



City of
Mount Gambier

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

Date: Tuesday, 16 March 2021

Time: 6.00 p.m.

**Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier**

AGENDA

Ordinary Council Meeting 16 March 2021

**Barbara Cernovskis
Acting Chief Executive Officer**

12 March 2021

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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 - 16 February 2021](#)

[Special Council Meeting - 3 March 2021](#)

RECOMMENDATION

That the minutes of the Ordinary Council meeting held on 16 February 2021 and the Special Council meeting held on 3 March 2021 be confirmed as an accurate record of the proceedings of the meeting.

5 MAYORAL REPORT

- LGASA Mayor's Forum
- Weekly LCLGA Mayor's Virtual Meeting
- CEO Recruitment Presentations
- Radio Interview with 5GTR-FM
- LCLGA & RDALC Joint Board Meeting
- Elected Members Workshop – Mick Theobald – One Forty One
- Meeting with Nathan Woodruff – Chairman Mount Gambier NTSA
- Meeting with Representatives from acCare re Homelessness
- Chamber of Commerce Mix and Mingle
- CEO Selection Committee Meeting
- Weekly LCLGA Mayor's Virtual Meeting
- OAA Luncheon Meeting
- LGASA Mayor's Forum Zoom Meeting
- Planning and Development Code Zoom Meeting
- Matthews Hospitality – Informal Meet and Greet
- Meeting with Christine Lochyer – Matthews Hospitality Group
- Limestone Coast Regional Freight Forum
- Elected Members Workshop – LC Destination Management Plan
- Meeting with Anthony Penney – Qantas
- Visit to Blue Lake Golf Club
- WiBