1 uses Asset Register data to project the renewal costs using acquisition year and useful life to determine the renewal year
- Method 2 uses capital renewal expenditure projections from external condition modelling systems
- Method 3 uses a combination of average network renewals plus defect repairs.

A combination of methods 1 and 2 were used for this Plan.

Renewal will be undertaken using 'low-cost' renewal methods where practical. The aim of 'low-cost' renewals is to restore the service potential or future economic benefits of the asset by renewing the assets at a cost less than replacement cost.

Renewal will be undertaken using 'low-cost' renewal methods where practical. The aim of 'low-cost' renewals is to restore the service potential or future economic benefits of the asset by renewing the assets at a cost less than replacement cost.

### 4.3.3 Renewal Standards

Renewal work is carried out in accordance with the following Standards and Specifications:

- Current Australian and Industry Standards
  - Building Code of Australia 2016
  - Disability Discrimination Act (DDA)
  - Asbestos Removal Code of Practice
  - Electrical Wiring Code AS3000
- Work Health Safety Act and Regulations

### 4.3.4 Summary of Future Renewal Expenditure

The forecast renewal was in the 2019 AMP based on depreciation. Further work on this since that time has assisted Council in its review of the renewal basis.

***The AMP, consistent with the long-term financial plan, must aim to achieve 'the optimal level'<sup>3</sup> of proposed asset maintenance, renewal and replacement outlays necessary to achieve the Council's specified service levels, while minimising whole-of-life-cycle asset costs.***

In a scenario where all parameters (use by Asset managers, Council, Valuers, etc.) are properly assessed depreciation would provide such 'optimal level' of renewal expenditure. However, the

<sup>3</sup> Information Paper 6 – Infrastructure and Asset Management – Revised December 2019 indicates: "the long-term financial plan must reflect the optimal level of proposed asset maintenance, renewal and replacement outlays necessary to achieve the Council's specified service levels, while minimising whole-of-life-cycle asset costs, as specified in the Council's AMPs."



estimated lives, which form a core of the depreciation calculation, seem to be moved out into the future when a revaluation occurs (every four years) because of the continuous maintenance that is carried out by Council on the assets in order for them to supply the same quality of service to the community over this time. I.e. the maintenance tends to increase the estimated lives of the assets beyond the current estimated lives used for depreciation purposes. Although some of this correction to the depreciation based on current estimated asset lives is intended to be corrected by a more detailed classification within the asset sub classes (e.g. Services, Fit-out, Super structure, etc. – see table below), experience is that the estimated lives seem to be conservative for buildings over the longer term. Additionally, there are some assets, primarily within the buildings and structures, that are of heritage value, and constant maintenance will be kept up to keep these in their heritage state. In these cases.

Combined Council has determined that the optimal level of renewal is based on a weighted percentage of the depreciation per asset sub-class, subsequently adjusted down for the impact of continuous maintenance. This optimal level can be met by the combination of maintenance and capital renewal of the underlying assets. At this point in time, for Buildings and Structures, Council assumes the full maintenance expenditure (100%) is extending the life of the Buildings and Structures equally. The outcome of this process then forms the input in the LTFP and drives the overall asset sustainability ratios within Council for the various asset classes.

Within buildings and structures the following percentages are applied for the optimal level determination:

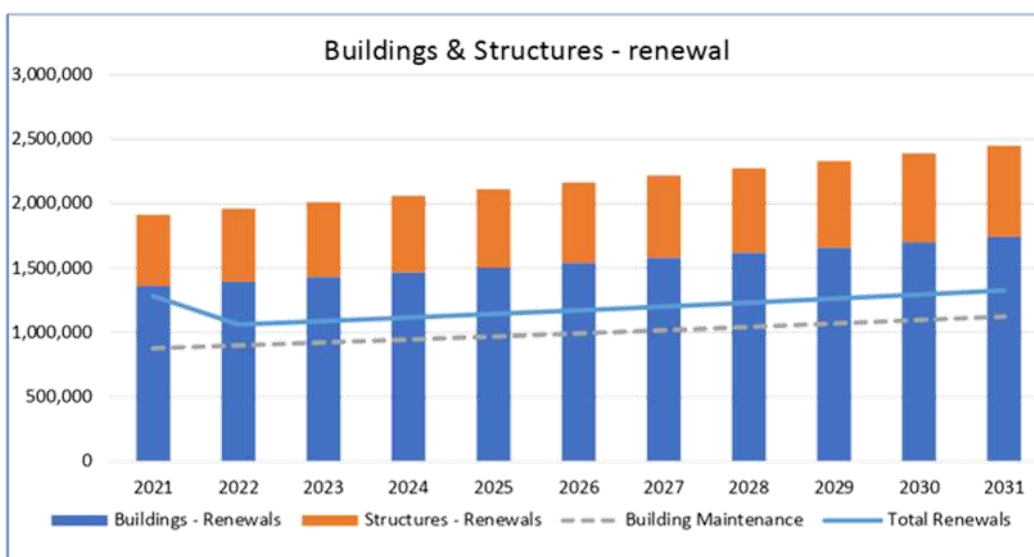
	Estimated life	Renewal Percentage
<b>Buildings</b>		
Various	15	100%
Various	20	100%
Services	25	50%
Fit-out	30	50%
Sheds, Structures, Roofing	40	100%
Toilets & Super-structure	50	100%
Super-structure	60	100%
Super-structure	80	90%
Sub-structure & Super-structure	100	90%
Weighted average - <b>Building</b> Renewals		63%
<b>Structures</b> Renewals		90%

Projected future renewal expenditures - the optimal level of renewals - are forecast to increase over time as the asset stock ages. The costs are summarised in Figure 5. Note that all costs are shown in nominal dollar values.

**Figure 5: Projected capital renewal expenditure over next 10 years**







Planned renewals are to be funded from Council's capital works program and grants where available. This is further discussed in Section 5.2. Council has recently taken the first step towards improving its buildings and structures planned renewal programming by using remaining useful life estimates. Future iterations of this Plan will become more detailed as Council continues to develop its assets categorisation and information.

**4.4 Creation / Acquisition / Upgrade Plan**

New works are those works that create a new asset that did not previously exist or works which upgrade or improve an existing asset beyond its existing capacity. They may result from growth, social or environmental needs.

Council has recently started building the Wulanda Recreation and Convention Centre which will result in the largest infrastructure asset investment in Council's history. For this reason, expenditure on other new assets has been kept minimal pending a successful completion.

**4.4.1 Selection Criteria**

New assets and upgrade/expansion of existing assets are identified from various sources such as community requests, proposals identified by strategic plans or partnerships with other organisations. Candidate proposals are inspected to verify need and to develop a preliminary estimate. Verified proposals are ranked by priority and available funds and scheduled in future works programmes. Council ultimately makes the decision on priority ranking of new assets based on this information.

**4.4.2 Standards and Specifications**

Standards and specifications for new assets and for upgrade/expansion of existing assets are the same as those for renewal shown in Section 4.4.2.

**4.4.3 Summary of Future Upgrade / New Assets Expenditure**

New assets and services are to be funded from Council's capital works program and grant funding where available. This is further discussed in Section 5.2.

**4.5 Disposal Plan**

Currently there are no assets in the buildings and structures category that are listed for disposal. Council is considering the demolition and renewal of public amenities.



## 5 FINANCIAL SUMMARY

This section contains the financial requirements resulting from all the information presented in the previous sections of this AMP. The financial projections will be improved as further information becomes available on asset technical details and condition, desired levels of service and current and projected future asset performance.

### 5.1 Financial Statements and Projections

#### 5.1.1 Sustainability of Service Delivery

There are two key indicators for financial sustainability that have been considered in the analysis of the services provided by this asset category, these being long term life cycle costs and medium-term costs over the 10 year financial planning period.

##### Long term - Life Cycle Cost

Life cycle costs (or whole of life costs) are the average costs that are required to sustain the service levels over the longest asset life. Life cycle costs include maintenance and asset consumption, i.e. depreciation expense. The buildings and structures annual consumption cost for the services covered in this Plan, represented by the Buildings – Renewals and the Structures – Renewals amounts to \$21,978.

Life cycle costs can be compared to life cycle expenditure to give an indicator of sustainability in service provision. Life cycle expenditure includes maintenance plus capital renewal expenditure. Life cycle expenditure will vary depending on the timing of asset renewals.

The AMP is created with the view to include the optimal level and therefore should not show a gap. Such a gap will only appear in case the LTFP drives capital allocation to a different year than as per the AMP, or when Council does for other reasons spend more or less on life cycle costs for the year than the AMP suggests

Any gap between life cycle costs and life cycle expenditure gives an indication as to whether present consumers are paying their share of the assets that are consumed each year.

The above confirms the purpose of this AMP: to identify levels of service that the community needs and can afford and develop the necessary long-term financial plans to provide the service in a sustainable manner so that future generations are not burdened with failing assets.

A gap between projected asset renewal expenditure and actual (planned) expenditure indicates that further work is required to manage required service levels and future planned expenditure funding needs to eliminate any funding gap.

Council will need to manage the 'gap' by developing this AM Plan to provide guidance on future service levels and resources required to provide these services, and to ensure that the gap closes to a controllable level.

### 5.2 Funding Strategy

Projected expenditure identified in Figure 5 is to be funded from Council's operating and capital budgets. The funding strategy is detailed in Council's Long-Term Financial Plan (LTFP).

Additional new and renewal of building capital, in addition to the optimal level, or as part of reaching the optimal level, could be funded out of regular Council income. However, taking into account Council's financial constraints other options to assist reducing a funding gap or fund additional capital expenditure include:



- Grant funding
- Fundraising
- Alternate revenue streams
- Sale of underutilised assets
- Change in services and service levels
- Refinement of CPI and consumption rates and assumptions.

### 5.3 Valuation Forecasts

Asset values are forecast to increase as additional assets are added to the asset stock from construction and acquisition by Council and from assets constructed by land developers and others. Depreciation expense values are forecast in line with asset values based on asset condition depreciation and will be adjusted in accordance with asset revaluations which will occur from time to time taking into account condition assessments and additional asset age data.

The depreciated replacement cost (current replacement cost less accumulated depreciation) will vary over the forecast period depending on the rates of addition of new assets, disposal of old assets and consumption and renewal of existing assets. Council may wish to explore the option for limited asset disposal of buildings and structures whilst still maintaining a reasonable and acceptable level of service to the community.



#### 5.4 Key Assumptions made in Financial Forecasts

This section details the key assumptions made in presenting the information contained in this Plan and in preparing forecasts of required operating and capital expenditure and asset values. It is presented to enable readers to gain an understanding of the levels of confidence in the data behind the financial forecasts.

Key assumptions made in this Plan are:

- Asset condition and valuation has been determined by AssetVal Pty Ltd.
- Straight line depreciation of asset condition has been assumed and AssetVal Pty Ltd have determined the residual value for buildings and structures assets.
- This AM Plan was put together based on the information at hand at the time of preparing the Plan. As asset information is updated and more accurate information becomes available, this Plan will become more accurate.
- With respect to Table 12 projected renewals are assumed to increase in value at a rate of 2.5% per annum.

#### 5.5 Improvement and Monitoring

##### 5.5.1 Accounting and financial systems

Council uses Civica Authority as its accounting and financial system. This system integrates with Council's asset management system another module of the Civica Authority suite.

The Australian Accounting Standards provide the benchmark against which Council reports on asset accounting. Council's current capitalisation threshold is \$5,000.

The link between asset management and the financial system includes:

- The assumed works programs and trends
- The resulting budget, valuation and depreciation projections
- Useful life analysis (including renewal projections)
- Inputs to Council's LTFP and ABP&B

## 6 REFERENCES

City of Mount Gambier Community Plan – The Futures Paper 2016-2020

City of Mount Gambier Annual Report and Budget

DVC, 2006, 'Asset Investment Guidelines', 'Glossary', Department for Victorian Communities, Local Government Victoria, Melbourne

IPWEA, 2006, 'International Infrastructure Management Manual', Institute of Public Works Engineering Australia, Sydney, [www.ipwea.org.au](http://www.ipwea.org.au)



**7 APPENDICES**

**7.1 Buildings and structures Asset Management Plan**

<b>Buildings and Structures Asset Management Plan - 2022-2031</b>										
	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>	<b>2030</b>	<b>2031</b>
<b>Renewal</b>	562,101	588,654	615,870	1,143,767	1,172,361	1,201,670	1,231,712	1,262,505	1,294,067	1,326,419
<b>Upgrade/new</b>	51,250	52,531	53,845	55,191	56,570	57,985	59,434	60,920	62,443	64,004
<b>Maintenance</b>	899,626	922,117	945,170	968,799	993,019	1,017,844	1,043,290	1,069,373	1,096,107	1,123,510






# Library Information Technology and Sundry Asset Management Plan 2022-2031

February 2021



<b>Document Control</b>					
Document ID: AF11/1786 City of Mount Gambier Infrastructure and Asset Management Plan					
Rev No	Date	Revision Details	Author	Reviewer	Approver
1	February 2019	Creation of Document – 1 <sup>st</sup> Draft	KR	PL	PL
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**TABLE OF CONTENTS**

**LIBRARY, IT AND SUNDRY ASSETS** ..... 4

**1 INTRODUCTION** ..... 4

    1.1 Background ..... 4

    1.2 Assumptions ..... 5

    1.3 Goals and Objectives of Asset Management ..... 5

    1.4 Plan Framework ..... 6

**2 LEVELS OF SERVICE** ..... 7

    2.1 Legislative Requirements ..... 7

**3 FUTURE DEMAND** ..... 7

    3.1 Demand Forecast ..... 7

    3.2 Demand Management Plan ..... 8

**4 LIFECYCLE MANAGEMENT PLAN** ..... 8

    4.1 Background Data ..... 8

        4.1.1 Physical Parameters ..... 8

        4.1.2 Asset Capacity and Performance ..... 8

        4.1.3 Asset Condition ..... 9

    4.2 Routine Maintenance Plan ..... 9

        4.2.1 Maintenance Plan ..... 9

        4.2.2 Standards and Specifications ..... 9

    4.3 Renewal / Replacement Plan ..... 9

        4.3.1 Renewal Plan ..... 9

        4.3.2 Summary of Future Renewal Expenditure ..... 9

    4.4 Creation / Acquisition / Upgrade Plan ..... 10

        4.4.1 Selection Criteria ..... 10

        4.4.2 Summary of Future Upgrade / New Assets Expenditure ..... 10

**5 FINANCIAL SUMMARY** ..... 11

    5.1 Financial Statements and Projections ..... 11

    5.2 Key Assumptions made in Financial Forecasts ..... 12

    5.3 Improvement and Monitoring ..... 12

        5.3.1 Accounting and financial systems ..... 12

        5.3.2 IT asset management ..... 12

**6 REFERENCES** ..... 12

**7 Appendices** ..... 13

    7.1 Library, Information Technology and Sundry Asset Management Plan ..... 13





**LIBRARY, IT AND SUNDRY ASSETS**

**1 INTRODUCTION**

**1.1 Background**

The Library, IT and Sundry Asset Management Plan is to be read in conjunction with Council's Asset Management Policy, Asset Management Strategy and the following associated planning documents:

- Long Term Financial Plan (LTFP)
- Annual Business Plan and Budget (ABP&B)
- Councils Strategic Plan

The asset categories covered by this Asset Management Plan as of 31 July 2020 are shown in Table 1.

**Table 1 – Library, IT and Sundry Assets**

<b>Asset Category</b>	<b>Cost</b>	<b>Written down Value</b>
Books / Materials	\$2,938,397	\$891,368
IT Hardware and Equipment	\$1,160,098	\$276,205
Software	\$774,563	\$300,159
Leased IT Assets	\$537,749	\$349,612
Minor Plant	\$271,817	\$164,395
Christmas Decorations and Banners	\$60,073	\$51,466
Public Art	\$18,584	\$15,209
Landscaping	\$189,754	\$166,771
Street Trees	\$427,532	\$401,989
Furniture & Fittings (not fixed)	\$84,317	\$44,484



## 1.2 Assumptions

This Library, IT and Sundry Asset Management Plan is based on current service levels.

It is assumed that the current financing approach will continue; therefore, where assets are currently leased, this plan assumes they will continue to be leased.

Key stakeholders in the preparation and implementation of this Asset Management Plan are shown in Table 2.

**Table 2 - Stakeholders**

Key Stakeholder	Role in AM Plan
Councillors	<ul style="list-style-type: none"> <li>• Represent needs of the community and stakeholders</li> <li>• Set targeted sustainability ratios</li> </ul>
Executives	<ul style="list-style-type: none"> <li>• Adopt Asset Management Plan</li> <li>• Annual budget approvals</li> <li>• Portfolio sponsor</li> </ul>
Customers	<ul style="list-style-type: none"> <li>• End users of service/assets</li> </ul>
Insurers and Lessors	<ul style="list-style-type: none"> <li>• Partner with Council to mutually cover risk exposure</li> <li>• Partner with Council to provide alternate financial solutions</li> </ul>
iServices Staff	<ul style="list-style-type: none"> <li>• Plan and facilitate asset acquisition, renewal, upgrade and disposal in accordance with this plan.</li> <li>• Establish service levels</li> <li>• Mitigate risk exposure</li> <li>• Monitor assets (including condition)</li> <li>• Coordinate planned and reactive maintenance with Council staff</li> </ul>
Finance Staff	<ul style="list-style-type: none"> <li>• Council's LTFP</li> <li>• Asset valuation and depreciation</li> <li>• Procurement facilitation</li> </ul>

## 1.3 Goals and Objectives of Asset Management

The Council exists to provide services to its community and many of these services are supported by the assets contained in this plan. The assets Council has acquired assets by purchase, donation, grants and operating lease.

Council's goal in managing these assets is to meet the expected level of service in the most cost-effective manner for present and future consumers. The key elements of this asset management are:

- Taking a life cycle approach to developing cost-effective management strategies for the long term
- Providing a defined level of service and monitoring performance in line with stakeholder needs
- Managing risks associated with asset failures and disasters
- Continuous improvement in asset management practices.

This plan is prepared to facilitate community consultation and in line with section 122(6) and 122(7) of the Local Government Act the draft plan is made available to the public at our principal office for feedback prior to adoption by Council.



### 1.4 Plan Framework

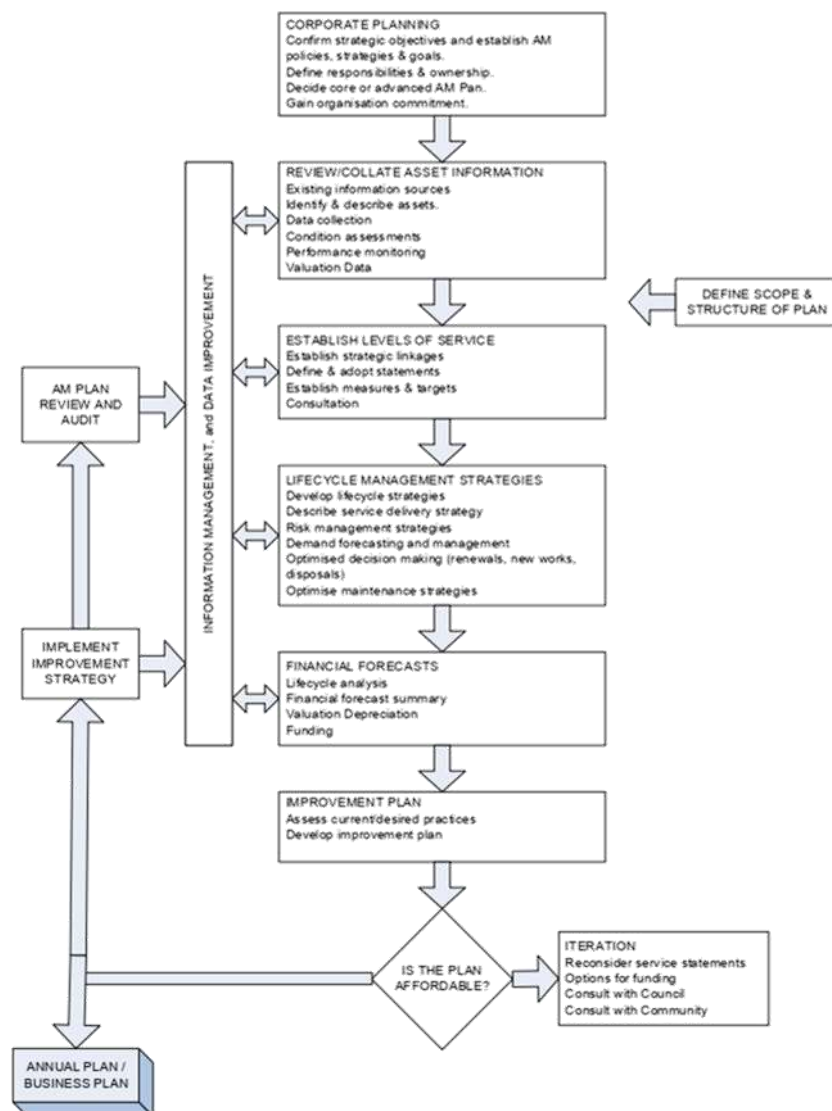
Key elements of the Plan are

- Levels of service – specifies the services and levels of service to be provided by Council
- Future demand – how this will impact on future service delivery and how demand will be met
- Life cycle management – how Council will manage its existing and future assets to provide the defined levels of service
- Financial summary – what funds are required to provide the required services
- Monitoring – how the Plan will be monitored to ensure it is meeting Council’s objectives
- Asset management improvement planning.

A road map for preparing an asset management plan is shown below.

#### Road Map for preparing an Infrastructure and Asset Management Plan

Source: IMM Fig 1.5.1, p 1.11



## 2 LEVELS OF SERVICE

### 2.1 Legislative Requirements

Council must meet many legislative requirements including Australian and State legislation and State regulations. These include:

**Table 3 - Legislative Requirements**

Legislation	Requirement
Local Government Act, 2009	Sets out role, purpose, responsibilities and powers of local governments including the preparation of a long-term financial plan supported by Infrastructure and Asset Management Plans for sustainable service delivery.
State Records Act, 1997	Set out responsibilities and requirement in relation to the management of Council records.
Work Health and Safety Act, 2012	Sets out roles and responsibilities to secure the health, safety and welfare of persons at work

## 3 FUTURE DEMAND

### 3.1 Demand Forecast

Drivers affecting demand include population change, changes in demographics, consumer preferences and expectations, technological advances, economic factors, environmental awareness and risk management practices, etc.

Advances in technology will have significant impact on Council's assets and the expectations of our community to keep up to date with these changes.

Demand factor trends and impacts on service delivery are summarised in Table 4.

**Table 4 - Demand Factors, Projections and Impact on Services**

Demand factor	Present position	Projection	Impact on services
Population	26,348 (30 <sup>th</sup> June 2015)	1% growth	Increase access to IT and library assets and increased data processing capacity
Demographics	Ageing population	2 to 3% growth	Increase in IT and library assets that assist our ageing population
Community Expectations		Mobile and online solutions	Increased investment in resources required to meet demand and maintain existing services
Technological advances		Mobile and solutions and devices	Increased investment in resources required to meet demand and maintain existing services



### 3.2 Demand Management Plan

Demand for new services will be managed through a combination of managing existing assets, upgrading of existing assets and providing new assets to meet demand. Demand management practices include non-asset solutions, insuring against risks and managing failures.

Non-asset solutions focus on providing the required service without the need for the organisation to own the assets, such as providing services from existing infrastructure which may be in another community area. They also include managing expectations in relation to service standards and service failures.

## 4 LIFECYCLE MANAGEMENT PLAN

The lifecycle management plan details how Council plans to manage and operate the assets at the agreed levels of service (defined in the section "Levels of Service") while optimising life cycle costs.

### 4.1 Background Data

This is the first iteration of Council identifying and formally planning for our assets. Data gathering has begun to holistically identify Council's hardware and software, both owned and leased.

#### 4.1.1 Physical Parameters

The assets covered by this Plan are shown in Table 1.

#### 4.1.2 Asset Capacity and Performance

Council's services are generally provided to meet design standards where these are available. Areas targeted for improvement are detailed in Table 5.

**Table 5 – Areas for improvement**

Service	Improvement
IT Asset Accountability	Identification of IT assets including location and responsibility. Automated process from time of purchase. Procedure to hold responsible officers accountable for all items assigned on a periodic basis.
IT Asset Acquisitions	Development of a procurement and acquisition planning procedure to ensure a certain level of scrutiny over all IT asset acquisitions. Aim is to continue with a decentralised purchasing approach, however incorporate a centralised review prior to purchase.
Enterprise IT applications	Upgrading of Enterprise wide systems to ensure not using outdated, unsupported technology and support Council on its continuous improvement regime.
Information Management	An overarching framework and formal procedures are needed in relation to operational information management and identification of standard mediums to register information.



#### **4.1.3 Asset Condition**

Due to the relatively short life of IT assets, condition is not a key driver for renewal. Advancements in technology and user expectations drive renewal needs however other assets covered by this plan are renewed based on their condition.

#### **4.2 Routine Maintenance Plan**

Routine maintenance is the regular on-going work that is necessary to keep assets operating, including instances where portions of the asset fail and need immediate repair to make the asset operational again.

##### **4.2.1 Maintenance Plan**

Maintenance includes reactive, planned and cyclic maintenance work activities.

Reactive maintenance is unplanned repair work carried out in response to service requests and management/supervisory directions.

Planned maintenance is repair work that is identified and managed through a maintenance management system (MMS). MMS activities include inspection, prioritising, scheduling, actioning the work and reporting what was done to develop a maintenance history and improve maintenance and service delivery performance.

Cyclic maintenance is replacement of higher value components/sub-components of assets that is undertaken on a regular cycle and may relate to regular server maintenance, monitoring public access Wi-Fi and ensuring usability.

Assessment and prioritisation of reactive maintenance is undertaken by Council staff using experience and judgement.

##### **4.2.2 Standards and Specifications**

Maintenance work is carried out in accordance with the following Standards and Specifications:

- Current Australian and Industry Standards
- Work Health Safety Act and Regulations
- Council Standards and Specifications

#### **4.3 Renewal / Replacement Plan**

Renewal expenditure is major work which does not increase the asset's design capacity but restores, rehabilitates, replaces or renews an existing asset to its original service potential. Work over and above restoring an asset to original service potential is classed as upgrade/expansion or new works expenditure.

##### **4.3.1 Renewal Plan**

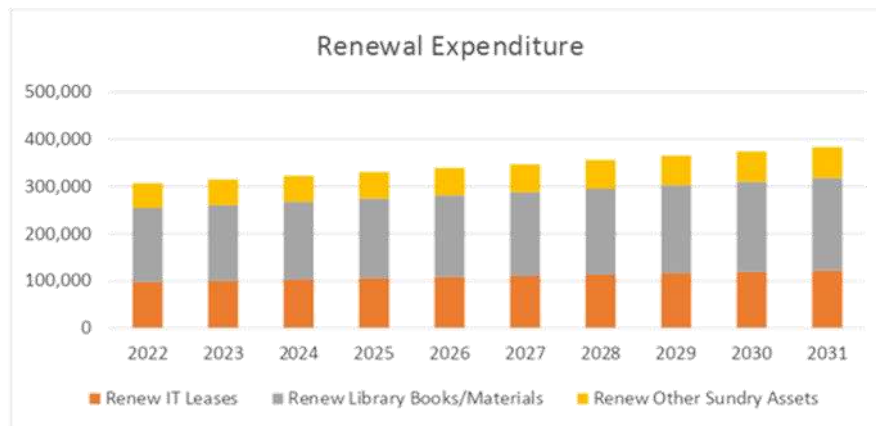
Assets requiring renewal are identified using the Asset Register data to project the renewal costs using acquisition year and useful life to determine the renewal year

##### **4.3.2 Summary of Future Renewal Expenditure**

Projected future renewal expenditures are forecast to increase over time as the asset stock increases from growth and demand. The costs are summarised in Figure 2. Note that all costs are shown in real dollar values.



**Figure 2: Projected renewal costs**



Deferred renewal, i.e. those assets identified for renewal and not scheduled for renewal in capital works programs are to be included in the risk assessment process in Council's Risk Management Plan. Renewal and replacement expenditures in Council's capital works program will be accommodated in Council's LTFP.

**4.4 Creation / Acquisition / Upgrade Plan**

New assets are those that create a new asset that did not previously exist or works which upgrade or improve an existing asset beyond its existing capacity. They may result from technology growth, social or environmental needs. Community IT assets may also be acquired at no initial cost to Council from generous public and business donations.

**4.4.1 Selection Criteria**

New assets and upgrade/expansion of existing assets are identified from various sources such as community requests, Councillor/Executive requests, proposals identified by strategic plans or partnerships with other organisations. Candidate proposals are inspected to verify need and to develop a preliminary renewal estimate. Verified proposals are ranked by priority and available funds and scheduled in future works programs. Council ultimately makes the decision on priority ranking of new assets based on this information.

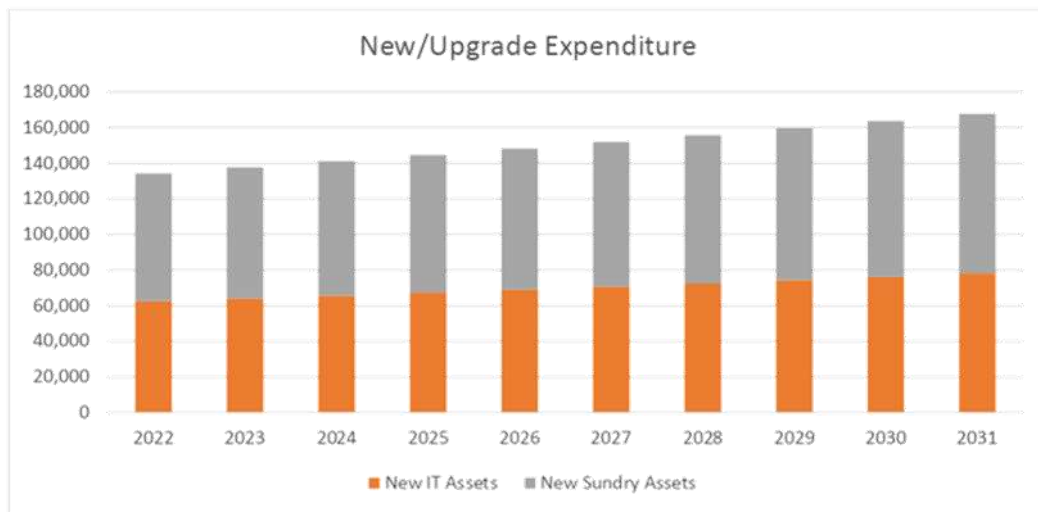
**4.4.2 Summary of Future Upgrade / New Assets Expenditure**

New assets and services are to be funded from Council's capital works program and grants where available.

Projected upgrade/new asset expenditures are summarised below



**Figure 3: Projected New/Upgrade Costs**

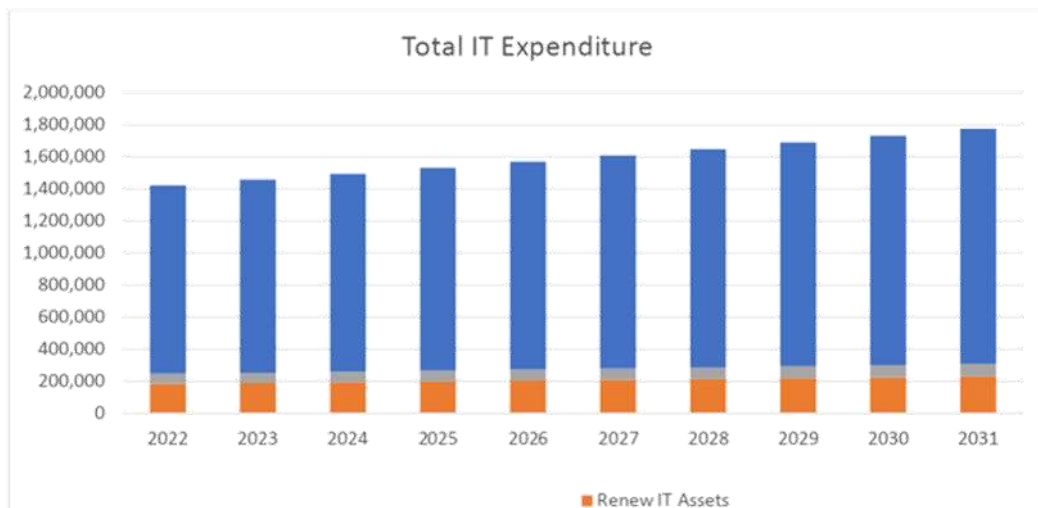


**5 FINANCIAL SUMMARY**

This section contains the financial requirements resulting from all the information presented in the previous sections of this Asset Management Plan. The financial projections will be improved as further information becomes available on desired levels of service and current and projected future asset performance.

**5.1 Financial Statements and Projections**

The financial projections are shown in Figure 4 for planned operating (operations and maintenance) and capital expenditure (renewal and upgrade/expansion/new assets) for the IT area.



Note that all costs are shown in real dollar values.





## 5.2 Key Assumptions made in Financial Forecasts

This section details the key assumptions made in presenting the information contained in this Asset Management Plan and in preparing forecasts of required operating and capital expenditure and asset values. It is presented to enable readers to gain an understanding of the levels of confidence in the data behind the financial forecasts.

Key assumptions made in this Asset Management Plan are:

- Renewal of desktop & mobile devices every 3 years and communication devices every 5 years.
- Public art will not be renewed but rather new artwork will be commissioned.
- The art collection will only ever be new assets
- Street trees will not be renewed however the planting of new street trees will continue.
- Straight line depreciation of asset condition has been assumed.
- Projected renewals are assumed to increase in value at a rate of 2.5% per annum.

## 5.3 Improvement and Monitoring

### 5.3.1 Accounting and financial systems

Council uses Civica Authority as its accounting and financial system. This system integrates with Council's asset management system another module of the Civica Authority suite.

### 5.3.2 IT asset management

Council has Manage Engine Service Desk Plus to assist in managing and monitoring IT assets and customer requests. This program will be used to automate the IT Hardware and Software Registers and include:

- Adopted service levels
- Assignment of responsibility for IT assets
- Reporting
  - Customer requests
  - Leased v's owned assets
  - Categorisation of assets

The link between asset management and the financial system includes:

- The assumed works programs and trends
- The resulting budget, valuation and depreciation projections
- Useful life analysis (including renewal projections)
- Inputs to Council's LTFP and ABP&B

## 6 REFERENCES

City of Mount Gambier Community Plan – The Futures Paper 2016-2020

City of Mount Gambier Annual Report and Budget

IPWEA, 2006, 'International Infrastructure Management Manual', Institute of Public Works Engineering Australia, Sydney, [www.ipwea.org.au](http://www.ipwea.org.au)



**7 Appendices**

**7.1 Library, Information Technology and Sundry Asset Management Plan**

<b>Library, IT and Sundry Asset Management Plan - 2022-2031</b>											
		<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>	<b>2030</b>	<b>2031</b>
<b>Library</b>	<b>Renewal</b>	156,420	160,330	164,339	168,447	172,658	176,975	181,399	185,934	190,582	195,347
<b>IT</b>	<b>Renewal</b>	183,885	188,482	193,194	198,024	202,975	208,049	213,250	218,582	224,046	229,647
	<b>Upgrade/new</b>	75,000	76,875	78,797	80,767	82,786	84,856	86,977	89,151	91,380	93,665
<b>Sundry</b>	<b>Renewal</b>	52,682	53,999	55,349	56,733	58,151	59,605	61,095	62,622	64,188	65,793
	<b>Upgrade/new</b>	128,125	131,328	134,611	137,977	141,426	144,962	148,586	152,300	156,108	160,011





DRAFT

FY2022-FY2031  
Long Term  
Financial Plan

For adoption 16 February 2021



## FY2022-FY2031 LONG TERM FINANCIAL PLAN

### Contents

Introduction.....	3
LTFP FY2022-FY2031 .....	4
LTFP Assumptions .....	4
LTFP reports .....	5
Funding the LTFP .....	5
Conclusion .....	6
Appendix A FY2022-FY2031 LTFP Income Statement.....	7
Appendix B FY2022-FY2031 LTFP Balance Sheet.....	8
Appendix C FY2022-FY2031 LTFP Cash Flow Statement.....	9
Appendix D FY2022-FY2031 LTFP Ratios.....	10
Glossary .....	12



## **FY2022-FY2031 LONG TERM FINANCIAL PLAN**

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### **Introduction**

The Long Term Financial Plan (LTFP) provides Council with the long term presentation of the financial implications and plans. Council's first LTFP was adopted in March 2019. Since that time the City of Mount Gambier has adopted the Strategic Plan 2020-2024. Another input in the LTFP are Council's AMPs, which are reviewed every second year.

Every year, in preparation for the Annual Business Plan and Budget (ABP&B) Council reviews and its LTFP to confirm the financial viability of its plans long term. Every second year the LTFP is to be fully reviewed and adopted.

Council's Strategic Plan and Council's LTFP need to be in sync. The Strategic Plan indicates the direction that Council is heading, where the LTFP aids Council in determining the financial viability of its Strategic plan project considering all financial repercussions of its commitments. The LTFP highlights where Council has additional or reduced scope to take on new projects, as well as the need to raise additional revenue, reduce expenditure, change the cash outflows or inflows in order to operate within its means. Some of these measures set by Council internally while others are requirements that come from third parties.

Managing the Strategic Plan, the AMPs and the LTFP is a delicate balancing act of resource allocation to priority projects.

At a high level, the LTFP projects:

- Profit & loss: the operating surplus / (deficit), the comprehensive surplus deficit,
- Balance sheet: the outcomes to the balance sheet and its impacts on some of the financial ratios, including the financial sustainability ratio
- Cash Flow statement: projection of cash position before and after borrowings, and the overall capital and loan positions.

These outcomes then impact the scope and size of the Strategic Plan's options for Council and vice versa.

To model the LTFP Council uses an excel based third party tool, used by multiple Council's in South Australia as well as in other States.

The LTFP model upload is aligned to Council's internal reporting to portfolio's. This consistency in reporting structure for management reporting and LTFP improves understanding.

As we are projecting out 10 years from today, regarding the assumptions applied to the data uploaded Council has aimed to find a balance between detail and high-level assumptions. This creates clarity on the assumptions in the model, rather than have to rely on additional detailed documents to confirm its assumptions.

The Strategic Plan 2020-2024, the AMPs and the LTFP are all available from Council's website: [www.mountgambier.sa.gov.au](http://www.mountgambier.sa.gov.au) .

The LTFP is a requirement of Section 122 (1) of the Local Government Act 1999. The purpose is to translate the vision, objectives and strategies of the Strategic Plan (also known as Community Plan) into financial terms and to guide the direction of Council in a financially sustainable manner.

The Council's LTFP was adopted in March 2019 and the reviewed LTFP FY2021 adopted in June 2020.

The Council's financial projections over the long-term planning horizon are not a prediction of financial position or performance, rather an indication of direction and financial capacity.



## LTFP FY2022-FY2031

The LTFP for this year has been reviewed in preparation for the ABP&B process start. With the construction of the Community and Recreation Hub commenced in 2020 the assumptions for the construction and the operating model for this facility have been updated and included in the LTFP model.

The LTFP has various inputs, including:

- Historical Council financials. These drive assumptions about depreciation, prepayments, accounts receivable and payable balances, etc. and forms a starting point for the LTFP to which other assumptions are applied
- The latest budget which drives, in the profit & loss statement, the starting point for the LTFP to which other assumptions (see below) are applied
- The latest budget review data, when available, replaces the budget data as starting point for the LTFP
  - as Council is managing its performance against budget with the aim of achieving budget, the budget review data is currently not uploaded into the model
- Assumptions on inflation of the various revenue and expense lines for the future years
- Once off 'known' impacts on the forecast (e.g. four yearly election expenses)
- The Asset Management Plans
- The Community and Recreation Hub financial assumptions for both construction and the operating model, based on 28 November 2020 assumptions on timing and overall costs.

Every year, as a first step in the preparation for the budget process, the LG Solutions LTFP model is updated for the above.

The Asset Management Plans impact on what the community sees from Council in infrastructure (Infrastructure (Roads) AMP, Buildings & structures AMP, Plant & equipment AMP) and services (Caroline landfill AMP, Library, IT and other AMP), are derived from Council's Strategic Plan, as well as provide an important input into the LTFP.

AMPs are long-term plans and are not aimed to identify the particular projects (which is what is done within the bi-annual works programme compilation process), but to set the long-term trajectory, with only major projects included when this leads to a deviation from the average trend over the 10 years of its horizon. The works programme is that reviewed against the AMPs to ensure Council's short-term plan fits within the Council determined longer term AMP.

## LTFP Assumptions

The major assumptions in the LTFP include the following:

- Rates – General Rates:
  - 4.5% increase for the years 2021/22 to 2030/31
- Other Charges & Other Rates & Reimbursements:
  - 2.41% to 2.55% annual increases for all
- Operating Expenditure: Employee Costs, Materials, Contracts & Other Expenses:
  - 2.41% to 2.55% annual increase
- Employee costs:
  - 2.41% to 2.55% annual increase
  - includes both salary growth and FTE growth
  - Superannuation – LTFP assumes increase to 12% by 2024/25
- Election expenses in FY23 (\$130,000) and FY27 (\$140,000)
- December 2020 WRCC Cash Flow Forecast, including both the Centre's construction as its operations based on June 2020 projections
- Continuation of existing Council services, therefore the current year's budget (FY2021) forms the starting point for the future years
- Updated AMPs to reflect current capital expenditure long term



The LTFP Model is normally based on the latest budget year, i.e. FY2021. To adjust for unique FY2021 budget items, which should not form the basis for the future 10 years of the LTFP, further adjustments were made to the LTFP assumptions to normalize the starting year FY2021 budget.

## LTFP reports

The four major LTFP reports, included in the attachments, are the following:

- Income Statement – Appendix A
- Balance Sheet – Appendix B
- Cash Flow Statement – Appendix C
- Ratio analysis – Appendix D

### Financial sustainability

Financial sustainability in local government ensures that each generation pays their way rather than any one generation living off their assets and leaving the responsibility for infrastructure/asset renewal to future generations.

South Australian local government has developed a set of indicators to measure councils' Financial Sustainability. Financial Sustainability Indicators and their targets are used by the Council as a guide in the LTFP. The principal indicators are derived from the Council's Audited Financial Statements being:

- Operating surplus / (deficit);
- Net financial liabilities; and
- Asset renewal funding (or asset sustainability).

The financial indicators represent the following:

- Operating surplus / (deficit) ratio - expresses the operating surplus (or deficit) as a percentage of general and other rates, net of rebates.
- Net financial liabilities ratio - indicates the extent to which net financial liabilities of the Council can be met by the Council's total operating revenue. Where the ratio is falling it indicates the Council's capacity to meet its financial obligations from operating revenues is strengthening. Where the ratio is increasing it indicates a greater amount of Council's operating revenue is required to service its financial obligations.
- Asset renewal funding ratio (or asset sustainability ratio) - indicates whether the Council is renewing or replacing existing physical assets at the rate at which they are wearing out. Councils with a high ratio are replacing and renewing capital assets at a rate comparable to depreciation/wear.

## Funding the LTFP

### General Rates

Council continues to rely heavily on rate revenue to fund its annual activities. General rate revenue contributes between 64.4% to 67.9% of Council's operating revenue for the LTFP.

### User charges, investment income and other income

Statutory and user charges, grants, subsidies and contributions and other income provide the remainder of Councils operating revenue. The LTFP shows additional revenue from the Community and Recreation Hub starting late in the 2021/22 financial year.

### Borrowings

Borrowings provide an alternative source of funding to enable Council to achieve its objectives and a means by which cash flows can be averaged out over a longer timeframe. Borrowings and cash flow are reviewed considering the LTFP and the objective of financial sustainability.

Debt is considered an appropriate and sound source of funding:



- In achieving strategic objectives of Council and within the context of long term financial sustainability.
- In creating long term infrastructure and the spreading of expenses/costs over the life of the asset and future users.
- To fund major capital expenditure only and not as a funding source for operating/recurrent expenditure commitments.

Council's Treasury Management Policy stipulates borrowing and investment direction. Borrowings can be a mixture of fixed and variable interest loans designed to manage liquidity and interest rate risk.

Existing borrowings are with the Local Government Finance Authority (LGFA), being the preferred financial institution of Local Government and its funding being guaranteed by the SA Government.

## **Conclusion**

The LTFP indicates that the Council projects its income to cover its expenses over the longer term, which is required in order to meet its financial obligations and targets over the term of the plan. Council has the financial capacity to continue to meet the service demands of the community, together with the flexibility to respond to changing circumstances.

The LTFP projects five years where Council's net financial liabilities ratio will be at 100% or over, up to 132% in FY2022 at the conclusion of the construction of the Community and Recreation Hub. In FY2026 this ratio is project to be 95%.

The projections indicate that, based on the above LTFP assumptions, the Council will return to a net surplus situation from FY2026.





# Appendix A FY2022-FY2031 LTFP Income Statement

City of Mount Gambier  
 10 Year Financial Plan for the Years ending 30 June 2031  
**INCOME STATEMENT - GENERAL FUND**  
 Scenario: Base Plan (rolled over from V11 - 19/20)

	Actuals 2019/20	Current Year 2020/21	Projected Years									
	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Income</b>												
Rates	22,138,000	22,808,652	23,810,512	24,857,706	25,951,914	27,094,874	28,288,766	29,535,740	30,838,302	32,198,802	33,619,831	35,104,095
Statutory Charges	523,000	320,056	327,769	335,898	344,363	353,075	362,043	371,239	380,706	390,414	400,369	410,579
User Charges	5,318,000	5,344,075	5,772,867	5,908,594	6,049,931	6,195,404	6,345,147	6,498,694	6,656,761	6,818,858	6,985,089	7,155,559
Grants, Subsidies and Contributions	4,227,000	4,679,893	4,792,678	4,911,537	5,035,308	5,162,701	5,293,833	5,428,297	5,566,718	5,708,670	5,854,241	6,003,524
Reimbursements	38,000	52,060	53,315	54,637	56,014	57,431	58,890	60,385	61,925	63,504	65,124	66,784
Other Income	439,000	240,000	795,629	2,513,638	2,565,931	2,619,428	2,674,154	2,730,140	2,787,413	2,846,003	2,905,942	2,967,258
Net gain - equity accounted Council businesses	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Income</b>	<b>32,738,000</b>	<b>33,444,736</b>	<b>35,552,771</b>	<b>38,582,010</b>	<b>40,003,460</b>	<b>41,482,913</b>	<b>43,022,834</b>	<b>44,624,495</b>	<b>46,291,825</b>	<b>48,026,251</b>	<b>49,830,596</b>	<b>51,707,798</b>
<b>Expenses</b>												
Employee Costs	12,230,000	13,172,175	14,163,176	16,029,721	16,491,820	16,968,475	17,394,242	17,830,704	18,279,683	18,739,980	19,211,881	19,695,676
Materials, Contracts & Other Expenses	13,263,000	14,154,055	13,636,433	14,733,515	14,969,479	15,346,018	15,733,472	16,270,721	16,539,511	16,958,658	17,388,438	17,829,120
Depreciation, Amortisation & Impairment	7,625,000	7,498,481	7,823,216	8,951,518	8,936,385	9,157,953	9,157,953	9,305,538	9,305,538	9,544,204	9,544,204	9,544,204
Finance Costs	170,000	212,859	463,633	1,161,520	1,109,363	971,350	924,224	874,503	815,409	756,535	693,173	618,014
Net loss - Equity Accounted Council Businesses	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Expenses</b>	<b>33,288,000</b>	<b>35,037,570</b>	<b>36,086,458</b>	<b>40,876,273</b>	<b>41,507,047</b>	<b>42,443,796</b>	<b>43,209,891</b>	<b>44,281,467</b>	<b>44,940,141</b>	<b>45,999,377</b>	<b>46,837,695</b>	<b>47,687,014</b>
<b>Operating Surplus / (Deficit)</b>	<b>(550,000)</b>	<b>(1,592,834)</b>	<b>(533,688)</b>	<b>(2,294,263)</b>	<b>(1,503,587)</b>	<b>(960,884)</b>	<b>(187,058)</b>	<b>343,028</b>	<b>1,351,684</b>	<b>2,026,874</b>	<b>2,992,901</b>	<b>4,020,784</b>
Asset Disposal & Fair Value Adjustments	(472,000)	(13,000)	(13,000)	(13,000)	(13,000)	(13,000)	(13,000)	(13,000)	(13,000)	(13,000)	(13,000)	(13,000)
Amounts Received Specifically for New or Upgraded Assets	-	8,175,000	17,175,000	-	-	-	-	-	-	-	-	-
<b>Net Surplus / (Deficit)</b>	<b>(285,000)</b>	<b>6,569,166</b>	<b>16,628,312</b>	<b>(2,307,263)</b>	<b>(1,516,587)</b>	<b>(973,884)</b>	<b>(200,058)</b>	<b>330,028</b>	<b>1,338,684</b>	<b>2,013,874</b>	<b>2,979,901</b>	<b>4,007,784</b>
<b>Other Comprehensive Income</b>												
Amounts which will not be reclassified subsequently to operating result												
Changes in Revaluation Surplus - I,PP&E	-	-	3,443,150	-	6,178,592	-	3,084,265	-	5,736,714	-	-	-
<b>Total Other Comprehensive Income</b>	<b>(327,000)</b>	<b>-</b>	<b>3,443,150</b>	<b>-</b>	<b>6,178,592</b>	<b>-</b>	<b>3,084,265</b>	<b>-</b>	<b>5,736,714</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Comprehensive Income</b>	<b>(612,000)</b>	<b>6,569,166</b>	<b>20,071,462</b>	<b>(2,307,263)</b>	<b>4,662,006</b>	<b>(973,884)</b>	<b>2,884,207</b>	<b>330,028</b>	<b>7,075,398</b>	<b>2,013,874</b>	<b>2,979,901</b>	<b>4,007,784</b>

# Appendix B FY2022-FY2031 LTFP Balance Sheet

City of Mount Gambier  
 10 Year Financial Plan for the Years ending 30 June 2031  
**BALANCE SHEET - GENERAL FUND**  
 Scenario: Base Plan (rolled over from V11 - 19/20)

	Actuals 2019/20	Current Year 2020/21	2021/22	2022/23	2023/24	2024/25	Projected Years					2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>ASSETS</b>												
<b>Current Assets</b>												
Cash & Cash Equivalents	4,406,000	-	5,600,653	5,149,393	1,882,823	893,482	-	-	577,334	-	-	1,575,192
Trade & Other Receivables	2,034,000	1,188,195	1,313,275	1,310,332	1,355,412	1,403,123	1,452,725	1,505,120	1,557,813	1,613,460	1,671,272	1,731,335
Inventories	55,000	44,319	42,694	46,133	46,871	48,050	49,263	50,946	51,787	53,099	54,445	55,824
<b>Total Current Assets</b>	<b>6,495,000</b>	<b>1,232,513</b>	<b>6,956,622</b>	<b>6,505,858</b>	<b>3,285,106</b>	<b>2,344,655</b>	<b>1,501,988</b>	<b>1,556,066</b>	<b>2,186,933</b>	<b>1,666,559</b>	<b>1,725,716</b>	<b>3,362,352</b>
<b>Non-Current Assets</b>												
Infrastructure, Property, Plant & Equipment	244,262,000	271,025,185	312,333,996	309,386,468	313,529,341	311,451,795	314,058,538	312,249,837	315,460,720	315,891,005	316,708,190	315,118,080
Other Non-Current Assets	2,581,000	2,581,000	2,581,000	2,581,000	2,581,000	2,581,000	2,581,000	2,581,000	2,581,000	2,581,000	2,581,000	2,581,000
<b>Total Non-Current Assets</b>	<b>246,843,000</b>	<b>273,606,185</b>	<b>314,914,996</b>	<b>311,967,468</b>	<b>316,110,341</b>	<b>314,032,795</b>	<b>316,639,538</b>	<b>314,830,837</b>	<b>318,041,720</b>	<b>318,472,005</b>	<b>319,289,190</b>	<b>317,699,080</b>
<b>TOTAL ASSETS</b>	<b>253,338,000</b>	<b>274,838,698</b>	<b>321,871,618</b>	<b>318,473,326</b>	<b>319,395,447</b>	<b>316,377,450</b>	<b>318,141,527</b>	<b>316,386,903</b>	<b>320,228,654</b>	<b>320,138,564</b>	<b>321,014,907</b>	<b>321,061,432</b>
<b>LIABILITIES</b>												
<b>Current Liabilities</b>												
Cash Advance Debenture	-	1,572,243	-	-	-	-	975,245	1,011,070	-	451,672	1,272,937	-
Trade & Other Payables	2,849,000	3,194,376	3,437,428	4,636,878	4,724,800	4,839,371	4,954,708	5,098,253	5,194,318	5,318,746	5,446,253	5,576,915
Borrowings	558,000	218,875	2,311,469	1,719,901	2,180,748	2,233,336	2,287,220	2,342,432	2,704,460	3,077,349	2,844,640	6,288,033
Provisions	2,557,000	2,548,118	2,548,118	2,548,118	2,548,118	2,548,118	2,548,118	2,548,118	2,548,118	2,548,118	2,548,118	2,548,118
<b>Total Current Liabilities</b>	<b>5,964,000</b>	<b>7,533,612</b>	<b>8,297,015</b>	<b>8,904,897</b>	<b>9,453,666</b>	<b>9,620,825</b>	<b>10,765,291</b>	<b>10,999,873</b>	<b>10,446,895</b>	<b>11,395,885</b>	<b>12,111,948</b>	<b>14,413,066</b>
<b>Non-Current Liabilities</b>												
Cash Advance Debenture	-	-	-	-	-	-	-	-	-	-	-	-
Borrowings	2,189,000	15,522,038	41,699,610	39,979,709	35,669,537	33,436,201	31,148,981	28,806,549	26,102,089	23,024,740	20,180,100	13,892,067
Provisions	3,863,000	3,891,882	3,912,364	3,933,354	3,954,873	3,976,936	3,999,560	4,022,759	4,046,548	4,070,945	4,095,964	4,121,620
<b>Total Non-Current Liabilities</b>	<b>6,052,000</b>	<b>19,413,921</b>	<b>45,611,974</b>	<b>43,913,063</b>	<b>39,624,410</b>	<b>37,413,137</b>	<b>35,148,541</b>	<b>32,829,308</b>	<b>30,148,637</b>	<b>27,095,685</b>	<b>24,276,064</b>	<b>18,013,687</b>
<b>TOTAL LIABILITIES</b>	<b>12,016,000</b>	<b>26,947,533</b>	<b>53,908,989</b>	<b>52,817,960</b>	<b>49,078,076</b>	<b>47,033,962</b>	<b>45,913,832</b>	<b>43,829,180</b>	<b>40,595,533</b>	<b>38,491,570</b>	<b>36,388,012</b>	<b>32,426,753</b>
<b>Net Assets</b>	<b>241,322,000</b>	<b>247,891,166</b>	<b>267,962,628</b>	<b>265,655,365</b>	<b>270,317,371</b>	<b>269,343,488</b>	<b>272,227,695</b>	<b>272,557,723</b>	<b>279,633,121</b>	<b>281,646,995</b>	<b>284,626,895</b>	<b>288,634,679</b>
<b>EQUITY</b>												
Accumulated Surplus	64,986,000	71,555,166	88,183,478	85,876,215	84,359,628	83,385,745	83,185,687	83,515,716	84,854,400	86,868,274	89,848,175	93,855,958
Asset Revaluation Reserves	175,462,000	175,462,000	178,905,150	178,905,150	185,083,743	185,083,743	188,168,007	188,168,007	193,904,721	193,904,721	193,904,721	193,904,721
Other Reserves	874,000	874,000	874,000	874,000	874,000	874,000	874,000	874,000	874,000	874,000	874,000	874,000
<b>Total Equity</b>	<b>241,322,000</b>	<b>247,891,166</b>	<b>267,962,628</b>	<b>265,655,365</b>	<b>270,317,371</b>	<b>269,343,488</b>	<b>272,227,695</b>	<b>272,557,723</b>	<b>279,633,121</b>	<b>281,646,995</b>	<b>284,626,895</b>	<b>288,634,679</b>

# Appendix C FY2022-FY2031 LTFP Cash Flow Statement

City of Mount Gambier

10 Year Financial Plan for the Years ending 30 June 2031

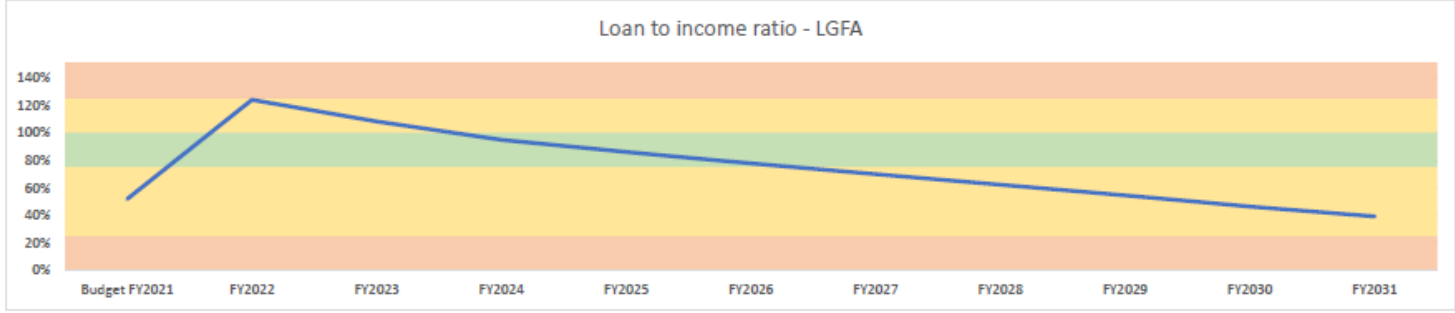
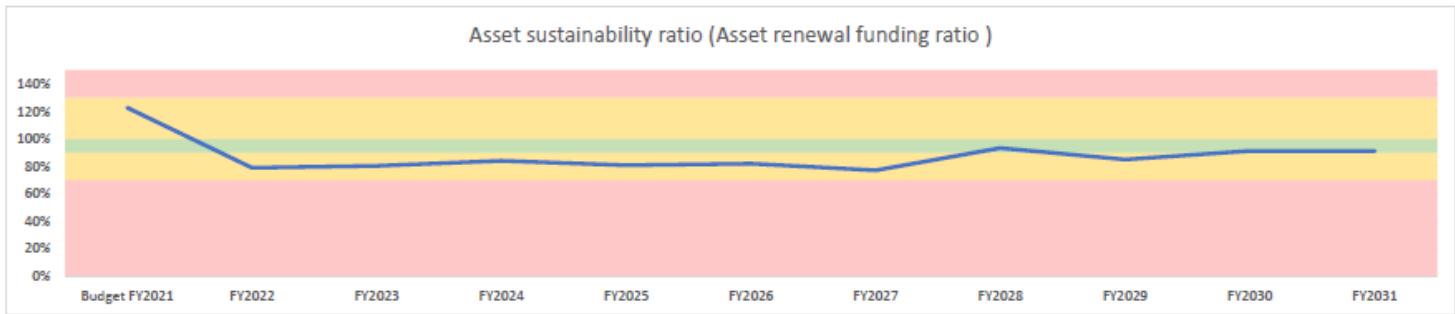
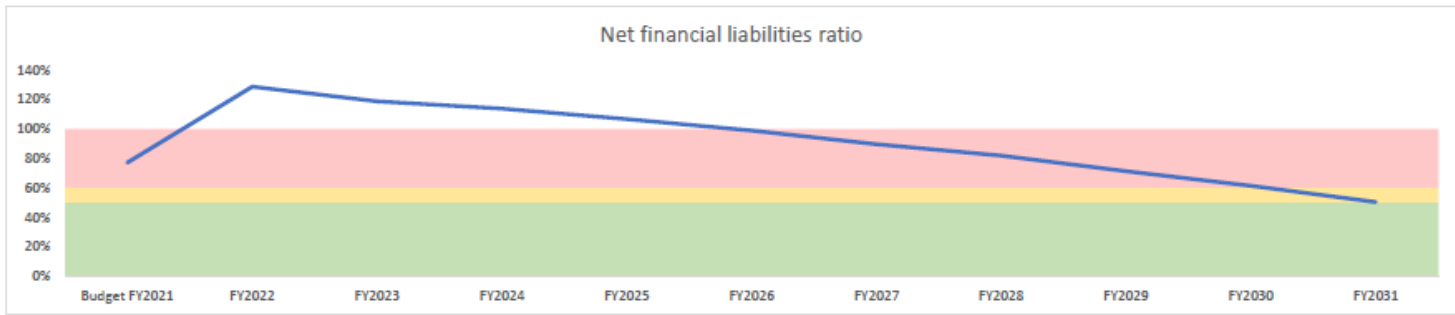
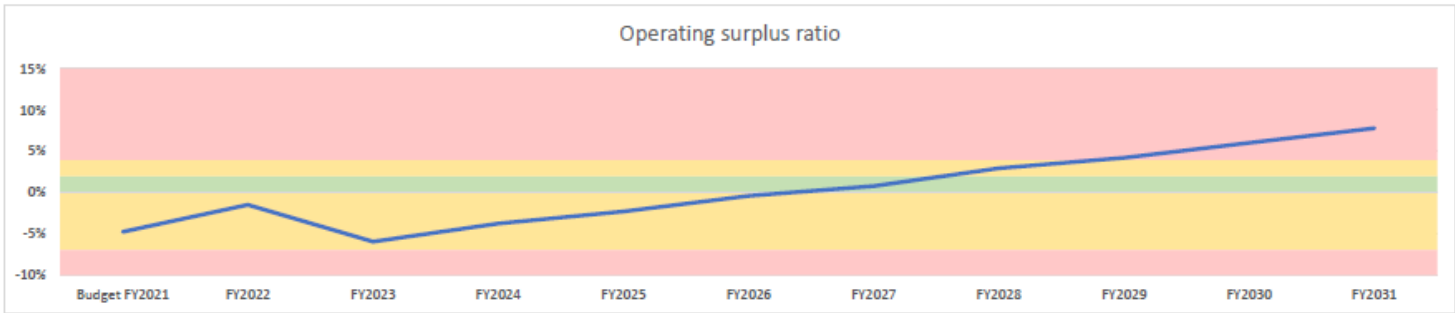
CASH FLOW STATEMENT - GENERAL FUND

Scenario: Base Plan (rolled over from V11 - 19/20)

	Actuals	Current Year	Projected Years									
	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Cash Flows from Operating Activities</b>												
<b>Receipts:</b>												
Rates Receipts	21,957,000	23,033,717	23,781,414	24,827,291	25,920,134	27,061,677	28,254,090	29,499,522	30,800,470	32,159,287	33,578,558	35,060,985
Statutory Charges	524,000	358,157	327,488	335,601	344,054	352,757	361,716	370,903	380,360	390,059	400,006	410,206
User Charges	5,696,000	5,655,190	5,757,208	5,903,638	6,044,769	6,190,092	6,339,679	6,493,087	6,650,988	6,812,939	6,979,019	7,149,333
Grants, Subsidies and Contributions (operating purpose)	4,227,000	4,624,283	4,468,443	5,518,400	5,030,904	5,158,168	5,289,168	5,423,513	5,561,793	5,703,619	5,849,061	5,998,212
Investment Receipts	57,000	5,228	-	-	-	-	-	-	-	-	-	-
Reimbursements	42,000	54,117	53,277	54,597	55,972	57,388	58,846	60,341	61,879	63,457	65,075	66,735
Other	1,002,000	350,754	1,340,818	2,892,884	2,592,651	2,646,763	2,702,117	2,758,747	2,816,678	2,875,941	2,936,569	2,998,589
<b>Payments:</b>												
Payments to Employees	(11,915,000)	(13,248,693)	(14,130,467)	(15,969,515)	(16,475,179)	(16,951,307)	(17,378,956)	(17,815,033)	(18,263,561)	(18,723,451)	(19,194,935)	(19,678,302)
Payments for Materials, Contracts & Other Expenses	(14,293,000)	(13,492,384)	(13,704,941)	(14,524,177)	(14,907,522)	(15,259,374)	(15,644,396)	(16,155,343)	(16,469,655)	(16,862,373)	(17,289,707)	(17,727,881)
Finance Payments	(170,000)	(212,859)	(463,633)	(1,161,520)	(1,109,363)	(971,350)	(924,224)	(874,503)	(815,409)	(756,535)	(693,173)	(618,014)
<b>Net Cash provided (or used in) Operating Activities</b>	<b>7,127,000</b>	<b>7,127,510</b>	<b>7,429,606</b>	<b>7,877,199</b>	<b>7,496,421</b>	<b>8,284,815</b>	<b>9,058,041</b>	<b>9,761,232</b>	<b>10,723,544</b>	<b>11,662,943</b>	<b>12,630,474</b>	<b>13,659,862</b>
<b>Cash Flows from Investing Activities</b>												
<b>Receipts:</b>												
Amounts Received Specifically for New/Upgraded Assets	-	8,175,000	17,175,000	-	-	-	-	-	-	-	-	-
Sale of Replaced Assets	385,000	-	-	-	-	-	-	-	-	-	-	-
Sale of Surplus Assets	72,000	-	-	-	-	-	-	-	-	-	-	-
Repayments of Loans by Community Groups	18,000	-	-	-	-	-	-	-	-	-	-	-
Expenditure on Renewal/Replacement of Assets	(5,627,000)	(9,008,683)	(7,140,274)	(5,235,217)	(6,210,272)	(6,372,429)	(7,954,429)	(6,752,359)	(6,016,293)	(9,191,664)	(9,558,669)	(7,130,980)
Expenditure on New/Upgraded Assets	(3,813,000)	(25,265,983)	(38,561,602)	(781,774)	(703,393)	(720,978)	(739,003)	(757,478)	(776,415)	(795,825)	(815,721)	(836,114)
<b>Net Cash provided (or used in) Investing Activities</b>	<b>(8,965,000)</b>	<b>(26,099,666)</b>	<b>(28,526,876)</b>	<b>(6,016,991)</b>	<b>(6,913,666)</b>	<b>(7,093,408)</b>	<b>(8,693,432)</b>	<b>(7,509,837)</b>	<b>(6,792,708)</b>	<b>(9,987,489)</b>	<b>(10,374,389)</b>	<b>(7,967,093)</b>
<b>Cash Flows from Financing Activities</b>												
<b>Receipts:</b>												
Proceeds from Borrowings	175,000	13,200,000	29,300,000	-	3,200,000	-	-	-	-	-	-	-
Repayments of Borrowings	-	(206,086)	(1,029,834)	(2,311,469)	(7,049,325)	(2,180,748)	(2,233,336)	(2,287,220)	(2,342,432)	(2,704,460)	(3,077,349)	(2,844,640)
<b>Net Cash Flow provided (used in) Financing Activities</b>	<b>175,000</b>	<b>12,993,914</b>	<b>28,270,166</b>	<b>(2,311,469)</b>	<b>(3,849,325)</b>	<b>(2,180,748)</b>	<b>(2,233,336)</b>	<b>(2,287,220)</b>	<b>(2,342,432)</b>	<b>(2,704,460)</b>	<b>(3,077,349)</b>	<b>(2,844,640)</b>
<b>Net Increase/(Decrease) in Cash &amp; Cash Equivalents</b>	<b>(1,663,000)</b>	<b>(5,978,243)</b>	<b>7,172,896</b>	<b>(451,260)</b>	<b>(3,266,570)</b>	<b>(989,341)</b>	<b>(1,868,727)</b>	<b>(35,825)</b>	<b>1,588,404</b>	<b>(1,029,006)</b>	<b>(821,265)</b>	<b>2,848,129</b>
<b>plus: Cash &amp; Cash Equivalents - beginning of year</b>	<b>6,069,000</b>	<b>4,406,000</b>	<b>(1,572,243)</b>	<b>5,600,653</b>	<b>5,149,393</b>	<b>1,882,823</b>	<b>893,482</b>	<b>(975,245)</b>	<b>(1,011,070)</b>	<b>577,334</b>	<b>(451,672)</b>	<b>(1,272,937)</b>
<b>Cash &amp; Cash Equivalents - end of the year</b>	<b>4,406,000</b>	<b>(1,572,243)</b>	<b>5,600,653</b>	<b>5,149,393</b>	<b>1,882,823</b>	<b>893,482</b>	<b>(975,245)</b>	<b>(1,011,070)</b>	<b>577,334</b>	<b>(451,672)</b>	<b>(1,272,937)</b>	<b>1,575,192</b>
Cash & Cash Equivalents - end of the year	4,406,000	(1,572,243)	5,600,653	5,149,393	1,882,823	893,482	(975,245)	(1,011,070)	577,334	(451,672)	(1,272,937)	1,575,192
<b>Cash, Cash Equivalents &amp; Investments - end of the year</b>	<b>4,406,000</b>	<b>(1,572,243)</b>	<b>5,600,653</b>	<b>5,149,393</b>	<b>1,882,823</b>	<b>893,482</b>	<b>(975,245)</b>	<b>(1,011,070)</b>	<b>577,334</b>	<b>(451,672)</b>	<b>(1,272,937)</b>	<b>1,575,192</b>
<b>Representing:</b>												
- External Restrictions	-	-	-	-	-	-	-	-	-	-	-	-
- Reserves	874,000	874,000	874,000	874,000	874,000	874,000	874,000	874,000	874,000	874,000	874,000	874,000
- Unrestricted	3,532,000	(2,446,243)	4,726,653	4,275,393	1,008,823	19,482	(1,849,245)	(1,885,070)	(296,666)	(1,325,672)	(2,146,937)	701,192
	<b>4,406,000</b>	<b>(1,572,243)</b>	<b>5,600,653</b>	<b>5,149,393</b>	<b>1,882,823</b>	<b>893,482</b>	<b>(975,245)</b>	<b>(1,011,070)</b>	<b>577,334</b>	<b>(451,672)</b>	<b>(1,272,937)</b>	<b>1,575,192</b>

# Appendix D FY2022-FY2031 LTFP Ratios

City of Mount Gambier 10 Year Financial Plan for the Years ending 30 June 2031 FINANCIAL PERFORMANCE INDICATORS - GENERAL FUND Scenario: Base Plan (rolled over from V11 - 19/20)											
	Current Year	Projected Years									
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
Note 15 Ratios											
Operating Surplus Ratio	-4.8%	-1.5%	-5.9%	-3.8%	-2.3%	-0.4%	0.8%	2.9%	4.2%	6.0%	7.8%
Adjusted Operating Surplus Ratio	-4.8%	-1.5%	-5.9%	-3.8%	-2.3%	-0.4%	0.8%	2.9%	4.2%	6.0%	7.8%
Net Financial Liabilities Ratio	77.0%	132.2%	120.2%	114.6%	107.8%	103.3%	94.8%	83.1%	76.8%	69.7%	56.3%
Asset Renewal Funding Ratio	122.6%	93.5%	91.3%	92.6%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Interest Cover Ratio	0.6%	1.3%	3.0%	2.8%	2.3%	2.1%	2.0%	1.8%	1.6%	1.4%	1.2%
Asset Consumption Ratio	64.8%	66.6%	64.9%	63.2%	61.7%	60.3%	59.0%	57.5%	56.6%	55.8%	54.9%
Old Note 15 Ratios											
Operating Surplus Ratio	-6.98%	-2.24%	-9.23%	-5.79%	-3.55%	-0.66%	1.16%	4.38%	6.29%	8.90%	11.45%
Adjusted Operating Surplus Ratio	-7.0%	-2.2%	-9.2%	-5.8%	-3.5%	-0.7%	1.2%	4.4%	6.3%	8.9%	11.5%
Other Ratios											
not used	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
not used	-	-	-	-	-	-	-	-	-	-	-
Operating surplus / (deficit)	(1,592,834)	(533,688)	(2,294,263)	(1,503,587)	(960,884)	(187,058)	343,028	1,351,684	2,026,874	2,992,901	4,020,784
Asset Renewal Funding Ratio											
Infrastructure & Asset Management Plan required expenditure	7346000	7640000	5735000	6710000	6372000	7954000	6752000	6016000	9192000	9559000	7131000
Total Borrowings, including CAD	17,313,156	44,011,079	41,699,610	37,850,285	35,669,537	34,411,446	32,160,051	28,806,549	26,553,761	24,297,677	20,180,100
Total Income	33,444,736	35,552,771	38,582,010	40,003,460	41,482,913	43,022,834	44,624,495	46,291,825	48,026,251	49,830,596	51,707,798
Borrowings/Income	52%	124%	108%	95%	86%	80%	72%	62%	55%	49%	39%
Rates Revenue											
		67.0%	64.4%	64.9%	65.3%	65.8%	66.2%	66.6%	67.0%	67.5%	67.9%
CAPEX											
		37,892,102	95,536	-	-	-	-	-	-	-	-
CAPEX											
		6,549,292	6,604,933	7,124,582	6,973,279	7,223,407	7,082,513	8,580,071	7,969,647	8,836,848	9,051,017
		7640000	5735000	6710000	6372000	7954000	6752000	6016000	9192000	9559000	7131000
Asset renewal & new ratio		85.7%	115.2%	106.2%	109.4%	90.8%	104.9%	142.6%	86.7%	92.4%	126.9%



## Glossary

Term	Definition
<b>Asset Sustainability Ratio (ASR)</b>	Asset Sustainability Ratio indicates whether the Council is renewing or replacing existing non-financial assets at the same rate as its assets are used or 'consumed'. The ratio is calculated by measuring capital expenditure on renewal and replacement of assets relative to the level of depreciation. Where a Council has a soundly based Asset Management Plans, a more meaningful asset sustainability ratio would be calculated by measuring the actual level of capital expenditure on renewal and replacement of assets (or proposed in the budget) with the optimal level identified in the plan.
<b>Financial Assets</b>	Financial Assets include cash, investments, loans to community groups, receivables and prepayments, but excludes equity held in Council businesses, inventories and land held for resale.
<b>Financial Sustainability</b>	Financial Sustainability is where planned long-term service and infrastructure levels and standards are met without unplanned and disruptive increases in rates or cuts to services.
<b>Asset Management Plans (AMPs)</b>	An operational plan for Council's Landfill, Building and Structures, Infrastructure (Roads), Plant and Equipment and Library, IT & other physical assets with the objective of providing the required level of service, maintenance and renewal of such assets in the most cost effective and efficient manner.
<b>Net Financial Liabilities Ratio (NFLR)</b>	Net Financial Liabilities Ratio expresses Net Financial Liabilities as a percentage of total operating revenue. The ratio allows interested parties to readily equate the outstanding level of the Council's accumulated financial obligations against the level of one-year's operating revenue. Where the ratio reduces over time, it generally indicates that the Council's capacity to meet its financial obligations is strengthening.
<b>Net lending / (borrowing)</b>	Net Lending / (Borrowing) equals Operating surplus / (deficit), less net outlays on non-financial assets. The Net lending / (borrowing) result is a measure of the Council's overall (i.e. Operating and Capital) budget on an accrual basis. Achieving a zero result on the Net lending / (borrowing) measure in any one year essentially means that the Council has met all of its expenditure (both operating and capital) from the current year's revenues.
<b>Non-financial or physical asset</b>	Non-financial or physical assets refers to infrastructure, land, buildings, plant, equipment, furniture and fittings, library books and inventories.
<b>Operating deficit</b>	Operating Deficit is where operating revenues are less than operating expenses (i.e. operating revenue is therefore not sufficient to cover all operating expenses).
<b>Operating expenses</b>	Operating expenses are operating expenses shown in the Income Statement, including depreciation, but excluding losses on disposal or revaluation of non-financial assets.
<b>Operating revenues</b>	Operating revenues are incomes shown in the Income Statement but exclude profit on disposal of non-financial assets and amounts received specifically for new/upgraded assets (e.g. from a developer). For ratios calculated where the denominator specified is total operating revenue or rate revenue, the Landscape board levy revenue is excluded.
<b>Operating surplus</b>	Operating surplus is where operating revenues are greater than operating expenses (i.e. operating revenue is therefore sufficient to cover all operating expenses).
<b>Operating Surplus Ratio (OSR)</b>	Operating Surplus Ratio expresses the operating surplus (deficit) as a percentage of general and other rates.



**24.6 COUNCIL'S CURRENT VALUATION AND RATING SYSTEM – REPORT NO. AR20/80665**

<b>Committee:</b>	<b>Council</b>
<b>Meeting Date:</b>	<b>16 February 2021</b>
<b>Report No.:</b>	<b>AR20/80665</b>
<b>CM9 Reference:</b>	<b>AF20/446</b>
<b>Author:</b>	<b>Jo Scheidl, Senior Revenue Officer</b>
<b>Authoriser:</b>	<b>Darren Barber, General Manager Shared Services</b>
<b>Summary:</b>	<b>The purpose of this report is to document Council's current Valuation and Rating System</b>
<b>Strategic Plan Reference:</b>	<b>Goal 1: Our People</b> <b>Goal 3: Our Diverse Economy</b> <b>Goal 5: Our Commitment</b>

**REPORT RECOMMENDATION**

1. That Council Report No. AR20/80665 titled 'Council's current Valuation and Rating System' as presented on 16 February 2021 be noted.
2. That the rating assumptions and directions referred to in this Report be used to prepare Council's Annual Business Plan and Budget for 2021/2022, subject to Council's adoption of the recommendations in the Council Report No. AR21/7731 'Rating Structure and Waste Service Charge' report.



## TYPE OF REPORT

Legislative

## BACKGROUND

Council's current Valuation and Rating methodology adopted in March 2004 includes the following principle elements:

- Capital Valuation (changed from Site Value)
- Differential rating based on land use (using the Local Government Land use codes)
- A Fixed charge (instead of minimum charge)
- Fixed charge to raise 45% of Council's general rate revenue – the remainder by the traditional valuation-based rate in the dollar (to avoid rate increases as a result of periodic fluctuations in valuations)
- Rate capping for certain ratepayer classes.

## PROPOSAL

There are a number of rating assumptions used as a basis for Council's rating strategy that in accordance with Council's *Policy 105 Rating*, require confirmation on an annual basis for incorporation in rates modelling and the annual budgeting process.

This report documents Council's current Valuation and Rating system. The proposal is to have these accepted as a basis for the preparation of the Annual Business Plan and Budget for 2021/22.

A separate report (Council Report No. AR21/7731 'Proposed Rating Structure and Waste Service Charge' report) includes the proposal to change two aspects of this Valuation and Rating system for the 2021/22 financial year.

These matters are separated into two separate reports for ease of reference.

The current rating assumptions include:

### 1. Fixed Charge

Council's fixed charge is currently \$682.70 which continues to raise approximately half (45%) of Council's overall general rate revenue.

This principle continues to be accepted as fair and equitable system rather than the historic methodology where the entire rate base was calculated on the property valuation multiplied by a rate in the dollar principle

By maintaining this principle, Council achieves its initial aim of 'future proofing' its rating structure against the periodic vagaries of the property valuation system.

### 2. Differential General Rates

Council's differential general rates have been set on the following basis:

- Residential rate = 100%
- Commercial, Industrial and Vacant Land differential is set at +170% of the Residential rate
- All other land uses (Primary Production and Other) are set at the Residential differential.

Recent South Australian Local Government rates comparison provides the following average comparative figures:





	Mount Gambier 2019/2020	Mount Gambier 2020/2021	Metro 2020/2021	Rural 2020/2021	State 2020/2021
Residential	\$1,238	\$1,247	\$1,662	\$1,471	\$1,535
Fixed Charge	\$682	\$682	\$614	\$422	\$450
Average Increase	\$50	\$9	\$18	\$18	\$18

Source: Local Government Association 2020/2021 Rating Survey

3. Rate Capping – Residential (Principal Place of Residence)

Inequities that may arise in the way residential rates are raised across the Council are addressed via a 15% ‘rate cap’ that is applied to any residential (principal place of residence) properties. Conditions apply. Refer Council’s *Policy R155 Rate Rebate* section 9.1.

4. Vacant Land Rate Rebate

Council introduced this rebate to assist ratepayers who have purchased land for residential purposes (as opposed to purchase for speculation).

The vacant land rate is + 170% on residential land rate.

If the ratepayer can demonstrate to the Council that the vacant land is to be used for residential purposes in the short term (i.e. owner intends to develop in the short term as their principal place of residence) as opposed to holding for speculation purposes, then a rebate is available.

Given the 2010 boundary adjustment and the resultant availability of ‘new’ land area within the City, Council considered that a relaxation of the previous high differential on vacant land (to encourage development) was justified.

5. Other Rate Relief Options

Mandatory and Discretionary Rate Rebates, Postponement of Rates for Seniors and Hardship provisions continue to be available in accordance with the Local Government Act and Council’s *Policy R155 Rates Rebate* criteria where applicable.

6. Rate Rebates

Since the State Government relaxed the Local Government Act 1999 in relation to mandatory rate rebate provisions, which essentially gave community housing associations and land being used by universities who provide accommodation support to students automatic rate rebates, there has been a steady growth in the number of properties and value of rebates required to be provided by Council.

Such properties, many of which are former South Australian Housing Trust properties have been transferred to the Community Housing sector are able to claim the mandatory 75% rate rebate on Council rates due to the amended legislation.

This has had a financial impact on Council’s budget.

In the 2020/2021 rating year, Council provided approximately \$185,929 in rate rebates (0.85% of rate revenue) that related to 164 Community Housing properties.

The growth in mandatory rate rebates provided by Council is expected to continue as the State Government divests its social housing to the community housing sector at the expense of Local Government. Council currently has 1,088 South Australian Housing Trust (SAHT) and 18 Aboriginal Housing Authority (AHA) homes collecting a total of \$1,160,688 in rates for the 2020/2021 financial year. Over 4,000 SAHA and AHA properties in South Australia have been transferred to Community Housing with very few properties left in the name of SAHT in the surrounding Council’s.

The COVID-19 era has also seen a welcome surge in not-for-profit Community Service organisations within the Council area supporting residents in need.



Recent years have seen significant growth in mandatory and discretionary rebates and a corresponding impact to Council's budget as shown in the following table.

Financial Year	No. of Properties	Value of Rebate (\$)
2015/2016	185	\$177,801
2016/2017	214	\$197,486
2017/2018	223	\$221,159
2018/2019	235	\$237,737
2019/2020	231	\$243,754
2020/2021	249	\$260,417

## Other Considerations

### 7. Lands Titles Office

The South Australian Government finalised a \$1.6 billion deal to privatise the State's Lands Titles Office in 2016. A commercial consortium known as Land Services SA was awarded the contract to manage the State's land services system of land titles and registry for the next 40 years, including the right to commercialise related data, subject to government approval.

The Lands Titles Office holds the registry of the State's property titles, including information about who owns property, when it was purchased and its valuation. The State Government continues to set fees and charges for title searches and other land services. Whilst the valuation of South Australian properties is undertaken by the new owners, Land Services SA; the Valuer-General of South Australia remains the State's independent authority on property valuations and will continue to oversee all significant government property valuations and council rating valuations.

Staffing within Land Services SA remains an issue within the South East and Riverland regions. Council still has the ongoing issue of large capital value 'objections' being processed which may pose a risk to income in the event the processing of the objections remain outstanding.

### 8. Retirement Villages – Proposed Legislative Change

The Hon. John Darley introduced the *Local Government (Fixed Charges) Amendment Bill (Bill)*. This Bill is identical to the one he introduced several years ago which did not proceed due to a change in government. At the end of 2018 the Parliament agreed to appoint a Joint Committee on the Valuation Policies and Charges on Retirement Villages. Council provided comments to the LGA in March 2019 which was subsequently submitted to the Joint Committee.

The final report tabled in the House of Assembly and ordered to be published 12 November 2019 is attached. Specifically, the Committee heard of the billing impacts generated by fees and charges for water and sewerage infrastructure and the issue of Local Council provided services in the vicinity of retirement villages. The Committee was informed of, at times, different viewpoint towards future changes to the current valuation policies, with respect to the flow-on effects for rating authorities that use property valuations as part of their rating/billing practices. The Committee's also considered how the expressed billing impacts for some residents may be alleviated through actions undertaken by State and Local Governments.

Overall, the range of evidence presented to the Committee suggested that the valuation of retirement villages is a longstanding and yet unresolved issue. Accordingly, the committee has proposed seven recommendations for the consideration of key stakeholders, that may support a comprehensive and timely response to this issue.

The report identified that there is inconsistency in the way "Independent Living Units" (ILU) within retirement villages are valued. This resulted in the Committee recommendation that each village be held under a single valuation (Parent holding) with each occupation within having a tenancy apportionment of the whole - noting the sum of the individual units must equal the parent holding. Land Services SA and Office of the Valuer General are currently reviewing each village configuration to ensure they are in line with the Committees recommendations. Early indications are this will have minimal impact on Council retirement villages.



Following the Joint Committee report Hon John Darley as now introduced a further amendment to Local Government (Fixed Charges) Amendment Bill 2020 to exempt retirement villages from occurring a fixed charge. First reading of Bill 20 February 2020.

Council currently has a number of retirement villages with the two largest being:

- Woodland Retirement Village; and
- Hallmont Retirement Village.

Both retirement villages are each on one title with residents being given a licence to occupy by way of a contract. The Bill assumes councils provide no services within retirement villages. Council currently provides Waste Bin collection, maintains recreational reserves, street sweeping and beautification to the 453 properties within these villages. It is important to note council rates are a charge on the land not a 'service' tax.

The total fixed charge revenue from these two properties is \$309,263 pa for the 2020/2021 financial year (i.e. \$682.70 x 453 properties).

Recommendation 4 of the report is to investigate the feasibility of a Council rate rebate to retirement village residents. This will also potentially will have a financial impact on Council's budget.

9. Regional Landscape Levy

The Regional Landscape (RL) land levy has replaced the NRM Levy in the 2020/2021 financial year. It is a State Government imposed levy which funds the operations of the Limestone Coast Landscape (LCL) Board in accordance with the Act.

South Australian Legislation requires the levy to be collected by Local Government in SA as a separate rate via Council rate notices.

Councils act as a revenue collector only, do not retain any proceeds from the levy, all RL levy revenue is on paid to the LCL Board who determine how the revenue is spent.

For the 2020/2021 financial year the City of Mount Gambier is required, by law to contribute \$1,179,069 to the LCL Board.

10. Service rates and service charges

According to the LGA 1999 s155 A Council may impose a service rate, an annual service rate, or a combination of a service rate and an annual service charge on rateable land within its area for a **prescribed service**. A prescribed service is described as treatment or provision of water, collection, treatment or disposal of waste, a television transmission service or any other service prescribed by the regulations for the purposes of this definition.

A service charge may vary depending on provisions as identified in the Act and may be applied for purpose specifically identified in the Council's annual business plan as being the purpose for which the funds will be applied.

Council does not currently impose any Service charges.

11. Debt Recovery – COVID-19 and other implications

As the world continues to tackle COVID-19 and its health and financial implications, to date the impact on Council rate revenue has been minimal. Outstanding rates for year ending 30/06/2019 were 2.32% of the overall rates raised and for the 2019/2020 period Council saw a slight increase of 0.68% to year end to 3.0%.

Whilst ratepayers have been able to access superannuation, Government Incentives and financial assistance from Jobseeker and Jobkeeper, the rate revenue is on track for similar results at the end of this financial year. That is not to say some sectors are not suffering hardship. Businesses associated with tourism and entertainment, gyms and some restaurants continue to adjust their business plans to ensure financial sustainability.



A number of local businesses have requested Council to postpone their rates instalment payments, once Government incentives cease some of these businesses may not be able to continue to trade.

Australians are clearly concerned about the state of relations with China. There is no doubt that recent trade attacks from China have hit Australia hard and our local economy has not been immune.

The escalation of the trade war between Australia and China is pushing up costs for Australian importers of Chinese goods and there's no doubt that supply lines out of China are becoming more erratic and inconsistent than they have been in the past.

China has also introduced tariffs and bans on a range of Aussie imports, including wine, barley, lamb, beef, coal, lobster and timber, with fears more industries could be in the firing line.

Unfortunately, at the moment it is a “wait and see approach” to the impact on individuals and businesses and what the flow on effect to Council revenue will be.

In the interim, Revenue staff will continue to take a proactive approach to Debt Recovery, where possible contacting ratepayers with arrears directly. Encouraging ratepayers who are experiencing financial difficulties to discuss options for alternative payment arrangements.

**12. Waste Levy Rates**

Section 113 of the Environment Protection Act 1993 details Waste Levy provisions. A levy is a payment to the EPA by the licence holder of a waste depot for all waste received that is to be disposed of at that depot. There is currently no levy payable on waste fill material i.e. waste consisting of clay, concrete rock or other inert mineralogical matter in pieces not exceeding 100mm in length, however, all other waste is weighed and charged at a rate prescribed by the State Government.

State Government legislates both the Solid Waste Levy and Liquid Waste Levy and Council is forced to pay the Levies as charged. There has been a significant increase over the last couple of years of which Council budget has worn the financial burden.

Traditionally Waste levies are updated each financial year and effective from 1<sup>st</sup> July however, in the 2019/2020 Council was notified levies were to significantly increase mid-year as well, with new rate Effective 1<sup>st</sup> January 2020.

Recent years have seen significant growth in Waste Levy Rates as follows:

Financial Year	Effective date	Per tonne Solid Waste – Non metropolitan	Actual cost
2018/2019	01/07/2018	\$50.00	\$1,269,691
2019/2020	01/07/2019	\$55.00	
2019/2020	01/01/2020	\$70.00	\$1,626,075
2020/2021	01/07/2020	\$71.50	(to end Nov 2020) \$824,184

**LEGAL IMPLICATIONS**

Council has a responsibility to conduct itself in accordance with Local Government Act 1999 Chapter 10 – Rates and Charges

**STRATEGIC PLAN**

Considerations to Long Term Financial Plan 2019/2020 to 2028/2019 – 1.3.1 Key assumption Council rates: 4.5% increase Per annum



## **COUNCIL POLICY**

Council Report No. AR20/80665 titled 'Council's current Valuation and Rating System

Supported by the following Policies:

R105 – Rates – Rating Policy - <https://s3-ap-southeast-2.amazonaws.com/cm-g-public-assets/docs/R105-Rates-Rating.pdf>

R130 - Rates – General Matters - <https://s3-ap-southeast-2.amazonaws.com/cm-g-public-assets/docs/R130-Rates-General-Matters.pdf>

R155 – Rate Rebate Policy - <https://s3-ap-southeast-2.amazonaws.com/cm-g-public-assets/docs/R155-Rates-Rebate.pdf>

## **ECONOMIC IMPLICATIONS**

Evaluate the effectiveness of all service delivery initiatives against the returns and/or benefits to the community. The Council should, in making any decision, take into account the financial effects of the decision on future generations. Rating strategies must be made fairly and in accordance with principles and practices that apply on a uniform basis across the area of Council.

## **ENVIRONMENTAL IMPLICATIONS**

Well coordinated and collaborative decision making process will help to ensure the protection of the environment through the financial management of environmental issues within the city.

## **SOCIAL IMPLICATIONS**

Well managed financial management and delivered decision making process will provide certainty and clarity to the community on the long term ensuring Council services are maintained.

## **CULTURAL IMPLICATIONS**

N/A

## **RESOURCE IMPLICATIONS**

Financial sustainability in Local Government ensures that each generation pays their way rather than any one generation living off their assets and leaving the responsibility for infrastructure/asset renewal for future generations.

## **VALUE FOR MONEY**

Rates constitutes a system of taxation for local government purposes in this instance based on the capital value of the land.

## **RISK IMPLICATIONS**

Rating strategies should make reasonable provision with respect to strategies to provide relief from rates (where appropriate), and any such strategies should avoid narrow or unreasonable restrictive criteria and should not require ratepayers to meet onerous application requirements.



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## **EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

## **ENGAGEMENT AND COMMUNICATION STRATEGY**

In accordance with LGA 1999 s153 (5) a Council must not declare a general rate until after it has adopted its annual business plan and its budget for the financial year to which the rate relates. Before a council adopts an annual business plan, the council must prepare a draft annual business plan and follow the relevant steps as set out in its public consultation policy.

## **IMPLEMENTATION STRATEGY**

The rating assumptions and directions referred to are recommended for consideration to be used in preparing Annual Business Plan draft Budget.

## **CONCLUSION AND RECOMMENDATION**

The rating assumptions and directions referred to in this Report are recommended to Council for consideration for use in preparing Council's draft Annual Business Plan and draft Budget for the 2021/2022 financial year.

This report helps set the scene and parameters for the forthcoming first 2021/2022 Annual Business Plan and Budget workshop.

## **ATTACHMENTS**

1. Final Report Joint Committee on the Valuation Policies and Charges on Retirement Villages as tabled in House of Assembly 12/11/2019 [↓](#)



**HOUSE OF ASSEMBLY  
LAID ON THE TABLE**

**12 Nov 2019**

PP. 243



**FINAL REPORT**

**JOINT COMMITTEE ON THE  
VALUATION POLICIES AND  
CHARGES ON RETIREMENT  
VILLAGES**

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*Tabled in the House of Assembly and ordered to be published 12 November 2019*

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**First Session, Fifty-Fourth Parliament**



## TABLE OF CONTENTS

<b>CHAIR'S FOREWORD</b> .....	<b>3</b>
<b>APPOINTMENT AND MEMBERSHIP OF THE COMMITTEE</b> .....	<b>4</b>
<b>TERMS OF REFERENCE</b> .....	<b>4</b>
<b>EXECUTIVE SUMMARY</b> .....	<b>5</b>
<b>COMMITTEE'S RECOMMENDATIONS</b> .....	<b>6</b>
<b>LIST OF TABLES</b> .....	<b>7</b>
<b>ABBREVIATIONS AND DEFINITIONS</b> .....	<b>8</b>
<b>1 INTRODUCTION</b> .....	<b>11</b>
1.1 Background to the Inquiry .....	11
1.2 Disclosure of evidence .....	12
1.3 Conduct of the Inquiry .....	12
1.4 Retirement Villages in South Australia .....	12
<b>2 DISCUSSION</b> .....	<b>13</b>
2.1 Valuation policies and charges on retirement villages in South Australia.....	13
2.1.1 Valuation scenarios currently in use for retirement villages .....	13
2.1.2 Separate assessment of a unit within a retirement village .....	14
2.1.3 Comparison to other multi-occupancy complexes .....	15
2.1.4 Background to the inconsistencies in valuation policies on retirement villages.....	16
2.2 Terms of Reference A: Valuation policies of the Valuer-General and their impact on some residents of retirement villages.....	18
2.2.1 Billing impacts of the water supply charge .....	19
2.2.2 Billing impacts of the sewerage access charge .....	21
2.2.3 SA Water rating practices and retirement villages .....	22
2.2.4 Local government rating and billing impacts for retirement villages.....	25
2.3 Terms of Reference B: Options available to both State and Local Government to alleviate any impact on SA Water and Local Government charges of these policies .....	29
2.3.1 Option 1: Make a separate valuation for each physical occupation by assigning a valuation record for each occupation.....	30
2.3.2 Option 2: Make a valuation for land subject to separate ownership by assigning a valuation record for each parent holding .....	31
2.3.3 Option 3: Make a valuation for land subject to separate ownership then apportioning a separate valuation for each physical occupation by assigning a valuation record for each parent holding with an occupancy assessment for each occupation therein	32
2.3.4 Option 4: Investigate feasibility of a Council rate rebate to retirement village residents .....	36





2.3.5 Option 5: Examine the current concessions/rebates applicable for residents of retirement villages.....	41
<b>APPENDIX A: LIST OF SUBMITTERS .....</b>	<b>42</b>
<b>RESPONSES TO QUESTIONS ON NOTICE .....</b>	<b>44</b>
<b>TABLED DOCUMENTS.....</b>	<b>44</b>
<b>APPENDIX B: LIST OF WITNESSES.....</b>	<b>45</b>
<b>APPENDIX C: BILLING IMPACT OF THE CHANGE TO SEPARATE ASSESSMENTS OF VILLAGE INDEPENDENT LIVING UNITS.....</b>	<b>46</b>
<b>APPENDIX D: VALUATION OF LAND (RETIREMENT VILLAGES SCENARIO 3) AMENDMENT BILL 2019.....</b>	<b>48</b>



## CHAIR'S FOREWORD

The valuation of retirement villages in South Australia is recognised as a longstanding and yet unresolved issue, whereby different valuation approaches have been applied to the same class of property, a retirement village.

The Joint Committee on the Valuation Policies and Charges on Retirement Villages (the Committee) presented an opportunity to examine this recognised inconsistency, develop an understanding of the impacts for affected retirement village residents, and contribute recommendations supporting a timely resolution to this issue.

During its Inquiry, the Committee received 21 written submissions, conducted three public hearings at Parliament House and heard evidence from seven witnesses. Evidence received by the Committee described a perceived inequity in the present situation, in which some retirement villages have been valued as a whole, whereas in other instances, each Individual Living Unit (ILU) within a retirement village receives a separate valuation assessment.

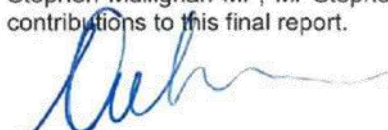
The Committee heard that the separate valuation assessment, in turn, can have the effect of generating fees and charges to the ILU within a retirement village. The Committee heard that the application of property-based fees and charges on retirement villages, including water charges and in some instances, Council rates, was effectively inconsistent for the same class of property.

The Committee received submissions from residents from a range of retirement villages in South Australia. These individual submissions expressed present and future concerns towards managing the financial impacts of increased fees and charges associated with the valuation approach to retirement villages.

Informed by the evidence received during its Inquiry, the Committee has recommended a change to the current valuation policy associated with retirement villages. The Committee has recommended that the preferred valuation approach for retirement villages include the provision of a valuation of the whole property, and a separate tenancy apportionment of this valuation for each ILU within the village. Moving forward, this valuation approach is considered to support greater fairness with regards to the application of various property-based rates and charges on retirement villages, that are in turn paid by retirement village residents.

On behalf of the Committee, I thank all those for their time and effort to prepare submissions to the Committee's Inquiry and thank all witnesses for participating in public hearings and contributing evidence to the Committee's Inquiry.

I thank members of the Committee, Hon. John Darley MLC, Hon. Justin Hanson MLC, Hon. Stephen Mullighan MP, Mr Stephen Patterson MP and Hon. Terry Stephens MLC, for their contributions to this final report.



Mr Sam Duluk MP  
**Chairman**  
**Member for Waite**



## **APPOINTMENT AND MEMBERSHIP OF THE COMMITTEE**

The Joint Committee on the Valuation Policies and Charges on Retirement Villages was a Joint Committee of equal members of both the House of Assembly and the Legislative Council.

The Joint Committee was established pursuant to a resolution passed by the Legislative Council on 4 December 2018 and concurred to by the House of Assembly on 6 December 2018 to inquire into and report on the Valuation Policies and Charges on Retirement Villages in South Australia.

The following Members from the Legislative Council and House of Assembly were appointed to the Committee:

Mr Sam Duluk MP (Chairperson)	Hon. Stephen Mullighan MP
Hon. John Darley MLC	Mr Stephen Patterson MP
Hon. Justin Hanson MLC	Hon. Terry Stephens MLC

Mr Sam Duluk MP was elected Chairperson at the first meeting of the Joint Committee on 11 February 2019.

Parliamentary Officer to the Committee:	Mr Shannon Riggs
Research Officer to the Committee:	Ms Kate Bryson

## **TERMS OF REFERENCE**

The Committee resolved to inquire into and report on:

- a) Valuation policies of the Valuer-General and their impact on some residents of retirement villages; and
- b) Options available to both State and Local Governments to alleviate any impact on SA Water and Local Government charges of these policies.



## EXECUTIVE SUMMARY

On 6 December 2018, the Joint Committee was established to inquire into and report on the Valuation Policies and Charges on Retirement Villages in South Australia. The Committee advertised throughout South Australia and received 21 written submissions and conducted three public hearings between March and June 2019. During these hearings, the Committee heard from witnesses from the Office of the Valuer-General, the Local Government Association (LGA), the South Australian Retirement Villages Residents Association (SARVRA), and the South Australian Water Corporation (SA Water).

The Committee's specific terms of reference had a strong focus on the practical impacts of the valuation policies as currently applied to retirement villages, and as experienced by some retirement village residents. Throughout its Inquiry, the Committee examined the current valuation policies as applied to retirement villages, and the flow-on effects in terms of fees, rates and charges for some retirement village residents. Specifically, the Committee heard of the billing impacts generated by fees and charges for water and sewerage infrastructure, and the issue of Local Council-provided services in the vicinity of retirement villages.

The Committee was also informed of, at times, different viewpoint towards future changes to the current valuation policies, with respect to the flow-on effects for rating authorities that use property valuations as part of their ratings/billing practices. Finally, the Committee considered how the expressed billing impacts for some residents may be alleviated through actions undertaken by State and Local Governments.

Overall, the range of evidence presented to the Committee suggested that the valuation of retirement villages is a longstanding and yet unresolved issue. Accordingly, the Committee has proposed seven recommendations for the consideration of key stakeholders, that may support a comprehensive and timely response to this issue.

First and foremost, the Committee has recommended a preferred valuation option to be implemented with regards to retirement villages. The Committee's recommended valuation option is supported with draft transitional provisions to assist in the translation of the proposed change to the current valuation of retirement villages, into practice. The Committee has also recommended further courses of action for stakeholders' consideration that may go some way in remedying the concerns as expressed to the Committee during its Inquiry.

In formulating its recommendations, the Committee has acknowledged the objective and statutory role of the Valuer-General and considered evidence from witnesses from SA Water and the LGA. Given the relative immediacy of the flow-on effects for rating authorities should current valuation policies change, it is acknowledged that the proposed courses of action would benefit from consultation across the broad range of stakeholders to this issue.

The Committee has also noted the intention of the Office of the Valuer-General to postpone implementing any changes to current valuation policies on retirement villages, pending findings of the Committee's Inquiry.



## COMMITTEE'S RECOMMENDATIONS

Based on the evidence received throughout the Inquiry, the Joint Committee on the Valuation Policies and Charges on Retirement Villages recommends that:

1. The preferred approach for retirement villages should be to create an assessment record on the SA Integrated Land Information System for each village which will include a valuation of the whole property and a separate tenancy apportionment of this valuation for each ILU within the village (identified as option 3 in the report).
2. The draft transitional provisions within the *Valuation of Land (Retirement Villages Scenario 3) Amendment Bill 2019* be considered, to support implementation of the preferred valuation option.
3. The draft transitional provisions be the subject of further consultation between the Office of the Valuer-General and suggested stakeholders, as appropriate:
  - SA Water
  - Local Government Association and/or Local Councils
  - Concessions SA, Department for Human Services
  - South Australian Retirement Villages Residents Association
  - Residents and operators/owners of retirement villages
  - Relevant peak/industry bodies such as the Retirement Living Council and the Property Council of SA.
4. A working group be convened with representation from SA Water, the Office of the Valuer-General and Concessions SA, Department for Human Services, to oversee consultation and creation of a new Memorandum of Understanding to facilitate the implementation of the preferred valuation option for retirement villages. Preparation of an implementation plan and timetable should be included in this process. The Committee notes that such a working group should not require any additional funding.
5. The Local Government Association coordinate a mapping study of existing Local Government rating practices for retirement villages, in order to inform a future conversation about the parameters within which a Council rebate for retirement village residents could feasibly apply.
6. Local Council(s) undertake consultation to examine the issue expressed to the Committee that some Councils are charging for waste management services to some retirement villages that are otherwise financially responsible for their own waste management services.
7. A review of current administrative processes of State Government issued concession payments to retirement village residents is undertaken, to identify any changes that may occur as a result of implementing a change to valuation policies on retirement villages. If changes are identified, then it is recommended that these are appropriately communicated to stakeholders in a comprehensible format, and in a timely manner.



**LIST OF TABLES**

Table 1 Valuation scenarios currently in place in South Australia with regards to retirement villages..... 13

Table 2 Billing impact for a retirement village based on a single assessment compared to individual assessments .....24

Table 3 Changes to the valuation and council rates for one retirement village .....26

Table 4 Identified options to bring valuation records into a consistent structure for the valuation of retirement villages .....29



## ABBREVIATIONS AND DEFINITIONS

The Committee	Joint Committee on the Valuation Policies and Charges on Retirement Villages
Assessment Number	The key reference number to a property
COTA SA	COTA South Australia
DHS	Department for Human Services, State Government of South Australia
E & WS Department	The former Engineering & Water Supply Department, South Australia
ESCOSA	Essential Services Commission of South Australia
ESL	Emergency Services Levy
ILU	Independent Living Unit (a fully self-contained unit/dwelling located within a retirement village where a person greater than 55 years can live independently) <sup>1</sup>
LSSA	Land Services SA, which is the Valuer-General's service provider.
LGA	Local Government Association
LASA	Leading Age Services Australia Ltd
NRM Levy	National Resources Management Levy
Occupancy Assessment	Each occupation is granted its own valuation and is recorded as a sub-set of the Parent Assessment. <sup>2</sup>
Occupation	An individual unit within a retirement village and without its own Title. <sup>3</sup>

<sup>1</sup> Definition adopted from the Office of the Valuer-General, *Submission 19*, p. 21.

<sup>2</sup> Definition adopted from the Office of the Valuer-General, *Submission 19*, p. 11.

<sup>3</sup> Definition adopted from the Office of the Valuer-General, *Submission 19*, p. 11.



Parent Holding	A retirement village as situated on its own Title(s) and comprised of multiple occupations with or without common property facilities. <sup>4</sup>
Parliament	Parliament of South Australia
Resident	<p>As per the <i>Retirement Villages Act 2016</i> (SA), a resident of a retirement village is taken to mean a person who has entered into occupation of a residence in accordance with the scheme and (subject to the terms of a residence contract) includes a spouse or domestic partner of such a person who –</p> <ul style="list-style-type: none"><li>(a) is residing with that person; or</li><li>(b) was residing with that person at the time of his or her death<sup>5</sup></li></ul>
Retirement Village	As per the <i>Retirement Village Act 2016</i> (SA), retirement village means a complex of residences or a number of separate complexes of residences (including appurtenant land) occupied or intended for occupation under a retirement village scheme but does not include a complex excluded from the ambit of this definition by the regulations. <sup>6</sup>

<sup>4</sup> Definition adopted from the Office of the Valuer-General, *Submission 19*, p. 11.

<sup>5</sup> Section 4(1), *Retirement Villages Act 2016* (SA).

<sup>6</sup> Section 4(1), *Retirement Villages Act 2016* (SA).





Retirement Village Scheme	<p>A scheme established for eligible persons and their spouses or domestic partners, or predominantly for eligible persons and their spouses or domestic partners, under which —</p> <ul style="list-style-type: none"><li>a) residences are occupied pursuant to a lease or licence; or</li><li>b) a right to occupation of residences is conferred by ownership of shares; or</li><li>c) residences are purchased from the operator subject to a right or option of repurchase; or</li><li>d) residences are purchased by prospective residents on conditions restricting their subsequent disposal,</li></ul> <p>but does not include a scheme under which no resident or prospective resident of a residence pays an ingoing contribution in consideration for, or in contemplation of, admission as a resident under the scheme.<sup>7</sup></p>
RVDSA	Retirement Village Discounted Separate Assessment
SA	South Australia(n)
SARVRA	South Australian Retirement Villages Residents Association
SA Water	South Australian Water Corporation
SVO	State Valuation Office
Tenancy Apportionment	A tenancy apportionment is relative to each independent living unit within the village and calculated as a proportion of the value of the whole village.
Valuation Number	A valuation number is a record on the SA Integrated Land Information System used as a basis for the SA Water Revenue collection system, Revenue SA Land tax revenue collection system and the emergency services levy collection system.

<sup>7</sup> Section 4(1), *Retirement Villages Act 2016* (SA).



Valuation Record	An individual Valuation Record within the Valuation Roll. <sup>8</sup>
Valuation Roll	The product that the Valuer-General needs to provide. <sup>9</sup>
Valuer-General	An independent statutory officer accountable to Parliament, with accountability and ownership over the valuation roll.

## 1 INTRODUCTION

### 1.1 Background to the Inquiry

The establishment of the Joint Committee on 6 December 2018 provided an opportunity to investigate the valuation policies for retirement villages, and the billing impacts for some village residents. The Joint Committee's Inquiry represented a further opportunity to identify options available to State and Local Governments that may alleviate any unintended billing impacts on residents, associated with the valuation policies on retirement villages.

Throughout the Inquiry, evidence to the Committee reflected the longstanding and unresolved nature of the valuation policies on retirement villages, with some submissions citing concerns regarding this issue as far back as 2013-14.

Awareness of this issue in the public domain culminated in a December 2017 Sunday Mail newspaper article that reported increases to SA Water bills for residents at the Lutheran Village at Para Vista, Adelaide:

*'Retirees face astronomical water charge'*<sup>10</sup>

The article reported that residents' total water bill represented an annual increase of 680 per cent compared to residents' previous water bill, with no change to the service received. The increase in water charges was attributed to the village's transition to the Valuer-General's separate assessment policy.<sup>11</sup> Under this policy, individual units within the village received a separate valuation assessment, which in turn enabled the residents to be levied individualised water charges. Prior to the implementation of this valuation policy, the retirement village had previously received a single, group assessment.

<sup>8</sup> Office of the Valuer-General, *Submission 19*, p. 11.

<sup>9</sup> Smit, A, *Committee Hansard*, 29 March 2019, p. 6.

<sup>10</sup> Kemp, M, Sunday Mail Adelaide, 10 December 2017, p. 21.

<sup>11</sup> Kemp, M, Sunday Mail Adelaide, 10 December 2017, p. 21.



## 1.2 Disclosure of evidence

On Friday 29 March 2019, the Committee resolved to authorise the public release of evidence, via the Parliamentary internet site, prior to the Committee reporting to both Houses.

## 1.3 Conduct of the Inquiry

The Committee placed an advertisement inviting submissions in *The Advertiser*, on Saturday 16 February 2019, and regional newspapers throughout South Australia at the earliest opportunity, with a closing date of Friday 8 March 2019.

The Committee received 21 written submissions which are listed in Appendix A. From the written submissions received, the Committee invited witnesses to attend and participate in public hearings for the Inquiry. The Committee conducted three public hearings in Parliament House and heard from 7 witnesses. Appendix B lists the witnesses that appeared at the public hearings from March to June 2019.

The Committee published official Hansard reports and tabled documents from public hearings on the Committee's website at <http://www.parliament.sa.gov.au>

The Committee met on five occasions to consider the range of evidence and deliberate on the Committee's Final Report. The Committee would like to sincerely thank all witnesses and submitters for their time and contributions towards this Inquiry.

Views expressed by the Committee in this report are informed by the evidence presented before the Committee.

## 1.4 Retirement Villages in South Australia

A retirement village is typically made up of dwellings including Independent Living Units (ILU), apartments and/or townhouses. The Committee received submissions from residents living at complexes which included retirement villages and lifestyle villages. In SA, a retirement village that rents individuals a home with no premium (defined as a one-off entry payment in order to live in the village), is called a lifestyle village.<sup>12</sup> Retirement village residents do not own the land on which their units are built and do not own the units, they have a "licence to occupy".<sup>13</sup>

In SA, retirement villages are regulated by the *Retirement Villages Act 2016* (SA), the *Retirement Villages (Fees) Regulations 2019* (SA), and the *Retirement Villages Regulations 2017* (SA).

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<sup>12</sup> *Aged care and retirement housing*. Retrieved from SA.GOV.AU:  
<https://www.sa.gov.au/topics/housing/aged-care-and-retirement-housing/lifestyle-village-tenancies>  
(Accessed 23 August 2019)

<sup>13</sup> Kennard, G, *Submission 6*.



## 2 DISCUSSION

This section of the report discusses evidence presented to the Committee in response to the terms of reference for the Inquiry. This section begins with an overview of the current valuation scenarios in use for retirement villages. This section begins with a discussion of the valuation policies and methods of the Valuer-General, with regards to retirement villages.

### 2.1 Valuation policies and charges on retirement villages in South Australia

Throughout this Inquiry, the Committee repeatedly heard the position that retirement villages are a class of property treated differently according to the application of valuation policies. Essentially, the current practice includes retirement villages that are rated as a single entity, whereas for other villages, the units within are separately accessed. As such, this means that each ILU within a village is separately assessed as a separate dwelling, which effectively enables water charges and Local Council rates to be levied to that dwelling.

#### 2.1.1 Valuation scenarios currently in use for retirement villages

To establish the acuity of the issue, the Committee undertook to establish the number of units within retirement villages that are subject to the different valuation scenarios. During the Inquiry, the Committee heard from the Valuer-General that there are just over 700 retirement villages in SA, and a little over 19,000 records for individual living units within.<sup>14</sup> The Valuer-General advised the Committee of the three valuation scenarios currently in place for retirement villages in SA (refer Table 1).

Table 1 Valuation scenarios currently in place in South Australia with regards to retirement villages

No.	Valuation scenarios	Quantity
1	A valuation record for each occupation.	For this scenario there are 12,580 valuation records/occupations.
2	A valuation record for each parent holding.	For this scenario, there are 392 parent holding assessments.
3	A valuation record for each parent holding, with valuation records for each occupation therein and recorded as a tenancy.	For this scenario, there are 476 parent holding assessments, comprising 6,481 occupancy assessments therein.

Source: Office of the Valuer-General, Subsequent Submission, April 2019, p. 2.

As indicated in Table 1, valuation scenario one is the most common valuation scenario for retirement villages in SA. The Committee heard that for this option, there is a separate

<sup>14</sup> Bartolo, K, *Committee Hansard 29 March 2019*, p. 4.



valuation record created for each occupation within a retirement village, as noted by evidence provided by Mr A Smit, Office of the Valuer-General, during a public hearing:

In the majority of the scenarios the Valuer-General has indicated it's not tenancy valuations, there actually is a separate valuation for each independent living unit. The individual unit, using a power under the Valuation of Land Act, is valued on its own as it could be separately saleable.<sup>15</sup>

Similarly, the Committee received evidence from the South Australian Retirement Villages Residents Association (SARVRA), that approximately two-thirds of the retirement village units in SA are on separate assessments, whereas the remaining third are on single assessments.<sup>16</sup>

### 2.1.2 Separate assessment of a unit within a retirement village

Under the Valuer-General's separate assessment policy to create a separate valuation record for each unit within a village, the capital value may be determined from sales evidence of houses/units outside of the retirement village provided that appropriate adjustments are made to accommodate tenure differences and constraints on occupation.

Some submissions suggested that this aspect of the Valuer-General's policy contributed to an assessment of an ILU within a retirement village that did not reflect the important leasing differences for retirement village residents compared to people living in a privately-owned unit/house. One submission expressed concern that the valuation assessment of the ILU at which they reside, did not reflect the actual value (thought to be lower) of the unit:

We are also very concerned that the value of our leases have been calculated by the Valuer General on the basis of sales of apartments and units in the area. Given the vastly different value of our entitlement under leases compared to our entitlement if we owned our apartments we are of the view that this is totally inequitable.<sup>17</sup>

...In conclusion, we are of the view that the capital values of the apartments at Living Choice Fullarton bear no relationship to the actual value to the leaseholders who are responsible for paying the rates.<sup>18</sup>

Another submission from a resident of a different retirement village highlighted the problematic nature of comparing the value of an ILU with the sales evidence of units/houses in the area, in consideration of the perceived differences in access to Council services for village residents:

It was interesting to see that our property was being compared with a number of properties within Parafield Gardens. The problem was that these are all fenced properties on their own land (one with a swimming pool) and all receive full services from the local council. We do not own any land (it is all communal) and we are only leasing our unit.<sup>19</sup>

<sup>15</sup> Smit, A, *Committee Hansard*, 29 March 2019, p. 8.

<sup>16</sup> Ainsworth, B, *Committee Hansard*, 24 May 2019, p. 24.

<sup>17</sup> Hughes, J, *Submission 4*.

<sup>18</sup> Hughes, J, *Submission 4*.

<sup>19</sup> Smith, V & B, *Submission 15*, p. 3.



This submission suggested that an increase in the valuation of a unit at the retirement village, coincided with the Valuer-General Office's revaluation of the units at the village in 2013:

In 2013, The Valuer General's Office revalued the units in Retirement Villages. In particular we are referring to the three LifestyleSA Villages located in the City of Salisbury area. In just one instance alone, in 2013, the valuation of a unit in The Gardens Lifestyle Village went from \$154,000 to \$245,000 an increase of \$91,000.<sup>20</sup>

### 2.1.3 Comparison to other multi-occupancy complexes

The Committee was informed that the separate assessment ILUs within a village was perceived to be incongruent with the policy treatment for other multi-dwelling complexes, such as shopping centres and blocks of flats. This is reflected in the following excerpts from two separate written submissions:

When the Valuation Policies were changed by the Valuer General, an Assessment number was given to every individual retirement village unit. This was completely inconsistent with the practice and treatment of similar multiple occupation properties.<sup>21</sup>

The decision by the SVO to assign an assessment number to each ILU is completely inconsistent with the treatment of other multiple occupancy complexes such as shopping centers, office blocks and blocks of flats.<sup>22</sup>

At a public hearing on 29 March 2019, the Committee asked the Valuer-General to explain why the valuation policy for retirement villages differed from the valuation policy applied to other multi-occupancy complexes. The Valuer-General's response pointed to the limited transparency in information available to a valuer with which to determine a valuation assessment of a retirement village compared to other multi-occupancy complexes.<sup>23</sup> The Valuer-General's response also acknowledged the varied factors thought to have contributed to the apparent irregularity between the valuation of retirement villages and that of other multi-occupancy complexes:

In relation to things like shopping centres and office buildings, it probably came about by virtue of a number of circumstances, the first one being partly within the chronology around requests for us to address it under different methodologies to suit different consumers at the time.

....shopping centres and office buildings, they tend to transact within an open market with far more transparent information, which allows for a more singular valuation to be ascribed if need be, so it can be determined upon the availability of evidence at the time as well.<sup>24</sup>

Throughout the Inquiry, the Committee was informed of various factors understood to have contributed to the present inconsistency in the valuation policies on retirement villages, as discussed in the following section.

<sup>20</sup> Smith, V & B, *Submission 15*.

<sup>21</sup> Kennard, G, *Submission 6*.

<sup>22</sup> SARVRA, *Submission 16*, p. 5.

<sup>23</sup> Bartolo, K, *Committee Hansard*, 29 March 2019, p. 13.

<sup>24</sup> Bartolo, K, *Committee Hansard*, 29 March 2019, p. 12.



#### **2.1.4 Background to the inconsistencies in valuation policies on retirement villages**

The policy from 1993 led to a situation where we had an ad hoc approach to valuation for this particular property class.<sup>25</sup>

Based on verbal and written evidence presented throughout the Inquiry, the Committee established a timeline of events that has contributed to the inconsistencies of the present situation, as summarised below.

##### 1993–2014                      Changes in the administrative structure of the records for retirement villages

The Committee was informed that in August 1993, the Valuer-General's Office issued a policy to address the recognised inconsistencies in how the site and capital values of retirement villages were established.<sup>26</sup> This policy directed that all new retirement villages be issued a separate assessment for each ILU within. This was considered to best serve the interests of rating authorities, and allowed residents, which included pensioners, to apply for remissions on fees and rates.

This policy was amended in 1998, to allow an amalgamated assessment to be created for the whole retirement village if requested by the village operator and provided that the local government rating authority did not object.<sup>27</sup> The changes to these policies meant that in practice, there were some retirement villages that received separate assessments, while another group of villages were subject to a single assessment.

##### 2014–15                      Reissued valuation policy and billing impacts

The Committee was informed that in 2014, the valuation policy underwent further review and was reissued to deliver greater consistency.<sup>28</sup> In practice, this meant that the group of villages historically on a single assessment, were to be transitioned to the separate assessment policy. One of these villages was the Lutheran Homes Retirement Village, Para Vista. The transition to the separate assessment policy had water billing impacts for residents at the Lutheran Homes, as indicated in evidence from Ms A Schirripa, SA Water, at a public hearing on 14 June 2019:

Back in 2014, the Valuer-General reissued the policy to commence separately assessing units in a retirement village. We saw one unit, which was one village, that was separately assessed, and SA Water, taking the information from the Valuer-General's office, issued a separate bill to each individual living unit in that village. We appreciate the financial impact that had on the retirement village and, in response to that, the government set up a whole-of-government

<sup>25</sup> Smit, A, *Committee Hansard*, 14 June 2019, p. 46.

<sup>26</sup> *Valuer-General's Office Staff Instruction No. 21/93*, 8 August 1993, refer *Submission 21*, p. 9.

<sup>27</sup> Office of the Valuer-General, *Submission 21*, p. 10.

<sup>28</sup> *Retirement & Aged Care Facilities Policy (2014)*, refer *Submission 19*, p. 21.



committee to start looking at the impact on the retirement villages. Through that, we developed a retirement village discounted separate assessment.<sup>29</sup>

The effect of this billing impact for Lutheran Homes residents was reflected in evidence from Mr B Ainsworth, SARVRA, at a public hearing on 24 May 2019:

As a consequence, the total SA Water bill for the next year went from \$2,122 in 2014-15 to \$16,516. It was an increase of something like 680 per cent, and all hell broke loose, because these are people who are on the pension and they had no idea what was going on.<sup>30</sup>

#### 2015–17 Approach to address billing impacts

The Committee was informed that community concerns at the time contributed to the formation of a whole-of-government committee to look at the billing impacts associated with a change in valuation policy for retirement villages. This approach was facilitated through a Memorandum of Understanding (MOU) between the then Valuer-General and other State Government based rating authorities, that took effect 1 July 2015 to 30 June 2025.<sup>31</sup> The Committee heard that one outcome was a new SA Water charging practice, termed the Retirement Village Discounted Separate Assessment (RVDSA).<sup>32</sup>

The Committee heard that the government of the day funded what was effectively a community services obligation effectively equal to the difference between the water supply charges for the retirement village calculated on the single assessment, and the charges calculated on the separate assessment.<sup>33</sup>

The Committee heard that the RVDSA effectively provided a discount to that village for a period until 2025:

The impact of the RVDSA is to basically grandfather the rating of that village as it was prior to the Valuer-General's reissued policy and provide a discount to that village. It's grandfathered until 2025.<sup>34</sup>

Further, the Committee heard that from July 2015 onwards, the process for issuing concession payments changed. Currently, SA Water will still only issue concessions when there was an individual assessment. However, retirement village residents who were not subject to individual assessments can apply to the Department for Human Services to receive a concession.<sup>35</sup> As such, a separate assessment was not necessarily required to apply to receive a concession payment.

<sup>29</sup> Schirripa, A, *Committee Hansard*, 14 June 2019, pp. 35-36.

<sup>30</sup> Ainsworth, B, SARVRA, *Committee Hansard*, 24 May 2019, p. 24.

<sup>31</sup> Office of the Valuer-General, *Submission 19*, p. 15.

<sup>32</sup> Schirripa, A, *Committee Hansard*, 14 June 2019, p. 36.

<sup>33</sup> Ainsworth, B, *Committee Hansard*, 24 May 2019, p. 24.

<sup>34</sup> Schirripa, A, SA Water, *Committee Hansard*, 14 June 2019, p. 36.

<sup>35</sup> Schirripa, A, *Committee Hansard*, 14 June 2019, p. 34.





2018– Present

The Committee heard that the 2017 valuation policy is due for further review post 2025, at the expiry of the MOU. The Committee heard from the Office of the Valuer-General that any work to change the current valuation methods for retirement villages are on hold, pending the findings of the Committee's Inquiry. The Committee was advised by the Valuer-General that in the meantime, general valuations would proceed on a status quo basis.<sup>36</sup>

The Committee heard that, following the expiry of the RVDSA in 2025, it is intended that impacted retirement villages would revert to being billed as separately assessed ILUs. The Committee received evidence from SA Water confirming that this discount is currently in place for two retirement villages (a total of 53 ILUs).<sup>37</sup>

At least two submissions to the Committee cited concerns about the expiry of the RVDSA, and expressed uncertainty beyond this time:

COTA is very concerned that when the Community Services Discount expires in 2025 many residents will find themselves in an unaffordable position despite their having made every attempt to budget well and anticipate costs as they planned their retirement.<sup>38</sup>

Whilst the discount arrangement albeit provides a temporary solution for both residents and the government, it will be the responsibility of a future administration to manage the fallout when residents are faced with an overnight water rate increase in the order of 600% when the subsidy ends in July 2025.<sup>39</sup>

The billing impacts on some residents as a result of the transition to the Valuer-General's separate assessment policy for retirement villages, are expanded in the following section.

## 2.2 Terms of Reference A: Valuation policies of the Valuer-General and their impact on some residents of retirement villages

Overall, the Committee heard that the implementation of the Valuer-General's separate assessment policy contributed to the situation whereby some residents paid more for water, and sewer charges, and Council rates, compared to residents of other villages not subject to the separate assessment policy. Many submissions to the Inquiry reflected that this situation contributed to a perceived discrimination towards some retirement village residents:

...there are two classes of retirement village residents: those who have a separate assessment and those with a single assessment. From our perspective, it is discriminatory that you can have one person in a retirement village in one street but two streets over another person is paying a different level of water rates. This is one of the reasons we would like to get this resolved.<sup>40</sup>

...it can be argued that the present policy is discriminatory in certain instances.<sup>41</sup>

<sup>36</sup> Office of the Valuer-General, *Submission 19*, p. 8.

<sup>37</sup> SA Water, *Presentation to the Committee*, p. 5.

<sup>38</sup> Mussared, J, COTA, *Submission 12*.

<sup>39</sup> SARVRA, *Submission 16*, p. 5.

<sup>40</sup> Ainsworth, B, *Committee Hansard*, 24 May 2019, p. 23.

<sup>41</sup> Graham, P, *Submission 3*.



The current system of valuation for retirement villages is confusing, complicated and creates an inequity between villages.<sup>42</sup>

Many submissions to the Inquiry advised of the longstanding and somewhat complex nature of this issue, which reiterated to the Committee a need for timely resolution:

In terms of retirement villages, we recognise the inconsistent valuation practices and the inconsistent rating that has occurred because of that.<sup>43</sup>

...there is a real and immediate need for the situation to be resolved.<sup>44</sup>

COTA SA urges attention to what seems to be both an anomalous and a potentially discriminatory and unaffordable approach by the State Valuation Office to assessing some retirement village dwellings as single dwellings.<sup>45</sup>

The method of rating land within retirement villages and the consequential effects on Council rates and water and sewer rates and emergency services levies is a complex issue and one upon which there is little consistency amongst the various rating authorities.<sup>46</sup>

Verbal and written evidence indicated to the Committee that the main billing impacts for residents were the additional water supply charges and sewerage access charges, discussed in turn below.

### 2.2.1 Billing impacts of the water supply charge

A water supply charge is a fixed component on a water bill that reflects the charge to supply water into a property or dwelling.<sup>47</sup> A retirement village on a single assessment for the whole village is charged one water supply charge, whereas for a retirement village subject to separate assessments, each ILU within it is levied a separate water supply charge.

Of the submissions to the Inquiry from retirement village residents, most questioned the additional water supply charges levied per ILU:

...we are also very concerned about the way that water and sewage rates are charged. There are only single water and sewage connections to the village yet we are all charged individually for the service connections. In fact, the cost of connecting water from the one SA Water meter to each apartment has been borne by the operator and passed on to the residents. Yet SA Water is charging each resident a separate service fee. This is "gouging" of the highest order and should be stopped at once!<sup>48</sup>

<sup>42</sup> Gannon, D, *Submission 14*.

<sup>43</sup> Schirripa, A, *Committee Hansard*, 14 June 2019, p. 34.

<sup>44</sup> Bartolo, K, *Committee Hansard*, 29 March 2019, p. 2.

<sup>45</sup> Mussared, J, COTA, *Submission 12*.

<sup>46</sup> Elias, M, LASA, *Submission 7*.

<sup>47</sup> Rowlands, K, *Committee Hansard*, 14 June 2019, p. 39.

<sup>48</sup> Hughes, J, *Submission 4*.



One submission informed the Committee that, even with the application of a concession payment to the resident's water bill, the resident was still paying at least \$26.50 extra per quarter for a water supply charge, that, in the opinion of the resident, was unjustified:

No unit has a separate water meter and SA Water does not have to service or maintain any individual units or any of the water feed pipes within our village. Why is SA Water continuing to bill every single Independent Living Unit for a water supply charge, when all units were connected by and are now maintained by the Owner/Builder? All maintenance costs relating to the supply of water to individual Units are paid for out of our maintenance payments which are due monthly.<sup>49</sup>

At a public hearing on 24 May 2019, Mr B Ainsworth, SARVRA, questioned the necessity of the annual water supply charge he pays, given that there are three water meters at the retirement village at which he resides, which includes 132 apartments:

...there are only three meters, and I think one of them doesn't work. We are on the old Coopers Brewery site, and there were three meters there because the water supplied the brewery for its daily operations. I get a copy of the water account, and there's very little input through some of them. They should be cut off, but that's another issue. We should be charged for three meters, but we are charged for 132. Each individual person pays \$294.95... It's just daylight robbery.<sup>50</sup>

Another submission expressed an administrative burden from the practice whereby water charges are issued direct to residents at individual units within a retirement village:

...We are not suggesting we don't pay the usage, but question the need to pay a supply charge for each unit, that is not individually metered. These accounts are then posted individually in their own envelope with their own postage. This is a ridiculous waste of paper and money (and our time in opening each account).<sup>51</sup>

Regarding the water supply charge and its purpose, the Committee heard evidence from Ms K Rowlands, SA Water, that the fixed water supply represents a payment for the maintenance of water infrastructure beyond the number of individual water meters at a property:

When you think about common supply or retirement villages and all those independent living areas, we shouldn't just be linking that through to the meter. The fixed component of any customer's bill is actually reflecting an element of the infrastructure that we have that goes right back to the source.<sup>52</sup>

During the Inquiry, witnesses from SA Water provided evidence that valuation information is updated to SA Water systems, and SA Water in turn bills based on this information. As such, SA Water has no discretion but to apply the separate water supply charge to a separate assessment.<sup>53</sup> The Committee was informed that this rating practice of charging a supply charge per separate assessment number, regardless of water usage or number of water meters, could be traced back as far as 1983, at the time of SA Water's predecessor, the E & WS Department.<sup>54</sup>

<sup>49</sup> Smith, V & B, *Submission 15*, p. 1.

<sup>50</sup> Ainsworth, B, *Committee Hansard*, 24 May 2019, p. 27.

<sup>51</sup> Parker, K, *Submission 13*.

<sup>52</sup> Rowlands, K, *Committee Hansard*, 14 June 2019, p. 39.

<sup>53</sup> Rowlands, K, *Committee Hansard*, 14 June 2019, p. 34.

<sup>54</sup> SA Water, *Responses to Questions on Notice*, 5 August 2019, p. 2.



### Water supply charge and residents' maintenance fees

Submissions to the Inquiry reiterated differences in how retirement village residents pay their water/sewerage rates and their Council rates. In some cases, the village operator includes these charges as part of maintenance fees charged to residents. Some submissions from retirement village residents expressed concern that residents were required to pay additional water charges, notwithstanding that residents were already obligated to contribute towards maintenance costs for water infrastructure through village maintenance fees.

Submissions to the Committee also raised the concern that residents were paying a water supply charge when SA Water did not meet the total cost of repairs to water leaks in the vicinity of the retirement village. One submission from a resident expressed concern that at the retirement village, water leaks were repaired by an appointed contractor at residents' cost from the village maintenance budget, or if the owner contributed from the capital item replacement fund, and residents contributed to both funds.<sup>55</sup>

This resident questioned the need for the additional water supply charge to SA Water, given that in this instance, SA Water had not met the total cost of water repairs and leaks at the village. This submission highlighted that this situation was unlike that of a person living outside the retirement village, who would have their water repair costs met by SA Water:

If I lived outside the Village SA Water would meet the total cost as part of the Water Rates. Why not also for our Residents?<sup>56</sup>

### **2.2.2 Billing impacts of the sewerage access charge**

We are also very concerned for the future with regard to Sewerage Charges and any other indirect or otherwise charges that might come about for stormwater.<sup>57</sup>

The Committee heard that another of the billing impacts from the separate assessment policy was the flow-on effect of additional sewerage access charges. The Committee heard that this was largely because ILUs with a lower assessed capital value attracted a minimum sewerage charge from SA Water.<sup>58</sup> It is understood that SA Water sewerage charges are based on the capital value of a property, or the declared minimum rate, whichever cost is greater.<sup>59</sup>

In their submission to the Inquiry, SARVRA further explained the billing impact for residents of ILUs with a lower assessed capital value that attracted the minimum sewerage access charge:

In a further move which discriminates against village residents the minimum sewer charge of \$319.20 (at an assessed value of \$325,050) is applied to each ILU in the complex, thereby creating two classes of residents all of whom may live in similar residences and be treated differently than residents in another village in the next street.<sup>60</sup>

<sup>55</sup> March, B, *Submission 10*, p. 3.

<sup>56</sup> March, B, *Submission 10*, p. 4.

<sup>57</sup> Hurley, M, *Submission 5*.

<sup>58</sup> Schirripa, A, *Committee Hansard*, 14 June 2019, p. 36.

<sup>59</sup> SA Water, *Responses to Questions on Notice*, 5 August 2019, p. 5.

<sup>60</sup> SARVRA, *Submission 16*, p. 8.



Another source of objection to the requirement to pay an individual sewerage access charge per ILU, was that some residents perceived that they already paid for sewerage infrastructure through their contributions to village maintenance fees:

With regard to the sewer charge, all units have individual connections for the removal of waste, even though all cost associated with the maintenance of this facilities [sic] is borne by residents. It can therefore be argued that the charge levied is excessive when SA Water is not required to undertake any maintenance/repair work within our village.<sup>61</sup>

### 2.2.3 SA Water rating practices and retirement villages

Witnesses from SA Water provided evidence to the Committee that the extent to which retirement village residents could be considered to be better or worse off in terms of rating the village as a single entity versus separately rating the units within, was somewhat complex and not straight-forward:

In terms of the impact on residents, there is no clear-cut better off or worse off. It depends on various elements.<sup>62</sup>

The Committee heard that SA Water currently uses three methods to issue water and sewerage rates to retirement villages and their residents. Evidence presented to the Committee from SA Water highlighted that at present, the most common method is that each ILU receives a separate valuation assessment, and accordingly that ILU receives a separate water bill.<sup>63</sup> SA Water estimated that this method is in place for approximately 520 villages and 10,950 ILUs.<sup>64</sup> This accounts for almost two thirds of the total number of ILUs in SA.

Evidence from SA Water presented to the Committee suggested that approximately 225 retirement villages in SA are yet to transition to the separate valuation assessment arrangement.<sup>65</sup> As such, it is understood that each village in this cohort continues to receive one valuation assessment for the entire village, and accordingly receives one SA Water bill.<sup>66</sup>

#### Billing impacts for retirement villages not yet transitioned to separate assessments

The Committee sought to understand the billing impact for those villages *not* yet transitioned to separate assessments. To do this, the Committee asked the Valuer-General to provide SA Water with data so that SA Water could calculate the approximate billing impact for those villages, if they transitioned from a single assessment to separate valuation assessments.

In response to the Committee's request, the Office of the Valuer-General provided data for nine retirement villages to SA Water. It was advised that this data sample represented a cross-

<sup>61</sup> Smith, V & B, *Submission 15*, p. 1.

<sup>62</sup> Schirripa, A, *Committee Hansard*, 14 June 2019, p. 36.

<sup>63</sup> SA Water, *Presentation to the Joint Committee*, 14 June 2019, p. 5.

<sup>64</sup> SA Water, *Presentation to the Joint Committee*, 14 June 2019, p. 5.

<sup>65</sup> SA Water, *Presentation to the Joint Committee*, 14 June 2019, p. 5.

<sup>66</sup> SA Water, *Presentation to the Joint Committee*, 14 June 2019, p. 5.



section of village types across a range of variables (e.g. number of ILUs at the village, ILU capital value levels, village locality and eligibility for charity status). SA Water used 2019-20 prices and other rating and concession parameters, to calculate the billing impacts for water and sewerage charges for the nine villages, based on those villages transitioning from a single to a separate assessment arrangement.<sup>67</sup> SA Water's calculations are presented in Appendix C.

In summary, SA Water's calculations of the billing impacts for each of the villages (sample size = 9), identified that each village incurred the following additional charges as a result of transitioning to the separate assessment arrangement:

- increased minimum sewerage charges for ILUs, where capital values for ILUs attracted the minimum sewer access charge; and
- increased water supply charges of around \$300 per ILU, per year.

Notwithstanding these additional water and sewerage charges, SA Water's calculations also demonstrated that the increased charges may be offset through various means. For example, a retirement village resident's eligibility for pensioner concessions on water and sewer charges, and the possibility to receive additional water concessions according to village water use.<sup>68</sup>

The Committee heard evidence from witnesses at SA Water that another means through which the additional charges to residents may be offset was the extent to which water usage charges could offset the water supply charge:

It's also the extent to which the usage charges can offset the water supply charge. As I mentioned previously, in an individual assessment you get an allocation of 30 kilolitres each at the low tier, and that can offset the fixed water supply charge. There is also the factor of whether they are entitled to a pensioner concession.<sup>69</sup>

SA Water presented the Committee with a de-identified case study comparing the billing impacts for a retirement village under a single assessment,<sup>70</sup> compared to separate assessments of the 13 units within that retirement village (refer Table 2). This case study reflected higher water usage, and the capital values for the ILUs within the village were greater than the minimum value required to attract a minimum sewerage access charge.

As the calculations in Table 2 demonstrate, if an individual resident in that case study was eligible for a concession, then that resident could be considered *better off* in the separate assessment scenario (column three, Table 2).

<sup>67</sup> SA Water, *Responses to Questions on Notice*, 5 August 2019, p. 4.

<sup>68</sup> SA Water, *Responses to Questions on Notice*, 5 August 2019, p. 3.

<sup>69</sup> Schirripa, A, *Committee Hansard*, 14 June 2019, p. 36.

<sup>70</sup> SA Water, *Presentation to the Joint Committee*, 14 June 2019, p. 9.



Table 2 Billing impact for a retirement village based on a single assessment compared to individual assessments

2018/19 SA Water rates	Billing impact of single assessment of retirement village	Billing impact of separate assessment of 13 ILUs within the one village
Sewerage	\$6,255.34	\$6,255.34
Water Supply	\$297.80	\$3,871.40
Water Use	\$8,964.40	\$6,894.20
Total rates	\$15,517.54	\$17,020.94
Additional charge –Village		-\$1,503.40
Additional charge – ILU		-\$115.65
Additional charge – ILU – with concession		\$190.15

Source: SA Water, Presentation to the Joint Committee, 14 June 2019, p. 9.

The Committee heard further evidence that reflected the somewhat complex nature of the billing impacts from changes to the current valuation policies on retirement villages, and the billing impacts for some residents. The Committee heard that essentially, under the economic regulation of SA Water under ESCOSA, any billing impacts of changing valuation policies would be spread across the whole SA Water customer base.<sup>71</sup>

<sup>71</sup> Schirripa, A, *Committee Hansard*, 14 June 2019, p. 38.



#### 2.2.4 Local government rating and billing impacts for retirement villages

The legal entity (being the village owner) registered as the owner on the certificate of title is legally liable for payment of Council rates, however, to simplify the billing process we understand arrangements exist between parties to raise individual accounts for the occupiers of ILU's.<sup>72</sup>

Under the *Local Government Act 1999*, Councils may rate on separate occupation. With regards to retirement villages, this means that some residents are levied Council rates per separately assessed ILUs, whereas other retirement villages are levied according to a single assessment for the whole village. Submissions from retirement village residents and residents' committees, reported unexpected increases to Council rates thought to coincide with the changes to valuation of ILUs in retirement villages.

The Committee was informed that in some cases, the Council rates increased to an amount beyond that anticipated, and budgeted for, by residents prior to their decision to enter the retirement village. The Committee heard that this contributed to financial concern for some residents, given that retirement village residents largely represent a cohort of people on fixed incomes, those that have retired, and who may be eligible for the Aged Pension:

...These charges are not included in our monthly Maintenance Fee but levied directly on each retiree/pensioner who can ill afford such high charges...<sup>73</sup>

...Single pensioners in particular, find this difficult, despite concessions, especially when electricity and other rising living costs are considered.<sup>74</sup>

Further, one submission by a retirement village resident referenced that their 2018-19 Council rates represented a significant increase when compared to the average Council rate for the metropolitan Council area:

Currently the average Council Rate in Playford Council is listed at \$1261 however my Council rates for this financial year are \$1730 an increase of 72% above the average rate.<sup>75</sup>

Some submissions to the Inquiry provided the Committee with supporting documentation and data that illustrated the billing impacts of Council rates that coincided with the change to valuation policies on retirement villages (refer Box 2.2.5).

<sup>72</sup> SARVRA, *Submission 16*, p. 10.

<sup>73</sup> Walls, A J, *Submission 17*.

<sup>74</sup> Kennard, G, *Submission 6*.

<sup>75</sup> Walls, A J, *Submission 17*.





**Box 2.2.5 Case study of valuation changes and increased Council rates**

One submission from a retirement village resident reported that in 2013-14, the valuation of the resident's unit at a metropolitan retirement village significantly increased. This coincided with increased council charges levied to that unit within the village. This resident was part of a residents' representative committee that applied to the City of Salisbury for consideration of a council rating cap.

The City of Salisbury, in turn, used a reducing capping rate to "...help soften the blow" of such a large initial increase to the valuation of the unit in 2013/14. It is understood that this was largely in acknowledgement of changes since May 2013, regarding the valuation of retirement villages, and in recognition of the fixed income of many retirees at the village. This submission reported that the Council capped the council rate increases to no more than 10 per cent, based on the rates of the previous year. Only residents that lived at their unit prior to April 2013 met the conditions for the rebate. This capping ceased to operate from the 2018/19 financial year.

Table 3 presents the change in valuation and the associated increase in Council rates for one unit at this retirement village in 2012/13 compared to 2013/14. As per Table 3, the total council rates increased from \$611.40 in 2012/13, to \$1029.90 in 2013/14. This comparison also includes the billing impact from the pensioner concession and the capping rebate introduced by the Council (\$349.35).

Table 3 Changes to the valuation and council rates for one retirement village

Year	Rateable Value of the unit (\$)	Declared Rate	Pensioner Concession	Capping Rebate	Total rates (incl. NRM levy)	Total rates due after concession applied
2012/13	\$154,000	0.003879	\$190.00	N/A	\$611.40	\$421.40
2013/14	\$245,000	0.004108	\$190.00	349.35	\$1029.90	\$490.55

Source: Submission 15

Provision of Local Council services within the vicinity of retirement villages

Some submissions described a perceived inequity with the current Council rating situation for some retirement villages. Essentially, this was that some residents continued to pay Council rates, notwithstanding that these residents received fewer Council-provided services compared to ratepayers within the same Council area. Most of the submissions to the Inquiry from residents of different retirement villages explained that as part of their leasing agreements, residents paid monthly maintenance fees for the upkeep of infrastructure within the village.



These maintenance items typically included, but not limited to, all internal road maintenance and repair, all street lighting, stormwater management, footpath maintenance and public liability insurance for the village.<sup>76 77</sup>

Some submissions to the Inquiry proposed that residents' obligations to fund internal village infrastructure and maintenance items represented significant cost savings to local Councils.<sup>78</sup> Other submissions indicated that this cost-saving to Councils went unrecognised, and instead retirement village residents were effectively paying for Council services "twice". Some submissions described this practice as effectively a double payment for local Council provided services,<sup>79 80 81</sup> as exemplified in the following excerpt from a submission by a resident at a metropolitan retirement village:

When the Valuation Policies of the Valuer-General changed, all units were assessed on their size and features. Rates for the common areas and facilities, previously included in Maintenance Fees, were shared and added to the individual assessments and some residents had an increase in their Council rates.

My husband and I currently pay \$1528.00 per annum. The only council service we receive for this payment, is rubbish removal (garbage, recycling and green bin).

...Village residents' Maintenance fees or the Capital Items Replacement Fund is used to provide street lighting, road maintenance and repair, (8km), street sweeping and water pipe repairs, pruning of trees and other Council responsibilities. The general feeling is that the Council is "double dipping".<sup>82</sup>

The Committee was informed of the perspective from some submissions that the way local Councils rated retirement villages did not appropriately consider the important lease differences between retirement village units and freehold properties. One submission to the Inquiry highlighted that when a resident vacates their retirement village apartment, the market value of that apartment would be reduced by 40-50 per cent. However, during the time that the resident lived at that apartment, that resident would have been required to pay rates on the full assessed value of the apartment at the retirement village.<sup>83</sup>

#### Waste management services

The Committee was informed that the concern that residents received fewer Council-provided services compared to ratepayers of freehold residences, was particularly acute for waste management services.

In its submission to the Committee, the Living Choice Fullarton (LCF) Residents' Representative Committee reported that residents received one waste removal service. However, the submission reported that residents pay both a General Service Levy to the

<sup>76</sup> SARVRA, *Submission 16*, p. 9.

<sup>77</sup> Smith, V & B, *Submission 15*.

<sup>78</sup> Smith, V & B, *Submission 15*.

<sup>79</sup> Kennard, G, *Submission 6*.

<sup>80</sup> March, B, *Submission 10*, p. 5.

<sup>81</sup> Hughes, J, *Submission 4*.

<sup>82</sup> Kennard, G, *Submission 6*.

<sup>83</sup> Hughes, J, *Submission 4*.



retirement village, as well as rates to the City of Unley. The submission reported that approximately nine per cent of the rates paid to the Council are for waste management. This is notwithstanding that the development approval for the retirement village required that Living Choice be responsible for the management of the village's waste, at residents' cost. The perceived inequity, from the perspective of residents, is exemplified in the following excerpt:

We must stress that this situation is different from ratepayers choosing not to use Council provided amenities such as libraries, parks, swimming pools, etc. We simply have no choice. We cannot use the Council provided waste management service but are nevertheless charged for this service within our rates. The LCF Residents' Committee is of the view that it is inequitable for residents at LCF to be charged for two separate waste management services but, through no fault of their own, receive only the one service.<sup>84</sup>

At a public hearing on 24 May 2019, the Committee asked Ms L Teburea, Executive Director Public Affairs, LGA, about the situation whereby retirement village residents were levied Council rates inclusive of waste management services, notwithstanding residents' contributions to waste management services through their village fees. Ms Teburea's response to the Committee, in part, advised that if Councils were levying retirement villages a separate charge for waste management services, then it may be an issue warranting further exploration:

If councils are charging a specific waste fee and not delivering that service, then I think that definitely would be an issue for further examination. If it's paid through general rates, as opposed to a separate waste charge, then the principle applies that rates are a form of taxation for local government purposes and not a fee for service.<sup>85</sup>

During the Inquiry, the Committee was interested to better understand the current arrangements in place by local Councils to charge residences for waste management services. The Committee in turn was advised by Ms Teburea that:

The details of how councils pay for waste management services are determined by the specific contractual arrangements that are in place between the council and the waste contractor. Under these contractual arrangements, fee calculations are generally based on either the number of service-entitled premises or the number of mobile garbage bins actually collected by the contractor.<sup>86</sup>

Submissions from residents of different retirement villages indicated concern and disappointment towards the yet unresolved situation that residents of some retirement villages tended to receive fewer Council-provided services compared to other ratepayers in their communities. One submission from a resident suggested that in some instances, and notwithstanding the benefits from choosing to live in a retirement village, this contributed to a sense of exclusion as a ratepayer within their broader community, as reflected in the following excerpt:

<sup>84</sup> Hughes, J, *Submission 4*.

<sup>85</sup> Teburea, L, *Committee Hansard*, 24 May 2019, p. 21.

<sup>86</sup> Teburea, L, *Responses to Questions on Notice*, 30 August 2019.



If you live at Forest Place Lifestyle Village or a similar type village in the Council area you are treated as if you are living on a different planet and made to feel that you are not part of the City of Onkaparinga.

Living at Forest Place Lifestyle Village is the best living decision we have made, only affected by the fact that we were not told we must pay twice for some services that other residents in the City of Onkaparinga receive as part of the standard council rates.<sup>87</sup>

### 2.3 Terms of Reference B: Options available to both State and Local Government to alleviate any impact on SA Water and Local Government charges of these policies

Based on the range of written and verbal evidence, the Committee formed the view that the application of valuation policies on retirement villages required greater consistency.

At a public hearing on 14 June 2019, witnesses from SA Water advised the Committee that while they had no preference for the valuation method used, the recommended approach must be transparent and consistent:

We've got no particular preference on the valuation method used for rating....All we ask is that our customers understand it, it's transparent, consistent and easy for our customers to understand.<sup>88</sup>

The Valuer-General identified three valuation scenarios to deliver more consistency in the current valuation of retirement villages, as presented in Table 4.

Table 4 Identified options to bring valuation records into a consistent structure for the valuation of retirement villages

No.	Valuation option/scenario
1.	Make a separate valuation for each physical occupation by assigning a valuation record for each occupation
2.	Make a valuation for land subject to separate ownership by assigning a valuation record for each parent holding
3.	Make a valuation for land subject to separate ownership then, apportioning a separate valuation for each physical occupation by assigning a valuation record for each parent holding with an occupancy assessment for each occupation therein.

Source: Office of the Valuer-General, Submission 19, p. 9.

<sup>87</sup> March, B, *Submission 10*, p. 5.

<sup>88</sup> Schirripa, A, *Committee Hansard*, 14 June 2019, p. 38.



At a public hearing on 29 March 2019, the Valuer-General reiterated the statutory independence of this role, and that it was not the place of the Valuer-General to contribute to policy for tax and rating:

For obvious reasons, it's not appropriate for us to be too aware of all rating and council policies. We have to be objective and, in order to do so, the property is our primary concern.<sup>89</sup>

The following sections discuss the possible rating implications for each valuation option, within the context of the issues addressed to the Committee during its Inquiry.

### **2.3.1 Option 1: Make a separate valuation for each physical occupation by assigning a valuation record for each occupation**

The Committee was informed that this valuation option largely represents the separate assessment policy in 2014-15. The Valuer-General informed the Committee that under this option, any common property would be represented in the Occupancy Assessment, as represented by sales evidence. The submission by the Office of the Valuer-General advised that under this option, the purchaser of an Occupation would consider the benefit of accessing the amenity of the complex as part of their acquisition consideration, and this would be reflected in the sales evidence.<sup>90</sup>

As such, the common facilities onsite, such as a pool, would not have a separate valuation record. The Committee was informed by the Office of the Valuer-General that this option was considered to accord with the best valuation practice for similarly structured complexes.<sup>91</sup>

However, many submissions expressed to the Committee that the current separate assessment policy should be removed and replaced with an approach that assessed a retirement village as a single entity with separate Occupations therein. Objections to the valuation approach requiring that each Occupation be assigned a separate valuation record, are demonstrated in the following excerpts from various submissions to the Inquiry:

SARVRA believes the SVO must apply a consistent approach with the creation of single assessments for all retirement village complexes as is the case with other multiple occupancy complexes.<sup>92</sup>

Norfolk Estate Resident's Association of which I am currently President hereby registers our objection to the present method of Valuation being used that being based on Occupancy rather than Title.<sup>93</sup>

<sup>89</sup> Bartolo, K, *Committee Hansard*, 29 March 2019, p. 10.

<sup>90</sup> Office of the Valuer-General, *Submission 19*, p. 9.

<sup>91</sup> Office of the Valuer-General, *Submission 19*, p. 9.

<sup>92</sup> SARVRA, *Submission 16*, p. 8.

<sup>93</sup> Hurley, M J, *Submission 5*.



### **2.3.2 Option 2: Make a valuation for land subject to separate ownership by assigning a valuation record for each parent holding**

The submission from the Office of the Valuer-General explained that under this option, there may be an administrative impost on the owner/operator of the facility to apportion individual financial contributions the rates, taxes and levies of the Parent Holding.<sup>94</sup> It is understood that under this option, any common property would be reflected within the single value ascribed.<sup>95</sup>

The Committee was informed by evidence from the Valuer-General that under this option, the method used by the owner/operator to apportion the individual financial contributions to the Parent Holding may lack visibility to occupants. The Valuer-General also advised that this concern from residents had been raised in prior consultations.<sup>96</sup>

Similarly, submissions to the Committee's Inquiry reflected concerns from some retirement village residents towards the perceived lack of visibility of individual water usage, and therefore the effect(s) of any related water saving initiatives undertaken by residents, as reflected in the following excerpt from a submission by a retirement village resident:

...the fact that there is only one meter ensures that, unlike in a "normal" residence where there is one connection per residence, leaseholders are unable to gain an understanding of their water usage. Hence, yet again, leaseholders are receiving a lower standard of service than owners and are deprived of the opportunity to see the results of their individual water saving initiatives, which are so important in South Australia.<sup>97</sup>

### Possible implications from a change to local Councils' ability to rate based on Occupation

The Committee was informed that valuation scenario two was not suitable for those areas in which local Councils choose to rate based on occupation.<sup>98</sup>

A written submission from Leading Aged Services Australia (LASA) questioned the potential impacts should retirement villages be rated as a whole, and pointed to the importance of obtaining appropriate views on this:

If villages [sic] rated as a whole, what is the impact upon any council which charges a fixed charge for rates and taxes plus a rate in the dollar? We consider that the views of the Local Governed Association [sic] should be obtained on this.<sup>99</sup>

A written submission from Mr T Crackett, Director Corporate Services, Adelaide Hills Council, indicated that the fixed charge mechanism was used by over 50 per cent of rural Councils in SA, and at least two metropolitan local Councils.<sup>100</sup> Throughout the Inquiry, the Committee

<sup>94</sup> Office of the Valuer-General, *Submission 19*, p. 9.

<sup>95</sup> Office of the Valuer-General, *Submission 19*, p. 9.

<sup>96</sup> Office of the Valuer-General, *Submission 19*, p. 9.

<sup>97</sup> Hughes, J, *Submission 4*.

<sup>98</sup> Office of the Valuer-General, *Submission 19*, p. 9.

<sup>99</sup> LASA, *Supplementary Submission 18*.

<sup>100</sup> Crackett, T, Director Corporate Services, Adelaide Hills Council, *Submission 1*.



received verbal and written evidence that reflected concerns towards unintended financial implications for local Councils should they lose their current ability to use fixed charges:

...More than half of those Councils using fixed charges are budgeting a deficit for the 2018-19 financial year and as such there are sustainability implications unless offset by other rate increases.<sup>101</sup>

Council feedback to us has been very clear that they would not want to see the ability to rate via occupancy removed and that that flexibility to retain that option is quite important to councils, and any change would need to have a thorough examination of what the financial impacts would be because, if there is a financial impact in terms of lost revenue, that will have implications across the broader community in terms of either redistributing that rate burden across other ratepayers or the reduction in services or facilities.<sup>102</sup>

Onkaparinga has approximately 2,250 separate rating assessments for retirement village properties, all of which have separate valuation numbers. Each assessment is subject to a fixed charge. Should the structure for valuing retirement villages be changed to being a single valuation number to cover the entire village, the potential financial impact on Onkaparinga would equate to a loss in rate revenue of approximately \$1,068,750 in 2018-19 terms reflecting the revenue foregone from the loss of the fixed charges.<sup>103</sup>

...A change in Council's ability to apply the fixed charge to individual tenancies within these retirement villages would result in a potential reduction of in excess of \$261,000 in rate revenue for the Council based on the level of fixed charge applied in the current financial year. This represents around 1% of Council's rate revenue which would have to be passed on to other ratepayers or would reflect negatively on the Council's capacity of deliver [sic] existing levels of infrastructure and services.<sup>104</sup>

### **2.3.3 Option 3: Make a valuation for land subject to separate ownership then apportioning a separate valuation for each physical occupation by assigning a valuation record for each parent holding with an occupancy assessment for each occupation therein**

The Committee heard that this valuation option would require a new valuation policy to outline that a valuation record for each parent holding would represent the aggregate of each occupation therein. The Committee was informed that this would then allow for fairness of application, regardless of what valuation record was applied.<sup>105</sup>

The Committee was informed that under valuation scenario three, local Councils could choose to use the parent holding record, or the occupation record. The Valuer-General advised that under this option, a local government rating policy would need to include how common property was treated, and its application by rating authorities.<sup>106</sup>

<sup>101</sup> Crackett, T, Director Corporate Services, Adelaide Hills Council, *Submission 1*.

<sup>102</sup> Teburea, L, LGA, *Committee Hansard*, 24 May 2019, p. 18.

<sup>103</sup> Thompson, E, *Submission 9*, p. 2.

<sup>104</sup> Maxwell, G, Acting Chief Executive Officer, City of Mount Gambier, *Submission 11*, p. 1.

<sup>105</sup> Office of the Valuer-General, *Submission 19*, p. 10.

<sup>106</sup> Office of the Valuer-General, *Submission 19*, p. 10.



Under this option, the parent holding would be visible to rating authorities, such as SA Water. If requested, the subset of tenancy valuations could be available to a local Council if it chose to rate on occupancy.

While the Valuer-General reiterated to the Committee that the role did not contribute to policy for tax and rating purposes,<sup>107</sup> the Valuer-General advised that valuation option three was the best valuation practice principle,<sup>108</sup> as further reflected in the evidence provided to the Committee, as expressed below:

My personal and professional perspective in relation to this is that option 3, as outlined in your submission, would probably provide the greatest flexibility to all of the different rating and taxation authorities, so it would allow for flexible application. It would then also allow for fairness and equity given the—as we have discussed several times—100 per cent aggregate of value versus the tenancies contained within. It would necessitate creation of a new memorandum of understanding to ensure that the application of those valuation figures is undertaken in a fair way as well.<sup>109</sup>

...ultimately the decision does fall upon me to come up with the best solution, and my experience tells me to believe that this is the best outcome.<sup>110</sup>

The Committee heard that valuation based on the Parent Holding, as per valuation scenario three, would in effect reverse the current valuation policy on retirement villages. Implementation of such a change may have the flow-on effects of removing individual supply charges, such as water and sewerage, and instead enable an outcome whereby one overall supply charge could be levied per village. Support for this outcome was reflected in verbal evidence provided by Mr B Ainsworth, SARVRA:

The solution, from the state valuation perspective, is that there is a reversion from separate assessments to single assessments for all village complexes. This will ensure that SA Water can only issue a single assessment for the village to SA Water. As a consequence, they can only charge one supply charge.<sup>111</sup>

Further, SARVRA advocated that, from an equity point of view, if the current practice of issuing separate assessments for ILUs is not stopped, then other multi-occupancy sites must be rated in this same way:

From an equity perspective if the Valuer-general does not stop issuing separate assessments for ILU's then SA Water (via SVO) must commence levying a supply charge and separate sewer charges on an occupancy basis to all lease holders at shopping centres, office blocks, blocks of flats and the like.<sup>112</sup>

<sup>107</sup> Bartolo, K, *Committee Hansard*, 29 March 2019, p. 10.

<sup>108</sup> Bartolo, K, *Committee Hansard*, 14 June 2019, p. 42.

<sup>109</sup> Bartolo, K, *Committee Hansard*, 29 March 2019, p. 13.

<sup>110</sup> Bartolo, K, *Committee Hansard*, 14 June 2019, p. 42.

<sup>111</sup> Ainsworth, B, *Committee Hansard*, 24 May 2019, p. 23.

<sup>112</sup> SARVRA, *Submission 16*, p. 9.





Broad support for the implementation of the change to single assessments for retirement villages was also reflected in the majority of submissions from individual residents, as well as broader stakeholders:

We therefore contend that the supply charge per utility should not apply to each residence but rather to the estate.<sup>113</sup>

Is there a reason that a valuation number could not be applied for a site (with multiple dwellings) rather than individual dwellings on the site?<sup>114</sup>

The Property Council supports the proposal made by the South Australian Retirement Villages Residents' Association (SARVRA) that the Valuer General should issue single assessments for all retirement villages across South Australia.<sup>115</sup>

#### Translation of the preferred valuation scenario into practice

Based on the evidence received by the Committee throughout its Inquiry, valuation option three broadly received the most support. The Committee investigated the implementation of this option within the existing legislative framework, with respect to any legislative provisions that may be needed to translate this preferred valuation scenario into practice. The *Valuation of Land (Retirement Villages Scenario 3) Amendment Bill 2019* (refer Appendix D), as drafted by the Office of Parliamentary Counsel, provides draft transitional provisions related to the implementation of valuation scenario three.

The Office for the Valuer-General's submission to the Inquiry advised of the need for valuation changes to be the subject of further stakeholder consultation, coupled with appropriate communication/education strategies:

Following review of the findings of this Committee and creation of a new Policy, a communication and stakeholder education strategy would be created and implemented. This would be done with a view to ensure that all consumers of General Valuations are made aware of any new policy and associated timelines.<sup>116</sup>

#### **Recommendation 1:**

That the preferred approach for retirement villages should be to create an assessment record on the SA Integrated Land Information System for each village which will include a valuation of the whole property and a separate tenancy apportionment of this valuation for each ILU within the village. This is identified as option three in this report.

Not only is this approach considered to support greater consistency to the present administration of valuation records for retirement villages, but it is expected to work to address identified inconsistencies with water supply charges and provide flexibility for Councils to apply ratings policies.

<sup>113</sup> Walls, A J, *Submission 17*.

<sup>114</sup> Parker, K, *Submission 13*.

<sup>115</sup> Gannon, D, *Submission 14*.

<sup>116</sup> Office of the Valuer-General, *Submission 19*, p. 11.



**Recommendation 2:**

To support implementation of option 3, the Committee recommends consideration of the draft transitional provisions as reflected in the *Valuation of Land (Retirement Villages Scenario 3) Amendment Bill 2019* (Appendix D).

**Recommendation 3:**

It is recommended that as part of the consideration of the *Valuation of Land (Retirement Villages Scenario 3) Amendment Bill 2019* (Appendix D), the transitional provisions be subject to further consultation between the Valuer-General and relevant stakeholders as required:

- SA Water
- Local Government Association
- Concessions SA, Department for Human Services
- Local Councils
- Residents' representative associations
- Residents and operators/owners of retirement villages
- Peak/industry bodies representing the interests of village residents and/or operators.

**Recommendation 4:**

A working group be convened with representation from SA Water, the Office of the Valuer-General and Concessions SA, Department for Human Services, to oversee consultation and creation of a new Memorandum of Understanding to facilitate the implementation of the preferred valuation option for retirement villages. Preparation of an implementation plan and timetable should be included in this process. The Committee notes that such a working group should not require any additional funding.



#### **2.3.4 Option 4: Investigate feasibility of a Council rate rebate to retirement village residents**

Evidence presented to the Committee suggested that the option to effectively revert the current valuation policy to a single valuation assessment of the Parent Holding, would not necessarily address concerns raised from some residents about Council rates levied per separate assessment. Essentially, this is because Councils could choose to use the Parent Holding or the apportioned Occupancy Assessments for rating purposes, depending on each Council's rating policy.

This issue was the subject of SARVRA's supplementary submission to the Committee, which proposed, with reference to the *Local Government Act 1999*, that a separate Council rate rebate be applied to all ILUs:

In accordance with section 161 of the *Local Government Act 1999* councils may grant a council rate rebate of 75% or at their discretion a higher amount.

In terms of section 166 of the same act council may grant a rebate that is up to (and including) 100 per cent of the relevant rates or service charge.

SARVRA therefore seeks an amendment to section 166 to provide a mandated council rate rebate of 25% for all ILU's.<sup>117</sup>

The Committee received written and verbal evidence in support of a separate Council rate for retirement villages. This was largely because residents were of the position that they received disproportionate levels of some Council services compared to general ratepayers, and that Council rates were levied on disproportionately high valuation assessments of ILUs.

The Committee heard evidence that in the past, some retirement village residents' committees applied to their local Councils to consider a rating discount to residents, and that such applications were for rebates largely in the range of approximately 20-25 per cent.<sup>118</sup> While the Committee heard that the majority of requests to individual Councils were unsuccessful, the Committee heard evidence that there was at least one not-for-profit retirement village granted a rebate by the Port Pirie Local Council.<sup>119</sup>

One submission advised the Committee of a situation in 2014, in which the Wakefield Regional Council granted a 25 per cent rate rebate to Hayfield Plains' residents in Balaklava. It is understood that in this instance, the residents' original request was for a 75 per cent rate rebate, largely in recognition that residents provided many of the services otherwise provided by the Council.<sup>120</sup> The reporting of this instance did acknowledge the difficulty experienced by the Council to estimate the value of the services that Council didn't need to provide to the village, because of residents' financial obligations to internally-provided services.<sup>121</sup>

<sup>117</sup> SARVRA, *Supplementary Submission 20*, p. 4.

<sup>118</sup> Ainsworth, B, *Committee Hansard*, 24 May 2019, p. 28.

<sup>119</sup> Ainsworth, B, *Committee Hansard*, 24 May 2019, p. 29.

<sup>120</sup> Smith, V & B, *Submission 15*.

<sup>121</sup> Smith, V & B, *Submission 15*.



The Committee also heard evidence from Ms L Teburea, Executive Director, Public Affairs, LGA, advising that discretionary rebates for some residents of retirement villages are currently in place:

...some councils do choose to use the discretionary powers they have under the act to provide rate rebates to the residents of retirement villages in some circumstances. These decisions are made after full consideration of the facts and the financial impacts on councils and all ratepayers. It is appropriate that councils would give full consideration to an application for rate relief where it can be justified and where it would not create an inequity for other ratepayers.<sup>122</sup>

One submission included the following recommendations regarding Council rates and retirement villages:

1. That residents in Retirement Villages are treated the same as other residents in the southern community and receive all the same services and benefits.
2. If that is not possible, that residents in Retirement Villages receive a discount on their council rates equal to the services not provided to residents that are provided to other residents in the southern community.

This submission further highlighted that if such recommendations were not possible, then this submission suggested:

If our Water Rates and Council Rates Recommendations are not implemented, that the Retirement Villages Act and Regulations be adjusted to require Owners/Operators to include in their disclosure documents, that potential village unit owners will have to pay twice for some services provided by SA Water and the City of Onkaparinga, that residents in the general community do not have to pay for twice.<sup>123</sup>

#### Local Government rating and provision of rebates to residents of retirement villages

The Committee heard evidence from the LGA that the differences in rating practices between Councils made it difficult to determine what was the 'typical' impact from Councils' rating policies on retirement villages.<sup>124</sup> The submission from the Office of the Valuer-General advised the Committee that valuation assessments are used by the majority of Local Governments in SA, with some exceptions.<sup>125</sup> The Committee heard evidence that Council rates are currently "...charged on the total costs of providing all services and then apportioned to individual properties based on valuations".<sup>126</sup>

Of the 21 submissions to the Committee's Inquiry, three were received from individuals from different local Councils, and one submission was from the LGA. These submissions outlined different Councils' use of valuation assessments with regards to local Council rates, and the broader implications for all ratepayers should current arrangements change. From the

<sup>122</sup> Teburea, L, *Committee Hansard*, 24 May 2019, p. 16.

<sup>123</sup> March, B, *Submission 10*, p. 7.

<sup>124</sup> Teburea, L, *Committee Hansard*, 24 May 2019, pp. 15-16.

<sup>125</sup> Office of the Valuer-General, *Submission 19*, p. 4.

<sup>126</sup> Teburea, L, *Committee Hansard*, 24 May 2019, p. 20.



evidence submitted to the Committee, it was clear that there was variance between different Councils' provision of services and rating of land with regards to retirement villages. Verbal evidence to the Committee from Ms Teburea, LGA, identified the importance of distinguishing that general Council fees should not be interpreted as a fee for a property-based service:

...General rates should not be viewed or treated as a fee for the provision of a specific service to a specific property, and to do so would undermine one of the fundamental principles of our rating system which is enshrined in legislation.<sup>127</sup>

While this tension between the understanding of rates as a fee for service, and the understanding of rates as a form of general taxation is beyond the scope of the current Inquiry, it does underscore a possible need for greater clarity concerning the application of the local government rating system with respect to retirement villages.

Submissions to the Inquiry suggested different options to the Committee to alleviate the impacts of the present situation about the billing impacts of Council rates for retirement village residents. One submission from a retirement village resident referenced the resident's past application to the local Council for consideration of a discretionary rebate on Council rates for residents in retirement villages. This was on the basis of the existing flexibility for discretion under section 166 of the *Local Government Act 1999*, "...where the land is being used to provide accommodation for the aged or disabled."<sup>128</sup>

Another submission by a retirement village resident referenced a previous written appeal to the local Council for consideration of a capping rebate for all units within a retirement village, or, an increase in the amount of services provided by Council to the retirement village:

It is suggested that a capping rebate (to represent the lack of services to our villages) could be applied to ALL units, or alternatively, ALL the services referred to above should be offered to the Residents of our three villages on a permanent basis.<sup>129</sup>

Submissions to the Committee's Inquiry referenced at least three instances of rate capping provided by local Councils to residents of retirement villages. Evidence to the Committee reflected a possible need for a more consistent and transparent approach of this practice, as some submissions referenced awareness of residents in other villages being granted some form of rate rebate:

...we are of the view that there should be a consistent approach by Local Government to this issue of (effectively double) charging for services not received (and are aware that it happens in other villages and in some cases, residents have been granted discounted rates).<sup>130</sup>

However, the Committee also heard evidence from Ms Teburea, LGA, of the possible difficulty in arriving at a whole-of-local government approach towards discretionary rebates and retirement village residents, and the issue of resulting impacts of any changes on the broader ratepayer base.<sup>131</sup>

<sup>127</sup> Teburea, L, *Committee Hansard*, 24 May 2019, p. 16.

<sup>128</sup> Walls, A, *Submission 17*.

<sup>129</sup> Smith, V & B, *Submission 15*.

<sup>130</sup> Hughes, J, *Submission 4*.

<sup>131</sup> Teburea, L, *Committee Hansard*, 24 May, p. 16.



At the public hearing on 24 May 2019, Ms Teburea acknowledged that a few Councils did provide discretionary rebates to residents of some retirement villages in some circumstances, in consideration of Council services that weren't provided in some villages,<sup>132</sup> although, this was not a position of the LGA as such:

There are a number of councils that are providing rebates after considering some of those facts around who is and who isn't obligated to pay rates, and the types of services that are or are not being provided in certain villages, comparative to others. So we would support the continuation of those issues being considered on a case-by-case basis.<sup>133</sup>

With regards to the future direction of this issue, Ms Teburea's evidence to the Committee indicated scope for a review of what was currently occurring, to inform further developments, where appropriate:

If there could be further guidance provided either through the LGA or via a regulation or a guideline that applies across the state, we would certainly be happy to participate in that conversation about how it can be applied more consistently.

The Local Government Act, as you are probably where [sic], outlines some broad parameters for the application of discretionary rebates. If that was to be further examined and looked at, and came up with some principles that could apply specifically to retirement villages, that's a conversation we would be prepared to entertain.<sup>134</sup>

#### Expressed caution towards a separate Council rebate for retirement village residents

The Committee also received evidence reflecting questions and caution towards introducing a mandated Council rebate for retirement village residents. Of the three submissions from individuals from local Councils and one submission from the LGA, all reflected the position that the *Local Government Act 1999* currently provided enough flexibility for Councils to levy their rates, as exemplified in evidence from Ms Teburea, LGA, below:

It's our view that the Local Government Act currently provides sufficient flexibility to councils to make decisions about rating based on what is fair and equitable across the whole community.<sup>135</sup>

The submission from Mr T Crackett, Director Corporate Services, Adelaide Hills Council, suggested that from a funding perspective, ageing and aged care is not a role or responsibility of local government. As such, this submission suggested that the provision of a Council rate discount to retirement village occupants may move Council from its current facilitator role, to a "...more direct funder of aged care."<sup>136</sup>

The Committee received evidence that suggested the complexity of implementing a Council rates rebate to residents of retirement villages. During a public hearing on 24 March 2019, the Committee asked Ms Teburea if it would be reasonable to acknowledge that the amount of services provided by a local Council to a retirement village with 30 ILUs, was likely to be

<sup>132</sup> Teburea, L, *Committee Hansard*, 24 May 2019, p. 16.

<sup>133</sup> Teburea, L, *Committee Hansard*, 24 May 2019, p. 19.

<sup>134</sup> Teburea, L, *Committee Hansard*, 24 May 2019, p. 19.

<sup>135</sup> Teburea, L, *Committee Hansard*, Friday 24 March 2019, p. 16.

<sup>136</sup> Crackett, T, *Submission 1*.



significantly less than the full extent of services provided by that Council to 30 individual dwellings in a residential area. Ms Teburea's response, in part, advised the Committee of the following:

...In a circumstance where you have a retirement village that is fully maintained from within and it's a private development, then, yes, they might be reasonable to expect that on a household by household basis it would cost council less to service that particular property than a property that's just a typical, privately owned dwelling. But rates are not charged on that basis. They are charged on the total costs of providing all services and then apportioned to individual properties based on valuations.<sup>137</sup>

Later during the Committee's hearing on 24 March 2019, Ms Teburea identified potential risks of trying to implement a discount to residents' Council rates based on the level of services provided:

...I think we get into a slippery-slope argument, where we start quarantining out particular services and saying, 'if you don't use it or you don't access it, then you don't have to pay for it'. There's a variety of services that are provided by all levels of government that are not used by everyone who pays tax.<sup>138</sup>

The Committee heard that another identified tension with regards to the subject of discretionary rebates for retirement village residents, was the effect(s) on the broader ratepayer base. This is reflected in the possible implication that other ratepayers, including those older adults/retirees who chose not to reside in a retirement village, may be effectively subsidising any separate Council rebates to residents of retirement villages:

It could be considered unfair and inequitable for other council ratepayers, which includes pensioners living in their own homes, single income families, carers and other ratepayers who may be facing cost-of-living pressures having to subsidise the provision of community infrastructure and services for those who choose to reside in other forms of residential developments, such as a retirement village.<sup>139</sup>

Yet, submissions from village residents to the Inquiry reflected the intention that retirement village residents do not seek extra treatment beyond which other ratepayers in the community received with regards to their access to Council services. This is reflected in a submission from a resident at a metropolitan retirement village:

Retirement Village residents do not want special treatment. They only want to be treated fairly and in the same way as people in multiple occupancy units, where there is one value for the whole complex, which can be shared by residents/occupiers.<sup>140</sup>

<sup>137</sup> Teburea, L, *Committee Hansard*, Friday 24 March 2019, p. 20.

<sup>138</sup> Teburea, L, *Committee Hansard*, Friday 24 March 2019, p. 21.

<sup>139</sup> Teburea, L, *Committee Hansard*, 24 May 2019, p. 16.

<sup>140</sup> Kennard, G, *Submission 6*.



**Recommendation 5:**

The Committee heard evidence of different local government rating practices, which contribute to variance in how some retirement villages are levied Council rates compared to others. The Committee heard evidence from residents concerned about this variance. The Committee also heard evidence of the importance for local Councils to continue to exercise localised decision-making that balances the needs of the broader ratepayer base, with regards to rating retirement villages.

In consideration of these views expressed to the Committee, it is recommended that the LGA coordinate a mapping study of current local government rating practices as applied to retirement villages, with the view to inform a conversation about the parameters in which a Council rebate for retirement village residents could feasibly apply. It is recommended that this mapping study of local government rating practices identify the proportion of Councils that:

- use Occupancy Assessments and the basis for this;
- choose to rate on a single assessment and the basis for this; and
- currently apply discretionary rebates for some residents of retirement villages, and the supporting rationale.

**Recommendation 6:**

Local Council(s) undertake appropriate consultation to examine the issues as expressed to the Committee, regarding Council charges for waste removal services to retirement villages that are otherwise financially responsible for waste management services.

**2.3.5 Option 5: Examine the current concessions/rebates applicable for residents of retirement villages**

A smaller proportion of evidence to the Committee suggested the option of a State Government-provided rebate to residents of retirement villages that were subject to separate assessment. The submission from Daniel Gannon, SA Executive Director, Property Council of Australia, in part advised:

The government could also examine extending or providing rebates to separately assessed villages to alleviate extra costs (although this is not a long term solution).<sup>141</sup>

<sup>141</sup> Gannon, D, *Submission 14*.





In their supplementary submission to the Inquiry, LASA raised the importance of continuing to ensure that pensioner and similar concessions continue to be appropriately applied to units within retirement villages:

How will the government continue to ensure that pensioner and similar concessions are appropriately allocated to each unit which is entitled to them? We consider that pensioner and similar concessions must not be lost for the people entitled to them.<sup>142</sup>

One submission from a retirement village resident asked the Committee review current rates and utilities charges, and in doing so, referenced the resident's prior correspondence and advocacy on this matter, as expressed in the following excerpt:

I seek your support for a review of Local Government rate charges to pensioners as it seems likely that concessions will disappear in the foreseeable future. These charges combined with supply charges for water, gas, and electricity (which have doubled in three years 2010-2013 and are likely to increase again) are making living on the pension dangerously close to the poverty line, especially when a person loses a partner and these changes become a sole responsibility.<sup>143</sup>

During the Inquiry, the Committee was informed of the historical background to changes in the administration of concession payments that had impacts for some residents of retirement villages. Submissions to the Inquiry also suggested differences in the way that some residents currently received their pensioner/concession payments. Similarly, a submission from LASA put suggested the preference for rating authorities to deal with residents direct regarding the application of pensioner and concession payments:

Is it possible to ensure that irrespective of the rating system that pensioner and similar concessions are dealt with direct by the rating authorities with the residents rather than through the village? We consider that this will be the most efficient way of ensuring that residents receive the concessions and that an undue administrative burden is not placed on operators.<sup>144</sup>

**Recommendation 7:**

That a review of the current administrative processes for State Government concession payments applicable to residents of retirement villages is undertaken, to identify any impacts on concession payments from a change to current valuation policies on retirement villages. It is recommended that any changes be clearly communicated to affected stakeholders, to address some of the concerns about concession payments as expressed to the Committee.

<sup>142</sup> Rosa, R, & Elias, M, LASA, *Supplementary Submission 18*.

<sup>143</sup> Walls, A J, *Submission 17*.

<sup>144</sup> Rosa, R & Elias, M, LASA, *Supplementary Submission 18*.



**APPENDIX A: LIST OF SUBMITTERS**

Submission No. 1	Terry Crackett, Director Corporate Services, Adelaide Hills Council
Submission No. 2	Trevor Elburn, Seniors Real Estate Services
Submission No. 3	Peter Graham
Submission No. 4	John Hughes, Chair, Living Choice Fullarton Residents' Representative Committee (LCFRRC)
Submission No. 5	Michael Hurley, President, Norfolk Estate Residents' Committee
Submission No. 6	Gillian Kennard, Former President of South Australian Villages Residents Association Inc. (SARVRA)
Submission No. 7	Michael Elias, Chairperson, Retirement Living Advisory Group SA – Leading Age Services Australia Ltd (LASA)
Submission No. 8	Mayor Sam Telfer, President, Local Government Association of South Australia
Submission No. 9	Mayor Erin Thompson, City of Onkaparinga
Submission No. 10	Brian March, President, Residents' Committee Forest Place Lifestyle Village
Submission No. 11	Graeme Maxwell, Acting Chief Executive Officer, City of Mount Gambier
Submission No. 12	Jane Mussared, Chief Executive, COTA SA
Submission No. 13	Karen Parker, Chairperson, Kingston Retirement Village Inc.
Submission No. 14	Daniel Gannon, SA Executive Director, the Property Council of Australia Ltd
Submission No. 15	Vic and Beverly Smith
Submission No. 16	South Australian Retirement Villages Residents Association Inc (SARVRA)
Submission No. 17	Arthur Walls, Past President, Angle Vale Gardens Retirement Estate Residents' Committee
Submission No. 18	LASA Secondary Submission



Submission No. 19	Office of the Valuer-General
Submission No. 20	SARVRA Supplementary Submission
Submission No. 21	Office of the Valuer-General Subsequent Submission

### RESPONSES TO QUESTIONS ON NOTICE

Submitter	Date
Office of the Valuer-General	March 2019
SA Water	5 August 2019
Lisa Teburea, Executive Director Public Affairs, Local Government Association	30 August 2019

### TABLED DOCUMENTS

Submitter	Date Tabled	Description
Bob Ainsworth, President, SARVRA	24 May 2019	Speaking notes
SA Water	14 June 2019	SA Water presentation to the Joint Committee on the Valuation Policies and Charges on Retirement Villages



## APPENDIX B: LIST OF WITNESSES

### **29 March 2019 – Watarru Room, Parliament House, Adelaide**

1. Katherine Bartolo, Valuer-General of South Australia
2. Anthony Smit, Deputy to the Valuer-General.

### **24 May 2019 – Plaza Room, Parliament House, Adelaide**

3. Lisa Teburea, Executive Director Public Affairs, Local Government Association
4. Bob Ainsworth, President, South Australian Retirement Villages Residents Association Inc.
5. Roger Adamson, Committee Member, South Australian Retirement Villages Residents Association Inc.

### **14 June 2019 – Watarru Room, Parliament House, Adelaide**

6. Kerry Rowlands, General Manager of Customer Delivery, SA Water
7. Addi Schirripa, Senior Manager of Account Integrity and Billing, SA Water
8. Katherine Bartolo, Valuer-General of South Australia
9. Anthony Smit, Deputy to the Valuer-General.



**APPENDIX C: BILLING IMPACT OF THE CHANGE TO SEPARATE ASSESSMENTS OF VILLAGE INDEPENDENT LIVING UNITS**

Retirement village and characteristics	No. of ILUs	Impact on sewerage access charge	Impact on water supply charge	Impact on water use charge	Total impact	Impact per ILU	ILU impact where eligible for concession
1. Metro – minimum sewer charge	19	-\$1,623.70	-\$5,428.80	\$1,658.88	-\$5,393.62	-\$283.87	\$100.46
2. Metro – sewer charge as % of CV	70	\$0.00	-\$19,905.60	\$6,359.04	-\$13,546.56	-\$193.52	\$233.10
3. Metro - charity	14	\$0.00	-\$3,920.80	\$952.32	-\$2,968.48	-\$212.03	\$98.85
4. Metro – sewer charge as % of CV	30	\$0.00	-\$8,143.20	\$2,605.82	-\$5,537.38	-\$184.58	\$126.30
5. Metro - charity	24	\$0.00	-\$6,635.20	\$2,119.68	-\$4,515.52	-\$188.15	\$219.85
6. Country – minimum sewer charge	97	-\$11,619.08	-\$28,953.60	\$10,468.31	-\$30,104.37	-\$310.35	\$0.53
7. <sup>1</sup> Country – no sewer	13	\$0.00	-\$3,619.20	\$970.75	-\$2,648.45	-\$203.73	-\$8.77
8. Country – no sewer	59	\$0.00	-\$17,492.80	\$4,784.41	-\$12,708.39	-\$215.40	-\$20.44
9. Country – no sewer	30	\$0.00	-\$8,746.40	\$2,600.49	-\$6,145.91	-\$204.86	-\$9.90

Source: SA Water, Responses to questions on notice, 5 August 2019, p. 4.

<sup>1</sup> No sewerage charges and no sewerage concessions apply for villages 7,8, and 9.



Information provided by SA Water advised that the following rating and concession parameters had been applied as part of the calculations:

- Use of 2019-20 prices
- Charitable pricing – discounted water use, sewerage charged based on the number of toilets rather than % of capital value.
- ILU valued below the minimum sewer threshold (around \$338,000), minimum sewer charge (\$323.20) applied.
- Concession – water \$194.96 (min) \$310.70 (max); sewer \$115.92
- Water use charges:
  - Retirement village with single assessment – water use of 30kL (approx.) charged at tier 1 price, remaining water use charged at higher tier 2 price
  - Retirement village with each ILU assessed – provide 30kL of water use at tier 1 price for each ILU, remaining water use charged at tier 2 price.
- Sewerage not charged in areas where sewerage services are not available.

*Source: SA Water, Responses to questions on notice, 5 August 2019, p. 4.*



## APPENDIX D: VALUATION OF LAND (RETIREMENT VILLAGES SCENARIO 3) AMENDMENT BILL 2019

Draft  
2.7.2019 (1)

South Australia

### Valuation of Land (Retirement Villages Scenario 3) Amendment Bill 2019

A BILL FOR

An Act to amend the *Valuation of Land Act 1971*.

#### Contents

##### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

##### Part 2—Amendment of *Valuation of Land Act 1971*

- 4 Insertion of section 16B  
16B Valuation in retirement villages

##### Schedule 1—Transitional provisions

- 1 Re-valuation of retirement villages

The Parliament of South Australia enacts as follows:

#### Part 1—Preliminary

##### 1—Short title

- 5 This Act may be cited as the *Valuation of Land (Retirement Villages Scenario 3) Amendment Act 2019*.

##### 2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

##### 3—Amendment provisions

- 10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

OPC AT/ 2.7.2019 12:15 PM  
Prepared by Parliamentary Counsel

1



Draft

Valuation of Land (Retirement Villages Scenario 3) Amendment Bill 2019  
Part 2—Amendment of *Valuation of Land Act 1971*

## Part 2—Amendment of *Valuation of Land Act 1971*

### 4—Insertion of section 16B

After section 16A insert:

#### 16B—Valuation in retirement villages

- 5 (1) If, after the commencement of this section, the Valuer-General is to  
make a separate valuation of a portion of retirement village land on  
the basis of it being under separate physical occupation, the  
Valuer-General must, despite any other provision of this Act or any  
10 other Act or law, make the valuation by determining the combined  
value of all of the land within the retirement village that is owned by  
the same owner and then apportioning that combined value among  
each separately occupied portion of land owned by the owner in the  
retirement village.
- 15 (2) In this section—  
*retirement village land* means land forming part of retirement village  
within the meaning of the *Retirement Villages Act 2016*.

## Schedule 1—Transitional provisions

### 1—Re-valuation of retirement villages

- 20 If, on the commencement of this Act, a valuation under the *Valuation of Land  
Act 1971* exists in relation to a portion of land described in section 16B of that Act (as  
inserted by this Act), the Valuer-General must, as soon as practicable after the  
commencement of this Act, value the portion of land, or cause the portion of land to  
be valued, in accordance with section 16B.





**24.7 PROPOSED RATING STRUCTURE AND WASTE SERVICE CHARGE – REPORT NO. AR21/7731**

<b>Committee:</b>	<b>Council</b>
<b>Meeting Date:</b>	<b>16 February 2021</b>
<b>Report No.:</b>	<b>AR21/7731</b>
<b>CM9 Reference:</b>	<b>AF20/446</b>
<b>Author:</b>	<b>Jeroen Zwijnenburg, Manager Finance and Customer Service</b>
<b>Authoriser:</b>	<b>Darren Barber, General Manager Shared Services</b>
<b>Summary:</b>	<b>The Rating Structure is proposed to be adjusted by the introduction of a Waste Service Charge (WSC) and the principle that this is financed from the general rates - fixed charge. This is an environmental decision to make it very clear to rate payers that the overall rates and charges include a visible rate for garbage collection.</b>
<b>Strategic Plan Reference:</b>	<b>Goal 1: Our People</b> <b>Goal 2: Our Location</b> <b>Goal 3: Our Diverse Economy</b> <b>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</b> <b>Goal 5: Our Commitment</b>

**REPORT RECOMMENDATION**

1. That Council Report No. AR21/7731 titled 'Proposed Rating Structure and Waste Service Charge' as presented on 16 February 2021 be noted.
2. That Council endorse to include in the public consultation process regarding rates and charges, the following two changes to the current rating assumptions and directions (referred to in Council Report No. AR20/80665 titled 'Council's current Valuation and Rating System'):
  - (a) the introduction of a Waste Service Charge at \$200 per year for FY2022 for all assessments where applicable, including properties where Council applies mandatory or discretionary rebates on the general rates, excluding non-rateable properties, and
  - (b) the introduction of the principle that the combined General Rates - Fixed Charge and the Waste Service Charge will raise approximately 45% of Council's overall rates and charges revenue.

That Council uses these, and the other current rating assumptions and directions referred to in the above mentioned report to prepare Council's Annual Business Plan and Budget for 2021/2022.

3. That Council endorses a period of 21 days public consultation detailing the application of the Waste Service Charge to the various categories of rate payers in accordance with the Local Government Act 1999. This consultation will occur in conjunction with the community consultation process related to the Annual Business Plan and Budget process for 2021/22.



## TYPE OF REPORT

Legislative

## BACKGROUND

At the 19 May 2020 meeting, where the resolution was passed in relation to the 'Suspension of Green Waste Tag Fees' Council requested a review in mid-2021 to enable a reassessment of the impacts of the suspension of green waste tag fees as part of the 2021/22 preparation of the Annual Business Plan and Budget.

Combined with the Annual Review of the Valuation and Rating System - see previous Council Report - investigations were made around the alternative ways to incentivise rate payers with regards to waste management as part of the overall rating system.

The report proposes the introduction of a Waste Service Charge (WSC) as part of Council's Rating system for 2021/22.

The Local Government Act 1999 (LGA 1999), under Chapter 10 Rates and charges, paragraph 146 indicates 'A Council may impose rates and charges' including:

- General rates
- Separate rates
- Service rates
- Service charges

To date Council imposes rates and charges only under 'General rates', being the Fixed Charge and the Differential Rate.

The Local Government Act 1999 (paragraph 151 (5) indicates that, before a council changes the imposition of rates on land by declaring or imposing a separate rate, service rate or service charge on any land the council must prepare a report on the proposed change; and follow the relevant steps set out in its public consultation policy.

With the introduction of the WSC Council does not intend to raise the overall rates and charges. For that reason, the introduction of the WSC will lead to a similar reduction in the fixed charge general rate.

i.e. Council intends to apply the following formula and assumptions:

- $(\text{Fixed Charge} + \text{Differential General Rate}) \text{ FY2021} = \text{General rates FY2021}$
- $(\text{Fixed Charge} + \text{Differential General Rate} + \text{Waste Service Charge}) \text{ FY2022} = \text{Council rates and charges FY2022}$
- $\text{Council rates and charges FY2022} / \text{General rates FY2021} * 100\% = 104.5\%$  (this 4.5% is consistent with Council's LTFP with regards to rates and charges income.)

## PROPOSAL

### Service Charge

The Local Government Act 1999 paragraph 155 introduces a service charge as (1) (b) a prescribed service for 'the collection, treatment or disposal (including by recycling) of waste'

For the City of Mount Gambier this charge is intended to include the expenditure related to:

- Waste collection



- Green waste collection
- Waste Transfer Station
- Re-Use Centre
- Bulky waste collection (if this is not financed in alternative ways)

For completeness it is noted that this will include the direct costs that Council incurs for dumping waste at the Caroline landfill, however it does not include the overall financial result of the Caroline landfill. As Caroline landfill is a facility is used as cost/profit centre with a much wider regional impact and major risk management implications and it is not considered appropriate to either subsidise or charge Council's rate payers for regional related outcomes of this facility.

Considering past and FY2021 expenses the amount of the WSC is set at \$200 per assessment

### **Waste Service Charge in other SA Councils**

Within South Australia most Councils do charge a Waste Service Charge. Neighbouring Councils, including the District Council of Grant, Wattle Range Council, Tatiara and Naracoorte Lucindale Council all include a variant of the WSC on their rates notice.

A major advantage of the introduction of the WSC, funded from the fixed charge general rates component, is that it introduces a trigger and incentive to local rate payers about the cost of waste. With the 2020/21 suspension of the green waste tag Council achieved higher levels of waste segregation, impacting the overall waste cost for Council. With the introduction of a WSC such impacts might result in a downward change in the WSC in future years.

At the same time Council is impacted by multiple external factors that influence to cost of waste (including EPA levies, global transitions like the China Sword policy, etc.). By introducing the WSC Council will be more able to communicate the impact of these initiatives on waste costs. Similarly, these matters can be reflected in future WSC.

### **Application of the Waste Service Charge**

The WSC will be charged on the service being available to the property i.e. there is no need to vary the charge based on the question of the land-owner/ occupier is using the service or not, but it is dependent on Council making the service available to the property.

Consequently, when the rate payer who pays for the WSC asks for the service, Council is obliged to deliver this service.

An example where this might be relevant is where a shop might have arranged their own waste pick-up, Council will charge the WSC irrespective and where the WSC shops might now put out one bin per tenancy, where this previously did not occur. However, a shop, B&B or unoccupied property, irrespective if they are vacant, will be charged for the WSC as part of their rates and charges.

The WSC will not be applicable to the 'Vacant Land' or 'Primary Production' land where there no dwelling on the land. As of 30 June 2020, this represented respectively 361 Vacant Land and 36 Primary Production assessments.

### **Accounting for the WSC**

The charge is to cover the expenditure related to the collection, treatment or disposal (including by recycling) of waste over multiple years. However, actual expenditure per year may fluctuate, dependent on many factors. As a consequence, in any year that the WSC results in more or less income than expenditure in the area of waste the 'overs' and 'unders' are to be accounted for (per paragraph 155 (5) and (6) the Local Government Act 1999) in a specific 'Waste' reserve, reducing next year's potential increase in the WSC.

### **Rating structure implications**



The result of the WSC introduction will have a different impact on different categories of rate payers. The Vacant Land assessments and the Primary Production without dwelling assessments are excluded from the payment of the WSC therefore the average WSC per assessment results in a lesser figure than \$200 per assessment. Based on June 2020 figures for number of assessments, on June 2020 capital values, a WSC of \$200 and an overall 4.5% combined general rates and service fee charges increase the average rates and charges for all categories of ratepayers will be approximately as per the table below:

<b>Comparison</b>	<b>FY2021</b>	<b>FY2022</b>	<b>Difference</b>	<b>Difference</b>
Fixed Charge	\$682.70	\$513.42	-\$169.28	-24.8%
Waste Service Charge	-	\$194.41	\$194.41	
Total Fixed Charge and WSC	\$682.70	\$707.83	\$25.13	3.7%
Average differential Rate	\$850.78	\$894.60	\$43.82	5.2%
<b>Total</b>	<b>\$1,533.48</b>	<b>\$1,602.43</b>	<b>\$68.95</b>	<b>4.5%</b>

It be noted that the actual figures for FY2022 will be different and the above is for general comparison purposes only.

Council wide, the fixed charge will form 36.5% of the general rates (i.e. combined fixed charge and differential rate), while the fixed charge and the WSC combined will form 44.2% of the total rates and charges. For rate payers, including residential rate payers, who pay both the fixed charge and the WSC, the combined fixed charge and WSC will amount to \$713.42 on average, which is 4.5% increase compared to the FY2021 fixed charge of \$682.70.

### **Process from endorsement to adoption**

Council’s endorsement for inclusion in the public consultation process allows time for the preparation of the report for community consultation and for the detailed implementation of these changes in Council’s systems.

The Local Government Act 1999 paragraph 151 (7) indicates that public consultation policy must at least provide for a publication in a newspaper, advising the public of the report and inviting interested persons to attend a public meeting or to make a written submission. Paragraph 151 (8a) indicates that this report may form part of the council’s draft annual business plan and that the public consultation may be undertaken as part of the public consultation required with respect to the council’s draft annual business plan.

It is council’s intention to combine the report and the public consultation with the draft annual business plan and budget process.

### **LEGAL IMPLICATIONS**

The Local Government Act 1999 provides the legal parameters which Council works within. Some specific advice might be sought if and when required.

### **STRATEGIC PLAN**

The Strategic Plan 2020 - 2024 - item 3.5 - is focussed on reducing our per capita tonnage of waste from the City going to the Caroline landfill. The introduction of the WSC fits within this plan.

### **COUNCIL POLICY**

[Council Policy W125 Waste Management - Refuse Collection](#) requires a review for this purpose.

- Where there are references to ‘rateable premises within the Council areas and on which an occupied building is erected’ the wording requires updating to reflect consistency with the WSC, which does not limit its applicability to occupied buildings or rateable premises.
- In case the WSC applies to non-rateable premises the clause around weekly collection at non-rateable premises requires updating.



- The policy references to the provision 'on a fee for service basis' organic waste collection. This has become free of charge and some updates are required.

## **ECONOMIC IMPLICATIONS**

The implications for overall Council income for FY2022 are minimal, as the WSC is financed from a reduction in the general rates - fixed charge. It will provide Council with the tools to become more responsive to waste management related costs and sharing the costs and benefits with the community.

There will be economic implications for Vacant Land and Rural properties, as the WSC will be reducing the fixed rate and these assessments are exempt from the WSC, therefore will have an overall reduction in their general rates.

There will be economic implications for assessments that receive a mandatory rebate, as the reduced general rates lead to a reduced rebate in nominal terms - see under Social Implications.

## **ENVIRONMENTAL IMPLICATIONS**

The introduction of the WSC stresses the importance Council places on waste reduction, recycling and environmental waste management practices in general.

## **SOCIAL IMPLICATIONS**

The WSC has been structured such that the social implications are minimised. By reducing the general rates fixed charge by the amount of the WSC there is no bottom-line impact on most of the assessments for rate payers.

### **Rebates**

Were there will be an impact is in those rateable properties that currently receive a mandatory or discretionary rebate of the general rates. From FY2022 onwards these assessments will now include the WSC of \$200, which will not be rebated. Also, by reducing the general rates by \$200 for the WSC the assessments that receive a 75% rebate will have a reduced rebate of 25% of the \$200 or \$50. This will mean an overall impact of \$250 for these assessments.

Based on the total of 176 properties with a mandatory rebate this means a total of \$35,200 in WSC and an additional \$8,800 in reduced rebate (i.e. increase in rates income). This compares total rates to be levied before rebate of \$326,000. The largest owner in this group is Anglicare SA Housing limited with 91 assessments, followed by SA Housing trust with 26 properties.

For the discretionary rebate assessments (total of 10) - these are dealt with on an individual basis by Council. Most of these (6) are at 50%, with one at 25%, 57%, 29% and 23%

As part of the reporting to the community in Council's community consultation examples will be provided explaining this to the community.

### **Non rateable assessments**

The Local Government Act 1999 allows the application of a WSC to non-rateable premises. However non-rateable assessments are not included for this WSC proposal.

Most of these assessments are Council landholdings (parks, etc.). Further this includes churches and other places of worship, schools & kindergartens, sport clubs, which are legislated as non-rateable.

Council's 'W125 Waste Management - Refuse Collection' excludes these assessments from waste collection, except upon the payment of a separate fee, charged under LGA Act 1999 paragraph 188 - fees and charges, i.e. not under the WSC. This fee is separately from the WSC.

## **CULTURAL IMPLICATIONS**

Nil



## **RESOURCE IMPLICATIONS**

The introduction of the WSC will have some short-term implications for the officers in the revenue section of Council in the process of introducing this within Council's Authority system.

## **VALUE FOR MONEY**

The WSC will be financed from a reduction in the general rates - fixed charge and is therefore income neutral for Council.

## **RISK IMPLICATIONS**

The risk of not implementing the WSC is that Council will be less agile in communicating the waste message to rate payers and less able to recover or pass on any future additional or reduced costs related to the collection, treatment or disposal (including by recycling) of waste.

## **EQUALITIES AND DIVERSITY IMPLICATIONS**

Nil

## **ENGAGEMENT AND COMMUNICATION STRATEGY**

Any change to Council's Valuation and Rating Strategy requires detailed Community Consultation (see Local Government Act 1999 paragraph 151 (5)). Council will align this communication with the community consultation process that will occur as part of the FY2022 Annual Business Plan & Budget process.

## **IMPLEMENTATION STRATEGY**

See under Engagement and Communication Strategy.

## **CONCLUSION AND RECOMMENDATION**

The recommendation is that Council endorses the introduction of the WSC and the principle to finance this from the general rates - fixed charge. More specifically:

1. That Council endorses to include in the public consultation process regarding rates and charges, the following two changes to the current rating assumptions and directions (referred to in Council Report No. AR20/80665 titled 'Council's current Valuation and Rating System'):
  - (b) the introduction of a Waste Service Charge at \$200 per year for FY2022 for all assessments where applicable, including properties where Council applies mandatory or discretionary rebates on the general rates, excluding non-rateable properties, and
  - (c) the introduction of the principle that the combined General Rates - Fixed Charge and the Waste Service Charge will raise approximately 45% of Council's overall rates and charges revenue.
2. That Council uses these, and the other rating assumptions and directions referred to in the above mentioned report to prepare Council's Annual Business Plan and Budget for 2021/2022.
3. That Council endorses a period of 21 days public consultation detailing the application of the Waste Service Charge to the various categories of rate payers in accordance with the Local Government Act 1999. This consultation will occur in conjunction with the community consultation process related to the Annual Business Plan and Budget process for 2021/22.

## **ATTACHMENTS**

Nil



## 25 MOTIONS WITH NOTICE

### 25.1 NOTICE OF MOTION - STREET SWEEPING - HALLMONT AND WOODLANDS ESTATE

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Member:** Christian Greco, Councillor

I, Councillor Christian Greco, give notice that at the next Ordinary Meeting of Council to be held on 16 February 2021, I intend to move the following motion:

#### **MOTION**

1. That Council Report No. AR21/8145 titled 'Notice of Motion - Street Sweeping - Hallmont and Woodlands Estate' as presented on 16 February 2021 be noted.
2. Verbal Report from Cr Greco be received
3. \$1,800 be allocated from within the current 2020/2021 GL 6430.34 budget line for street sweeping of both Hallmont and Woodlands Estate before the end of financial year.
4. \$7,200 be referred to the 2021/2022 budget deliberations for consideration to allow street sweeping at both Hallmont and Woodlands estate once per quarter for the 2021/2022 financial year.

#### **RATIONALE**

I commend this Notice of Motion to Council.

#### **ATTACHMENTS**

Nil



**25.2 NOTICE OF MOTION - COMMUNICATION, MEDIA AND ENGAGEMENT STRUCTURE AND FUNCTION**

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Member:** Ben Hood, Councillor

I, Councillor Ben Hood, give notice that at the next Ordinary Meeting of Council to be held on 16 February 2021, I intend to move the following motion:

**MOTION**

1. That Council Report No. AR21/8291 titled 'Notice of Motion - Communication, Media and Engagement Structure and Function ' as presented on 16 February 2021 be noted.
2. That the CEO prepare a report to Council on the current communication, media and engagement structure and function to assist the Council in ensuring effective and clear communications to ratepayers and stakeholders on Council matters and it's strategic outcomes.

**RATIONALE**

With the increasing use of social media for news; effective, timely and factual communication with Council's stakeholders and ratepayers is of paramount importance to ensure our community are being kept up to date with Council's activities. This report will aim to identify communication strategies to promote effective and clear delivery of Council's strategic outcomes, Council activities and matters of importance to ratepayers and stakeholders.

I commend this Notice of Motion to Council.

**ATTACHMENTS**

Nil





**25.3 NOTICE OF MOTION - UNTENANTED COMMERCIAL PREMISES WITHIN THE CBD**

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Member:** Ben Hood, Councillor

I, Councillor Ben Hood, give notice that at the next Ordinary Meeting of Council to be held on 16 February 2021, I intend to move the following motion:

**MOTION**

1. That Council Report No. AR21/8294 titled 'Notice of Motion - Untenanted Commercial Premises Within the CBD ' as presented on 16 February 2021 be noted.
2. That Council acknowledge untenanted commercial premises within the CBD and degraded and unsightly shop fronts are reflecting poorly on our city and long term solutions must be found.
3. That Council conduct a workshop as soon as practicable with all elected members, executive staff, chairpersons of the Mount Gambier Chamber of Commerce and Women in Business and Regional Development to:
  - a. Investigate effective strategies and incentives for landlords and prospective businesses to encourage take-up of untenanted premises
  - b. Investigate policy development for minimum shop front quality standards for the CBD.
4. That the CEO action the workshop findings and present a report to Council within 2 months.

**RATIONALE**

Untenanted commercial premises and degrading upkeep of shop frontages within the CBD has been an ever-present issue for the city for a number of years. Council must take the lead in developing strategies and effective incentives to encourage landlords and prospective businesses to utilise these premises. The development of Council policy on Shop front quality standards for the CBD that is effective and enforceable should be investigated as front-facing commercial premises in our CBD reflect the look of our city.

I commend this Notice of Motion to Council.

**ATTACHMENTS**

Nil



**25.4 NOTICE OF MOTION - STRATEGY AND IMPLEMENTATION PLAN TO SUPPORT THE PROMOTION OF STREET ART**

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Member:** Ben Hood, Councillor

I, Councillor Ben Hood, give notice that at the next Ordinary Meeting of Council to be held on 16 February 2021, I intend to move the following motion:

**MOTION**

1. That Council Report No. AR21/8297 titled 'Notice of Motion - Strategy and Implementation Plan to Support the Promotion of Street Art ' as presented on 16 February 2021 be noted.
2. Council note the beautiful and creative murals and street art that has been created throughout the city and the benefit they bring to the local community and visitors to the city.
3. That Council develop a strategy and implementation plan to support the promotion of street art in our city.
4. That a report be brought back to Council on the strategy, implementation measures and any action already undertaken within existing resources to promote street art in our city.

**RATIONALE**

I commend this Notice of Motion to Council.

**ATTACHMENTS**

Nil



**25.5 NOTICE OF MOTION - HOMELESSNESS IN MOUNT GAMBIER AND THE SURROUNDING REGION**

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Member:** Sonya Meziniec, Councillor

I, Councillor Sonya Meziniec, give notice that at the next Ordinary Meeting of Council to be held on 16 February 2021, I intend to move the following motion:

**MOTION**

1. That Council Report No. AR21/8315 titled 'Notice of Motion - Homelessness in Mount Gambier and the Surrounding Region' as presented on 16 February 2021 be noted.
2. That Council writes to the Prime Minister The Hon Scott Morrison MP, The Hon Michael Sukkar MP, Minister for Homelessness, Social and Community Housing, the Premier of South Australia, The Hon Steven Marshall MP, the Hon Michelle Lensink MLC, Minister for Human Services advocating for increased in funding to expand the stock of social and community housing in Mount Gambier and the Limestone Coast Region.
3. That Council liaise with local Homelessness sector services in advocating for increasing the stock of social and community housing.
4. That the above motion be provided to the LC LGA and member Councils for information and also be presented with a South Australian context to the LGA SA for their April General Meeting.

**RATIONALE**

The numbers of persons experiencing homelessness in Mount Gambier and the surrounding region is growing placing as rents are increasing and the availability of both private rental properties and social and community housing is declining.

Homelessness services have huge waiting lists that are growing daily and at an alarming rate. Emergency accommodation properties are full and tenants in these properties are unable to move as there are no affordable properties for them to move to. Emergency accommodation is provided in motels and caravan parks but funding in this area is limited and expensive for those in need to fund themselves for ongoing accommodation.

This situation will be further compounded when the Federal Government reduces the Job Seeker (formerly known as Newstart) rate to pre COVID levels of \$40.00 per day.

I commend this Notice of Motion to Council.

**ATTACHMENTS**

Nil



**25.6 NOTICE OF MOTION - JOBSEEKER ALLOWANCE**

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Member:** Sonya Mezinec, Councillor

I, Councillor Sonya Mezinec, give notice that at the next Ordinary Meeting of Council to be held on 16 February 2021, I intend to move the following motion:

**MOTION**

1. That Council Report No. AR21/8325 titled 'Notice of Motion - Jobseeker Allowance' as presented on 16 February 2021 be noted.
2. The City of Mount Gambier writes to the Prime Minister the Hon Scott Morrison MP and the relevant Federal Government Ministers advocating for an increase to the Jobseeker Allowance.
3. The City of Mount Gambier writes to the Limestone Coast Local Government Association requesting this issue is added to the agenda for their next meeting requesting that member Councils write to the Prime Minister the Hon Scott Morrison MP and the relevant Federal Government Ministers advocating for an increase to the Jobseeker Allowance.
4. The City of Mount Gambier writes Local Government Association of SA requesting it be added to the agenda for their April General Meeting.

**RATIONALE**

At its meeting October 2017 Council passed motion supporting the Anti-Poverty Network SA campaign during Anti-Poverty week (16- 22 October) to increase the Newstart Allowance. The Newstart allowance is \$267 per week (approx. \$14,000 per year and is over \$160 per week (approx. \$8,000 per year) below the poverty line. It has not been raised in real terms since 1994.

At its meeting March 2020 Council passed a similar motion requesting an increase to the Newstart Allowance. Subsequently in response to the COVID 19 pandemic the Federal government temporarily increased the Newstart Allowance now known as the Jobseeker Allowance. However the government is planning to very soon reduce the Jobseeker Allowance to pre-COVID levels of \$40.00 per day.

Many groups including the Australian Council for Social Services and the Business Council of Australia are calling for a permanent increase the Jobseeker Allowance. It is recognised widely that an increase in the Jobseeker Allowance will not only alleviate the poverty and hardship those on Jobseeker are experiencing, it will also provide an economic stimulus benefit.

I commend this Notice of Motion to Council.



**ATTACHMENTS**

Nil



**26 URGENT MOTIONS WITHOUT NOTICE**



## 27 CONFIDENTIAL ITEMS OF COMMITTEES

### 27.1 CONFIDENTIAL ITEMS OF THE REGIONAL SPORT AND RECREATION CENTRE COMMITTEE HELD ON 9 FEBRUARY 2021

#### 27.2 Project Control Group (PCG) Progress Report - As at 01/02/2021

##### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Meziniec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers B Cernovskis, N Serle, D BARber, T Coote, S McLean, M McCarthy, T Chant and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.2 AR21/6521 Project Control Group (PCG) Progress Report - As at 01/02/2021.

The Council is satisfied that, pursuant to section 90(3) (b), (d) and (k) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - to prejudice the commercial position of the person who supplied the information, or
  - to confer a commercial advantage on a third party

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

- tenders for the:
  - supply of goods, or
  - the provision of services, or
  - the carrying out of works

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 because specifically, the present matter relates to the execution of a signed contract between Council and Badge for the construction of the Mount Gambier Community and Recreation Hub.





**CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 6.1 AR21/6521 Project Control Group (PCG) Progress Report - As at 01/02/2021 and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (k) be kept confidential and not available for public inspection until that the item be reviewed 12 months after successful execution of the contract.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.





**28 NEW CONFIDENTIAL ITEMS**

Nil

**29 MEETING CLOSE**



**COMMITTEE MINUTES**

**AND**

**REPORTS / ATTACHMENTS**

**MINUTES OF CITY OF MOUNT GAMBIER  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON TUESDAY, 19 JANUARY 2021 AT 6.00 P.M.**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Sonya Meziniec, Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Paul Jenner, Cr Frank Morello, Cr Steven Perryman (arrived at 6.16 p.m.)

<b>OFFICERS IN ATTENDANCE:</b>	Acting Chief Executive Officer	- Ms B Cernovskis
	General Manager City Infrastructure	- Mr N Serle
	General Manager Shared Services	- Mr D Barber
	Media and Communications Coordinator	- Ms S McLean
	Manager Governance and Property	- Mr M McCarthy
	Manager Organisational Development	- Ms T McPherson
	Executive Administration Officer	- Mrs F McGregor

## 1 ACKNOWLEDGEMENT OF COUNTRY

**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.**

## 2 APOLOGIES

### RESOLUTION 2021/1

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

That the apology(ies) from Cr Ben Hood be received.

**CARRIED**

## 3 LEAVE OF ABSENCE

Nil

## 4 CONFIRMATION OF COUNCIL MINUTES

### RESOLUTION 2021/2

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Meziniec

That the minutes of the Ordinary Council meeting held on 15 December 2020 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

## 5 MAYORAL REPORT

- 2020 End of Year Men's Shed BBQ
- End of Year Celebration – South East Junction
- Weekly LCLGA Mayor's Virtual Meeting
- Official Opening OTR Convenience Store and Krispy Kreme Factory
- Attendance at Graduation Ceremony at Lifeline
- CEO Recruitment Committee Meeting
- Meeting with Kevin Douglas – 2020 Volunteers Christmas Luncheon
- Meeting with Member for Barker
- Elected Members Workshop – Public Bus Service Review
- Weekly LCLGA Mayor's Virtual Meeting
- Elected Member – Roles and Responsibilities Training (LGRS)
- Commissioning of Transperineal Biopsy Machine at Mount Gambier Hospital

### RESOLUTION 2021/3

Moved: Mayor Lynette Martin

Seconded: Cr Christian Greco

That the Mayoral report made on 19 January 2021 be received.

**CARRIED**

## 6 REPORTS FROM COUNCILLORS

Cr Greco	OTR and Krispy Kreme opening, Re-Use Market/Waste Transfer Visit, Outer Space and Blue Lake Sports Park Group Meeting.
Cr Mezinec	Opening of OTR and Krispy Kreme Factory, Opening of 2 Exhibitions – Jam Factory Icon Angela Valamanesh – the Blue Exhibition from the Riddoch Collection.
Cr Jenner	Opening of On the Run and Krispy Kreme Factory.
Cr Perryman	Member Workshop on Local Government Mutual Liability WHS Shared Scheme etc.

### RESOLUTION 2021/4

Moved: Cr Paul Jenner

Seconded: Cr Kate Amoroso

That the reports made by Councillors on 19 January 2021 be received.

**CARRIED**

## 7 QUESTIONS WITH NOTICE

Nil

Cr Perryman arrived at 6.16 p.m.

**8 QUESTIONS WITHOUT NOTICE**

Nil

**9 PETITIONS**

Nil

**10 DEPUTATIONS**

Nil

**11 NOTICE OF MOTION TO RESCIND OR AMEND**

Nil

**12 ELECTED MEMBERS WORKSHOPS****12.1 ELECTED MEMBER WORKSHOP FROM 14/12/2020 TO 14/01/2021****RESOLUTION 2021/5**

Moved: Cr Christian Greco

Seconded: Cr Sonya Meziniec

1. That Council Report No. AR20/84230 titled 'Elected Member Workshop from 14/12/2020 to 14/01/2021' as presented on 19 January 2021 be noted.

**CARRIED****13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

**14 COUNCIL ACTION ITEMS****14.1 COUNCIL ACTION ITEMS FROM 15/12/2020****RESOLUTION 2021/6**

Moved: Cr Max Bruins

Seconded: Cr Christian Greco

1. That Council Report No. AR20/84231 titled 'Council Action Items from 15/12/2020' as presented on 19 January 2021 be noted.

**CARRIED****15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**17 REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**18 COUNCIL ASSESSMENT PANEL MINUTES**

Nil

**19 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**20 AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS****20.1 MINUTES OF THE AUDIT COMMITTEE HELD ON 14 DECEMBER 2020****RESOLUTION 2021/7**

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

That the Minutes of the Audit Committee meeting held on 14 December 2020 as attached be noted.

**CARRIED****20.2 AUDIT COMMITTEE WORKS PROGRAM – REPORT NO. AR20/82143****RESOLUTION 2021/8**

Moved: Cr Sonya Meziniec

Seconded: Cr Paul Jenner

1. That Audit Committee Report No. AR20/82143 titled 'Audit Committee Works Program' as presented on 14 December 2020 be noted.

**CARRIED****20.3 AUDIT COMMITTEE - SITTING FEES – REPORT NO. AR20/17419**

**RESOLUTION 2021/9**

Moved: Cr Sonya Meziniec

Seconded: Cr Christian Greco

1. That Audit Committee Report No. AR20/17419 titled 'Audit Committee - sitting fees' as presented on 14 December 2020 be noted.
2. That Council amend as follows:
  - (a) The sitting fees for the ordinary meetings of the Audit Committee be increased to:
    - i. Independent Presiding Member \$300.00
    - ii. Other Independent Members \$200.00
  - (b) The sitting fees for any special meeting of the Audit Committee be increased to:
    - iii. Independent Presiding Member \$200.00
    - iv. Other Independent Members \$100.00

**CARRIED****20.4 SELF-ASSESSMENT OF PERFORMANCE AUDIT COMMITTEE – REPORT NO. AR20/82682****RESOLUTION 2021/10**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR20/82682 titled 'Self-assessment of performance Audit Committee' as presented on 14 December 2020 be noted.
2. That the audit committee record that it is satisfied that its performance is meeting Council and other relevant Authority's standards and expectations.
3. That the audit committee's Terms of reference are updated from:

'The size of the committee shall be three (3) members.'

To  

'The size of the committee shall be between three (3) and 5 members (inclusive).'
4. That the audit committee's Terms of reference will include the following:

'A vacancy in the membership of the audit committee will not invalidate any decisions of the audit committee, provided a quorum is maintained during meetings.'

**CARRIED****20.5 AUDIT ENGAGEMENT FY2022 - FY2025 – REPORT NO. AR20/82148**

**RESOLUTION 2021/11**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR20/82148 titled 'Audit Engagement FY2022 - FY2025' as presented on 14 December 2020 be noted.
2. That Council considers the following matters as part of the tender process for the external audit service provider:
  - provision of potential improvement opportunities
  - inclusion of Audit Engagement Plans

**CARRIED****20.6 ANNUAL REPORT 2019-20 – REPORT NO. AR20/82431****RESOLUTION 2021/12**

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Audit Committee Report No. AR20/82431 titled 'Annual Report 2019-20' as presented on 14 December 2020 be noted.

**CARRIED****20.7 EMERGENCY MANAGEMENT AND RISK MANAGEMENT – REPORT NO. AR20/82729****RESOLUTION 2021/13**

Moved: Cr Sonya Meziniec

Seconded: Cr Paul Jenner

1. That Audit Committee Report No. AR20/82729 titled 'Emergency Management and Risk Management' as presented on 14 December 2020 be noted.

**CARRIED****20.8 QUARTERLY BUDGET REVIEW 1 2020-21 – REPORT NO. AR20/82630****RESOLUTION 2021/14**

Moved: Cr Sonya Meziniec



Seconded: Cr Christian Greco

1. That Audit Committee Report No. AR20/82630 titled 'Quarterly Budget Review 1 2020-21' as presented on 14 December 2020 be noted.
2. That the Audit Committee note the adoption of the following resulting from the first quarterly Budget Review for 2020-21:

YTD quarter 1 budget review (BR1) revisions for the FY2020/21 financial year reflect:

- A \$2,082,000 forecasted operating deficit, representing a \$489,000 increased deficit from the original budget operating deficit of \$1,593,000;
- A \$10,290,000 forecast net surplus, representing a \$529,000 decrease from the original budget net surplus of \$10,819,000;
- No impairment expense within Other Comprehensive expenses at BR1.
- A \$39,098,000 forecast capital expenditure, representing a \$1,301,000 change from the original budget capital expenditure of \$37,797,000, including a budget revision carry over to 2020/21 of \$1,856,000 and an anticipated carry-over to 2021/22 of \$1,600,000

**CARRIED**

**20.9 COUNCIL BUDGET, LTFP AND AMPS REVIEW PROCESSES FOR 2021-22 –  
REPORT NO. AR20/82421**

**RESOLUTION 2021/15**

Moved: Cr Sonya Mezinac

Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR20/82421 titled 'Council budget, LTFP and AMPS review processes for 2021-22' as presented on 14 December 2020 be noted.

**CARRIED**

**21 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES  
AND RECOMMENDATIONS**

Nil

**22 CHIEF EXECUTIVE OFFICER SELECTION PANEL COMMITTEE MINUTES AND  
RECOMMENDATIONS**

**23 BUILDING FIRE SAFETY COMMITTEE MINUTES**

Nil

## 24 COUNCIL REPORTS

### 24.1 UPDATE ON COVID-19 INITIATIVES

#### MOTION

Moved: Cr Sonya Meziniec

Seconded: Cr Christian Greco

1. That Council Report No. AR20/79276 titled 'Update on COVID-19 Initiatives' as presented on 19 January 2021 be noted.

#### AMENDMENT

Moved: Cr Paul Jenner

1. That Council Report No. AR20/79276 titled 'Update on COVID-19 Initiatives' as presented on 19 January 2021 be noted.
2. Remove Blue Lake Perimeter Path one way sign.

#### POINT OF ORDER

The Mayor ruled that the proposed amendment was in fact a variation and could not be accepted as an Amendment.

#### RESOLUTION 2021/16

Moved: Cr Sonya Meziniec

Seconded: Cr Christian Greco

1. That Council Report No. AR20/79276 titled 'Update on COVID-19 Initiatives' as presented on 19 January 2021 be noted.

**CARRIED**

### 24.2 LOCAL GOVERNMENT INFRASTRUCTURE PARTNERSHIP PROGRAM

#### RESOLUTION 2021/17

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

1. That Council Report No. AR20/85887 titled 'Local Government Infrastructure Partnership Program' as presented on 19 January 2021 be noted.
2. Council prepare a submission for the Local Government Infrastructure Partnership Program, seeking State Government funding to assist in the installation of solar lights along the entire shared cycle/walking rail trail and undertake completion of the Wandilo Road to TAFE, Wireless Road West shared path project.

**CARRIED**

**24.3 OPEN SPACE AND PLACES FOR PEOPLE GRANT FUNDING 2021****RESOLUTION 2021/18**

Moved: Cr Sonya Meziniec

Seconded: Cr Christian Greco

1. That Council Report No. AR20/86146 titled 'Open Space and Places for People Grant Funding 2021' as presented on 19 January 2021 be noted.
2. Council prepare a submission for the Open Space and Places for People Grant Funding 2021, seeking State Government funding to support to assist in the development of a Crater Lakes Precinct Activation Plan.

**CARRIED****25 MOTIONS WITH NOTICE**

Nil

**26 MOTIONS WITHOUT NOTICE**

Nil

**27 CONFIDENTIAL ITEMS OF COMMITTEES**

Nil

**28 NEW CONFIDENTIAL ITEMS****28.1 MOUNT GAMBIER PRIVATE HOSPITAL - FEASIBILITY STUDY STAGES 4-6 - REPORT NO. AR21/1334****RESOLUTION 2021/19**

Moved: Cr Max Bruins

Seconded: Cr Kate Amoroso

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Meziniec, K Amoroso, M Bruins, C Greco, P Jenner, F Morello and S Perryman and Council Officers B Cernovskis, N Serle, D Barber, M McCarthy, S McLean, T McPherson and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 28.1 AR21/1334 Mount Gambier Private Hospital - Feasibility Study Stages 4-6.

The Council is satisfied that, pursuant to section 90(3) (d) and (g) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:

- to prejudice the commercial position of the person who supplied the information, or
- to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty

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 because the information to be considered includes third party commercial information provided to Council in-confidence which, if released, could confer an advantage or prejudice the commercial position of a third party and breach a duty of confidence.

**CARRIED**

#### **RESOLUTION 2021/20**

Moved: Cr Max Bruins

Seconded: Cr Christian Greco

#### **CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 28.1 AR21/1334 Mount Gambier Private Hospital - Feasibility Study Stages 4-6 and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (d) and (g) be kept confidential and not available for public inspection until Council has been released from its duty of confidence, to be reviewed at least once in every 12 months.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**

#### **28.2 NOTICE OF MOTION - INDEPENDENT CONSULTANT MEMBER OF CHIEF EXECUTIVE OFFICER SELECTION PANEL – REPORT NO. AR21/1800**

#### **RESOLUTION 2021/21**

Moved: Cr Sonya Meziniec

Seconded: Cr Christian Greco

#### **CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Meziniec, K Amoroso, M Bruins, C Greco, P Jenner, F Morello and S Perryman and Council Officers B Cernovskis, N Serle, D Barber, M McCarthy, S McLean, T McPherson and F McGregor be excluded from attendance at the meeting

for the receipt, discussion and consideration in confidence of Agenda Item 28.2 AR21/1800 Notice of Motion - Independent Consultant Member of Chief Executive Officer Selection Panel.

The Council is satisfied that, pursuant to section 90(3) (a), (b) and (d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - to prejudice the commercial position of the person who supplied the information, or
  - to confer a commercial advantage on a third party

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 because the matter to be considered includes personal affairs information associated with a proposed nominee for the position of independent consultant member of the CEO Selection Panel including personal qualities and attributes, and suitability for the position being information that falls within the ambit of s90(3)(a) and s90(9)(a) and (b).

Further, the matter relates to the provision of consultancy services to the Council, the consideration of which could reasonable be expected to prejudice the commercial position of the Council in respect of the arrangements and could prejudice the commercial position or confer a commercial advantage of third parties.

**CARRIED**

## **RESOLUTION 2021/22**

Moved: Cr Sonya Mezinec

Seconded: Cr Max Bruins

### **CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 28.2 AR21/1800 Notice of Motion - Independent Consultant Member of Chief Executive Officer Selection Panel and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a), (b) and (d) be kept confidential and not available for public inspection until 5 years have elapsed.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**

**29 MEETING CLOSE**

**The Meeting closed at 7.30 p.m.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 16 February 2021.**

.....  
**PRESIDING MEMBER**

**MINUTES OF CITY OF MOUNT GAMBIER  
REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON TUESDAY, 9 FEBRUARY 2021 AT 7.00 PM**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Ben Hood (Presiding Member), Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Paul Jenner, Cr Sonya Meziniec, Cr Frank Morello

<b>OFFICERS IN ATTENDANCE:</b>	Acting Chief Executive Officer	- Ms B Cernovskis
	General Manager City Infrastructure	- Mr N Serle
	General Manager Shared Services	- Mr D Barber
	Executive Administrator Community Wellbeing	- Ms A Lavia

**CONSULTANTS**

**IN ATTENDANCE:** Nick Argyros, Ben McPherson

**1 ACKNOWLEDGEMENT OF COUNTRY**

**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.**

**2 APOLOGY(IES)**

Nil

**3 CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

Moved: Cr Frank Morello  
Seconded: Cr Sonya Meziniec

That the minutes of the Regional Sport and Recreation Centre Committee meeting held on 8 December 2020 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

**4 QUESTIONS WITHOUT NOTICE**

Nil

## 5 REPORTS

### 5.1 WULANDA RECREATION AND CONVENTION CENTRE - COMMUNITY REFERENCE GROUP TERMS OF REFERENCE

#### COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

1. That Regional Sport and Recreation Centre Committee Report No. AR21/6054 titled 'Wulanda Recreation and Convention Centre - Community Reference Group Terms of Reference' as presented on 09 February 2021 be noted.
2. That the Wulanda Recreation and Convention Centre Terms of Reference be endorsed.
3. That nominations for the Community Reference Group be sought in line with the revised Stage 3 Wulanda Recreation and Convention Centre Terms of Reference.

**CARRIED**

### 5.2 WULANDA RECREATION AND CONVENTION CENTRE - TERMS OF REFERENCE

#### COMMITTEE RESOLUTION

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

1. That Regional Sport and Recreation Centre Committee Report No. AR21/6829 titled 'Wulanda Recreation and Convention Centre - Terms of Reference' as presented on 09 February 2021 be noted.
2. That the 'Regional Sport and Recreation Centre Committee' be renamed to the 'Wulanda Recreation and Convention Centre Committee'.
3. That the Wulanda Recreation and Convention Centre Committee Terms of Reference (Attachment 1 to Report No. AR21/6829) be endorsed.
4. That all documentation referencing the Regional Sport and Recreation Centre Committee be updated (where possible) to reference the Wulanda Recreation and Convention Centre Committee.

**CARRIED**



## 6 CONFIDENTIAL ITEMS

### 6.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 01/02/2021 – REPORT NO. AR21/6521

#### COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec  
Seconded: Mayor Lynette Martin

#### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Regional Sport and Recreation Centre Committee orders that all members of the public, except Mayor L Martin, Councillors B Hood, K Amoroso, M Bruins, C Greco, P Jenner, S Meziniec and F Morello, Council Officers B Cernovskis, N Serle, D Barber, A Lavia and Consultants N Argyros, B McPherson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 6.1 AR21/6521 Project Control Group (PCG) Progress Report - As at 01/02/2021.

The Regional Sport and Recreation Centre Committee is satisfied that, pursuant to section 90(3) (b), (d) and (k) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - to prejudice the commercial position of the person who supplied the information, or
  - to confer a commercial advantage on a third party
- tenders for the:
  - supply of goods, or
  - the provision of services, or
  - the carrying out of works

The Regional Sport and Recreation Centre Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because specifically, the present matter relates to the execution of a signed contract between Council and Badge for the construction of the Mount Gambier Community and Recreation Hub.

**CARRIED**

**COMMITTEE RESOLUTION**

Moved: Cr Max Bruins  
Seconded: Cr Frank Morello

**CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 6.1 AR21/6521 Project Control Group (PCG) Progress Report - As at 01/02/2021 and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (k) be kept confidential and not available for public inspection until that the item be reviewed 12 months after successful execution of the contract.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED****7 MEETING CLOSE**

The Meeting closed at 7:59 pm.

The minutes of this meeting were confirmed at the Regional Sport and Recreation Centre Committee held on 9 March 2021.

.....  
**PRESIDING MEMBER**

**17.2 WULANDA RECREATION AND CONVENTION CENTRE - COMMUNITY REFERENCE GROUP TERMS OF REFERENCE – REPORT NO. AR21/6054**

<b>Committee:</b>	<b>Regional Sport and Recreation Centre Committee</b>
<b>Meeting Date:</b>	<b>9 February 2021</b>
<b>Report No.:</b>	<b>AR21/6054</b>
<b>CM9 Reference:</b>	<b>AF18/175</b>
<b>Author:</b>	<b>Heidi Gajic, Community Development and Engagement Officer</b>
<b>Authoriser:</b>	<b>Barbara Cernovskis, Acting Chief Executive Officer</b>
<b>Summary:</b>	<b>This report presents updated Wulanda Recreation and Convention Centre Community Reference Group terms of reference for review.</b>
<b>Strategic Plan Reference:</b>	<b>Goal 1: Our People</b>
	<b>Goal 2: Our Location</b>
	<b>Goal 3: Our Diverse Economy</b>

**REPORT RECOMMENDATION**

1. That Regional Sport and Recreation Centre Committee Report No. AR21/6054 titled 'Wulanda Recreation and Convention Centre - Community Reference Group Terms of Reference' as presented on 09 February 2021 be noted.
2. That the Wulanda Recreation and Convention Centre Terms of Reference be endorsed.
3. That nominations for the Community Reference Group be sought in line with the revised Stage 3 Wulanda Recreation and Convention Centre Terms of Reference.



**TYPE OF REPORT**

Corporate

**BACKGROUND**

On 17 July 2018 Council endorsed the Mount Gambier Regional Sport and Recreation Centre (MGRSRC) Community Reference Group (CRG), as a cross section of stakeholders and community members to provide input into the intermediate design for the MGRSRC.

Throughout stages 1 (Intermediate design) and 2 (Final design) of the project the MGRSRC Community Reference Group have provided input from a community and user perspective into the development of the facility.

On 20 October Council endorsed the Community and Recreation Hub CRG Stage 3 Terms of Reference and the ongoing role of the CRG into the future acknowledging the expectation that representation would evolve as the project transitions through each development stage.

Stages	Purpose	Timing	Progress
Stage 1	Intermediate design	December 2018	Completed
Stage 2	Specification and final design	December 2019	Completed
Stage 3	Construction	May 2022	Commenced
Stage 4	Future involvement	To be determined	To be determined

*\*Note current stage highlighted in orange*

It is not intended that the CRG be a S.41 Committee (under the Local Government Act 1999), but rather that it remain a community reference group, with feedback from meetings reported to Council via the Regional Sport and Recreation Centre Committee.

**PROPOSAL**

Continued community engagement with the development of the Wulanda Recreation and Convention Centre is important. The Community Reference Group (CRG) will remain part of the engagement process and assist with the implementation of communication strategies.

The CRG Terms of Reference have been updated to reflect the change of name for the facility to Wulanda Recreation and Convention Centre as endorsed by Council on 15 December 2020 and the proposed purpose of the CRG during stage 3.

**LEGAL IMPLICATIONS**

N/A

**STRATEGIC PLAN**Goal 1 Our People

1.2.2 Helping community groups to help themselves by providing support for effective networks to develop and grow.

1.3.1 Supporting community events and programs that bring people together, encourage interaction and promote a sense of community.

1.3.2 Providing opportunities to enable our community to be supported and involved.

Goal 2 Our Location

2.4.1 Seeking to hold at least six regional standard community or sporting events in the new Community and Recreation Hub annually.

Goal 3 Our Diverse Economy

3.4.2 Working with neighbouring Councils to develop and promote an integrated schedule of events that increases residential amenity and attracts tourists.

### **COUNCIL POLICY**

The ongoing involvement of a Community Reference Group throughout the Wulanda Recreation and Convention Centre project are aligned with Council's commitment to a high level of community engagement as per the [P195 Community Consultation and Engagement Policy](#).

### **ECONOMIC IMPLICATIONS**

There are no additional financial implications for Council associated with the continuation of the CRG. The group will be resourced within existing operational budgets.

### **ENVIRONMENTAL IMPLICATIONS**

N/A

### **SOCIAL IMPLICATIONS**

The development of an ongoing relationship with a group representing a cross section of interests and demographic within our community builds the capacity for timely identification and response to community questions, concerns and ideas. Whilst also generating productive relationships to improve advocacy and understanding for the facility.

### **CULTURAL IMPLICATIONS**

N/A

### **RESOURCE IMPLICATIONS**

The administration and support for the Wulanda Recreation and Convention Centre CRG will be undertaken as part of the ongoing community engagement program for the facility.

### **VALUE FOR MONEY**

N/A

### **RISK IMPLICATIONS**

Any applicable risks will be mitigated through the Council's standard stakeholder engagement planning processes.

### **EQUALITIES AND DIVERSITY IMPLICATIONS**

The membership composition and selection criteria as stated in the Terms of Reference (Stage 3) aim to ensure the CRG represents a cross section of interests, backgrounds, experience and demographics within the community.

### **ENGAGEMENT AND COMMUNICATION STRATEGY**

It is proposed that nominations open for a period of 22 days commencing on Wednesday 17 February 2021 and close at 5pm Wednesday 10 March 2021.

An online application form will be established on the Wulanda Recreation and Convention Centre page on Have Your Say Mount Gambier with hard copies made available at the Civic Centre, Mount Gambier Library and the Riddoch Arts and Cultural Centre.

Nominations will be broadly promoted via a media release, Council's website and social media platforms.

Members of the Community and Recreation Hub CRG (Stage 2) will be contacted directly and invited to complete a nomination if they are interested in continuing as a community representative.

### **IMPLEMENTATION STRATEGY**

Following the endorsement of the Wulanda Recreation and Convention Centre CRG Terms of Reference nominations will be opened to the community as per the above mentioned engagement and communication strategy.



Upon completion of the nomination period applications will be compiled and presented for review and decision at the 16 March 2021 Council meeting.

### **CONCLUSION AND RECOMMENDATION**

The updated Stage 3 Terms of Reference for the continuation of the Community Reference Group are attached for Council to review.

### **ATTACHMENTS**

1. Wulanda Recreation and Convention Centre - Community Reference Group - Stage 3 Terms of Reference PDF [↓](#)





**WULANDA RECREATION AND CONVENTION CENTRE**

**Community Reference Group**

**Stage 3**

**Terms of Reference**

Adopted by the City of Mount Gambier at its meeting held on -----.



**Contents**

Purpose	3
Background	3
Composition	3
Appointment	4
Selection Criteria	4
Functions	4
Operation	5
Community Reference Group Powers	5
Disclaimer	5





## Purpose

The Wulanda Recreation and Convention Centre Community Reference Group (CRG) has been established to provide advice to the City of Mount Gambier in relation to the Wulanda Recreation and Convention Centre with a focus on:

- Input into the future operational model for the facility; and
- Current and future needs of potential users which may inform the operational model prior to the completion of construction.

The Community Reference Group will be a representative, cross section of individuals from the community that will contribute to the project by:

- Being a conduit for communications to and from stakeholder groups.
- Understanding the scope and constraints of the project to provide effective input.
- Providing advice to Council for key elements relating to the operation of the Wulanda Recreation and Convention Centre, including links to peak bodies and advice on major events.

## Background

The Wulanda Recreation and Convention Centre is a multi-purpose facility designed to be a community space, with facilities and activities for all ages and abilities including children, families, youth, community groups, recreational and organised sports and those with special needs.

The design included many features refined by consultation. The footprint and key deliverables have been established within the parameters of the Federal Government funding agreement.

Critical milestones specified in the funding from State and Federal Governments set the development schedule and the timeframes for the project.

## Composition

The Wulanda Recreation and Convention Centre CRG will seek an ideal composition of the following representatives, with the ability to modify the composition as and when needed as determined by the Regional Sport and Recreation Centre Committee:

- 2 x Education sector (preferably primary and secondary)
- 1 x Allied health sector
- 1 x Early childhood sector
- 1 x Retirement and aged care sector
- 2 x First Nations Community members
- 2 x Young person (aged between 12-25 year)
- 1 x Limestone Coast Inclusion Group representative
- 1 x Disability sector
- 1 x Community services sector
- 4 x Sporting/Recreation Club Representatives
- 1 x Netball
- 1 x Basketball
- 1 x Swimming
- 2 x Music, performing arts or events industry
- 2 x Other Community organisations



Representatives will be sought to ensure coverage across multiple sports.

Representatives of other groups including peak bodies, industry groups, other aquatic facilities and other stakeholders may be invited to attend or present to the CRG to provide information or feedback as required.

### **Appointment**

Nominations for membership of the of the Wulanda Recreation and Convention Centre will be open to the community through a formal application process which will be advertised in the local media and on Council's website and social media platforms.

Nominations are to be completed on the approved Wulanda Recreation and Convention Centre CRG application form and submitted by the nominated closing date.

Applicants who do not agree to the conditions of application contained with the application form will not be considered for appointment.

Member selection will be made by the Council based upon the

- representation of the group/category as per the approved CRG composition
- the ability of the individual to appropriately represent the community group/category nominated
- the nominee's willingness to function within the parameters of these Terms of Reference.

Council will invite Stage 2 CRG members who wish to continue as a representative to complete a nomination for the Wulanda Recreation and Convention Centre CRG (Stage 3).

Members of the CRG will hold their positions for a period of 12 months. This period may be extended by the Wulanda Recreation and Convention Centre Project Control Group (PCG) if required and if nominees are willing to continue their appointment.

### **Selection Criteria**

Appointments to the Wulanda Recreation and Convention Centre CRG will be approved considering the following selection criteria:

- Knowledge and experience in at least two of the following areas:
  - Sporting communities (as a player, volunteer, caregiver and/or committee member)
  - Education
  - Business
  - Community groups
  - Allied health services
  - Local community networks
  - Accessibility
  - Events experience
  - Music industry experience
- A balance of knowledge and experience within the CRG
- A balance of gender and age representation within the CRG
- A diverse range of backgrounds and life experience within the CRG

### **Functions**

The members of the Wulanda Recreation and Convention Centre CRG are required to:

- Attend Wulanda Recreation and Convention Centre CRG meetings.
- Provide a user perspective in relation to operating the Wulanda Recreation and Convention Centre.
- Provide feedback on issues raised.
- Assist with disseminating relevant project information within the community as requested.



- Be an advocate for the project within the community.

### **Operation**

Key operational details of the Wulanda Recreation and Convention Centre CRG include:

- Meetings will be for no more than two hours.
- The meeting schedule is expected to be quarterly dependent on development timelines and may include site visits.
- The City of Mount Gambier will be responsible for the administration associated with the Wulanda Recreation and Convention Centre CRG including the organisation of meetings, venues, agendas and briefing papers.
- The Wulanda Recreation and Convention Centre CRG will operate from 17 March 2021.

### **Powers**

The Wulanda Recreation and Convention Centre CRG does not have any formally delegated powers under the Local Government Act.

### **Confidentiality**

It is recognised that members may need to discuss issues and information with peers, nominating organisations and representative groups in order to gain feedback and information. It is not the purpose of this confidentiality clause to prevent this from occurring, but to ensure that confidentiality is maintained throughout the process.

### **Miscellaneous**

The City of Mount Gambier is committed to enhancing the public availability, dissemination and exchange of information. To that end, the Wulanda Recreation and Convention Centre CRG has been established to enable the exchange of information, ideas and feedback with regard to the design, function and operation of the Wulanda Recreation and Convention Centre.

Participation in the group is purely voluntary and members of the CRG will not be paid nor will time or costs associated be reimbursed.

Information, ideas and feedback obtained through the CRG where appropriate may be used by the Council's Regional Sport and Recreation Centre Committee and external specialists engaged by the City of Mount Gambier in the design, construction and operation of the Wulanda Recreation and Convention Centre.



**17.3 WULANDA RECREATION AND CONVENTION CENTRE - TERMS OF REFERENCE – REPORT NO. AR21/6829**

<b>Committee:</b>	<b>Regional Sport and Recreation Centre Committee</b>
<b>Meeting Date:</b>	<b>9 February 2021</b>
<b>Report No.:</b>	<b>AR21/6829</b>
<b>CM9 Reference:</b>	<b>AF18/175</b>
<b>Author:</b>	<b>Ashlee Lavia, Executive Administrator Community Wellbeing</b>
<b>Authoriser:</b>	<b>Barbara Cernovskis, Acting Chief Executive Officer</b>
<b>Summary:</b>	<b>This report presents the name change from the Regional Sport and Recreation Centre Committee to the Wulanda Recreation and Convention Centre Committee with the previous terms of reference for review.</b>
<b>Strategic Plan Reference:</b>	<b>Goal 1: Our People</b> <b>Goal 2: Our Location</b> <b>Goal 3: Our Diverse Economy</b>

**REPORT RECOMMENDATION**

1. That Regional Sport and Recreation Centre Committee Report No. AR21/6829 titled 'Wulanda Recreation and Convention Centre - Terms of Reference' as presented on 09 February 2021 be noted.
2. That the 'Regional Sport and Recreation Centre Committee' be renamed to the 'Wulanda Recreation and Convention Centre Committee'.
3. That the Wulanda Recreation and Convention Centre Committee Terms of Reference (Attachment 1 to Report No. AR21/6829) be endorsed.
4. That all documentation referencing the Regional Sport and Recreation Centre Committee be updated (where possible) to reference the Wulanda Recreation and Convention Centre Committee.



## **TYPE OF REPORT**

Corporate

## **BACKGROUND**

On 15 May 2018 Council endorsed the establishment of the Regional Sport and Recreation Centre Committee to:

- provide considered advice to assist Council in decision making on matters associated with the grant application and potential development of a Regional Sport and Recreation Centre.
- conduct and/or assist with stakeholder and community engagement
- assist with advocacy that supports Council's resolved position on the Regional Sport and Recreation Centre.

At the Council meeting held on 20 August 2019 Council reviewed it's committee structure and adopted updated Terms of Reference for the Regional Sport and Recreation Centre Committee with the following amended objectives:

- provide advice to assist Council in decision making on matters associated with the grant application and development of the Regional Sport and Recreation Centre;
- conduct and/or assist with stakeholder and community engagement;
- assist with advocacy that supports Council's resolved position on the Regional Sport and Recreation Centre;
- to provide strategic advice regarding the design and operationalisation of the Regional Sport and Recreation Centre; and
- to make recommendations to Council on the future name of the Regional Sport and Recreation Centre.

Following community engagement and consultation, on 15 December 2020 Council endorsed the name Wulanda Recreation and Convention Centre.

## **PROPOSAL**

Following the endorsement of the name Wulanda Recreation and Convention Centre it is now proposed that the Regional Sport and Recreation Centre Committee be renamed to the Wulanda Recreation and Convention Centre Committee.

It is further proposed that the committee terms of reference as endorsed on 20 August 2019 be reviewed in line with the name change noting that some of the current objectives have been fulfilled and could now better reflect the construction and operational/activation phases of the project.

The current committee terms of reference are attached (Attachment 1) for review.

## **LEGAL IMPLICATIONS**

N/A

## **STRATEGIC PLAN**

### Goal 1 Our People

1.2.2 Helping community groups to help themselves by providing support for effective networks to develop and grow.

1.3.1 Supporting community events and programs that bring people together, encourage interaction and promote a sense of community.

1.3.2 Providing opportunities to enable our community to be supported and involved.

### Goal 2 Our Location



2.4.1 Seeking to hold at least six regional standard community or sporting events in the new Community and Recreation Hub annually.

#### Goal 3 Our Diverse Economy

3.4.2 Working with neighbouring Councils to develop and promote an integrated schedule of events that increases residential amenity and attracts tourists.

#### **COUNCIL POLICY**

[Policy C410 - Conduct of Meetings](#) applies to the presentation of committee recommendations.

#### **ECONOMIC IMPLICATIONS**

N/A

#### **ENVIRONMENTAL IMPLICATIONS**

N/A

#### **SOCIAL IMPLICATIONS**

N/A

#### **CULTURAL IMPLICATIONS**

N/A

#### **RESOURCE IMPLICATIONS**

N/A

#### **VALUE FOR MONEY**

N/A

#### **RISK IMPLICATIONS**

N/A

#### **EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

#### **ENGAGEMENT AND COMMUNICATION STRATEGY**

N/A

#### **IMPLEMENTATION STRATEGY**

Following the endorsement of this report references to the Regional Sport and Recreation Centre Committee will be updated to the Wulanda Recreation and Convention Centre Committee and the associated terms of reference will be updated in accordance with any Council resolution.

#### **CONCLUSION AND RECOMMENDATION**

This report includes recommendations to rename the Regional Sport and Recreation Centre Committee to the Wulanda Recreation and Convention Centre Committee and to review the committee name and objectives as contained in the terms of reference endorsed by Council on 20 August 2019.

#### **ATTACHMENTS**

1. Terms of Reference - Wulanda Recreation and Convention Centre Committee [↓](#)





## **Wulanda Recreation and Convention Centre Committee**

### **TERMS OF REFERENCE**

A Committee of Council Established  
pursuant to the provisions of Section 41  
of the Local Government Act 1999.

Terms of Reference for the conduct of the business of the Wulanda Recreation and Convention Centre Committee were approved and adopted by the City of Mount Gambier at its meeting held on **## #### ##**.



## **Wulanda Recreation and Convention Centre Committee**

The Wulanda Recreation and Convention Centre Committee has been established to:

- provide advice to assist Council in decision making on matters associated with the grant funding and development of the Wulanda Recreation and Convention Centre;
- conduct and/or assist with stakeholder and community engagement;
- assist with advocacy that supports Council's resolved position on the Wulanda Recreation and Convention Centre; and
- to provide strategic advice regarding the building and operationalisation of the Wulanda Recreation and Convention Centre.





## **Wulanda Recreation and Convention Centre Committee**

### CONTENTS

1.	Name	1.
2.	Interpretation	1.
	Definitions	1.
	Notices	1.
3.	Establishment	1.
4.	Objectives	2.
5.	Membership	2.
6.	Quorum	2.
7.	Meetings of the Committee	2.
8.	Procedures at Meetings	2.
9.	Liability of the Committee	3.
10.	Delegation	3.
11.	Sub-Committees	3.
12.	Minutes of the Committee	3.
13.	Amendments to Terms of Reference	4.
14.	Interpretation of Terms of Reference	4.
15.	Winding Up	4.



## **1 NAME**

- 1.1 The name of the Council Committee shall be the Wulanda Recreation and Convention Centre Committee (in these Terms of Reference referred to as "the Committee").

## **2 INTERPRETATION**

- 2.1 For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context:
- 2.1.1 "Act" means the Local Government Act 1999 and includes all Regulations and Schedules.
- 2.1.2 "Committee" means the Committee of Council established pursuant to clause 3.
- 2.1.3 "Committee Member" means the persons appointed by the Council to the Committee pursuant to clause 5.
- 2.1.4 "Commencement Date" means the date on which the Committee is established and becomes operative pursuant to clause 3.
- 2.1.5 "Council" means the City of Mount Gambier that established the Committee and to which the Committee reports.
- 2.1.6 "Presiding Member of the Committee of Council" means the person appointed to that position pursuant to clause 5.
- 2.1.7 "Observers" means those persons attending any meeting of the Committee of Council, but not having a vote on any matter to be determined by the Committee and not having been appointed as Committee Members.
- 2.1.8 "Sub-Committee" means a sub-committee established in accordance with the Act.
- 2.2 Any words, phrases or terms used in these Terms of Reference that are defined in the Act shall have the same meaning as are given in the Act.
- 2.3 A reference in these Terms of Reference to a "singular" includes a reference to the "plural" and a reference to a "plural" includes a reference to the "singular".
- 2.4 These Terms of Reference shall be interpreted in line with the provisions of the Act.

### **2.5 Notices**

- 2.5.1 All communication to be given to the Committee shall be addressed to:

Wulanda Recreation and Convention Centre  
Committee PO Box 56  
MOUNT GAMBIER SA 5290  
Email: [city@mountgambier.sa.gov.au](mailto:city@mountgambier.sa.gov.au)

## **3 ESTABLISHMENT**

- 3.1 The Wulanda Recreation and Convention Centre Committee is established under Section 41 of the Local Government Act 1999.
- 3.2 The Committee will be established and become operative from the time a resolution of the Council is passed.
- 3.3 The Committee is established by the Council to provide considered advice to assist decision making on matters associated with the development of a Wulanda Recreation and Convention Centre.



#### **4 OBJECTIVES**

- 4.1 The Wulanda Recreation and Convention Centre Committee has been established to:
- provide advice to assist Council in decision making on matters associated with the grant application and development of the Wulanda Recreation and Convention Centre;
  - conduct and/or assist with stakeholder and community engagement;
  - assist with advocacy that supports Council's resolved position on the Wulanda Recreation and Convention Centre;
  - to provide strategic advice regarding the design and operationalisation of the Wulanda Recreation and Convention Centre; and
  - to make recommendations to Council on the future name of the Wulanda Recreation and Convention Centre.

#### **5 MEMBERSHIP**

- 5.1 Membership of the Committee will comprise eight Councillors.
- 5.2 The Mayor has Ex-Officio membership on this Committee.
- 5.3 The Committee has the right to co-opt individual members who have special expertise to assist the Committee under its objective. Such co-opted members have the right to attend meetings and participate in discussion but will have no voting rights on the Committee.
- 5.4 Council will appoint a Presiding Member.
- 5.5 Council reserves the right not to appoint any nominee, to remove and replace any co-opted member.

#### **6 QUORUM**

- 6.1 At all Meetings of the Committee a quorum must be present.
- 6.2 A quorum will be determined by dividing by 2 the number of Members formally appointed to the Committee ignoring any fraction and adding 1 (excluding Mayor as ex-officio).

#### **7 MEETINGS OF THE COMMITTEE**

- 7.1 The Committee shall hold ordinary meetings at least bi-monthly.
- 7.2 No business shall be transacted at any meeting of the Committee unless a quorum of Members is present.
- 7.3 The Presiding Member, when physically present, shall preside at all meetings of the Committee and at any other time the Committee shall appoint an Acting Presiding Member who shall preside at that meeting.
- 7.4 Each Member of the Committee including the Presiding Member present at any meeting of the Committee must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.
- 7.5 Each Member of the Committee including the Presiding Member present at any meeting of the Committee shall have one deliberate vote only.

#### **8 PROCEDURES AT MEETINGS**

- 8.1 The procedure to be observed in relation to the conduct of meetings of the Committee is in accordance with Local Government (Procedures at Meetings) Regulations 2013.



- 8.2 In accordance with s89 of the Act, insofar as a procedure is not prescribed by regulation, it shall be as determined by the Council, and insofar as a procedure is not determined by the Council, it shall be as determined by the Committee itself.

## **9 LIABILITY OF THE COMMITTEE**

- 9.1 A liability incurred by the Committee rests against Council.
- 9.2 No liability attaches to a Member of the Committee for an honest act or omission by that Member of the Committee in the performance or discharge, or purported performance or discharge, of the Member's or the Committee's functions or duties.
- 9.3 All members of the committee are bound by the Council Member Code of Conduct as published in accordance with Section 63 of the Act.

## **10 DELEGATION**

- 10.1 The Committee has no delegation to act with all recommendations of the Committee (and of any Sub-Committees established by the Committee) to be considered by full Council for final decision and resolution.

## **11 SUB-COMMITTEES**

- 11.1 The Committee may establish a Sub-Committee to assist it in a matter directly related to the Committees objectives.
- 11.2 When establishing a Sub-Committee the Committee must set out the Terms of Reference for the Sub-Committee.
- 11.3 The Committee may appoint to a Sub-Committee Council Members who are not members of the Committee, Council Officers and members of the public with skills or expertise in a field relevant to the matters which the Sub-Committee is established to assist with.
- 11.4 A Sub-Committee established in accordance with this clause will report to the Committee and will have the same meeting notice, minute keeping and procedural obligations as the Committee as defined in the Act.
- 11.5 If a Sub-Committee Member is absent from 2 or more consecutive meetings of the Sub-Committee without an apology accepted by the Committee and Council then that Sub-Committee Members position shall be considered vacant.
- 11.6 If a Sub-Committee established under this Clause 14 fails to achieve quorum on 2 consecutive occasions then the Sub-Committee will be considered to be in recess and the Chief Executive Officer is to present a report to the Committee for consideration.

## **12 MINUTES OF THE COMMITTEE**

- 12.1 The CEO or his appointee must cause minutes to be kept of the proceedings of the Committee.
- 12.2 Minutes of the Committee shall be available to all Members of the Committee, Council and the public.
- 12.3 The Minutes of the proceedings of a meeting are to comply with the requirements of the Act.
- 12.4 Minutes of the Committee Meeting shall be submitted for confirmation at the next meeting of the Committee and if confirmed, shall be signed by the Presiding Member or other person presiding at the subsequent meeting.



12.5 Minutes of the Committee Meeting and any recommendations (including the minutes and recommendations of any Sub-Committee established by the Committee) shall be submitted to Council and shall be of no effect until endorsed as a resolution of Council.

### **13 AMENDMENTS TO TERMS OF REFERENCE**

13.1 It will be lawful for the Council by resolution to revoke, vary or add to any of the provisions of these Terms of Reference at its own discretion within the parameters of the Act and any other relevant legislation.

13.2 Notwithstanding 16.1 hereof before the Council resolves to revoke, vary or add to any of the provisions of these Terms of Reference it may, but will be under no obligation, to obtain the opinion of the Committee.

### **14 INTERPRETATION OF TERMS OF REFERENCE**

14.1 Should there be any dispute as to the definition and/or interpretation of these Terms of Reference, or any part thereof or any irregularities whatsoever that are unable to be resolved by the Presiding Member then the Council shall determine the dispute and the decision of the Council shall be final and binding.

### **15 WINDING UP**

15.1 The Council may cease the operation of the Committee and the Committee may make such recommendation to the Council on the completion of its function.

5 February 2021

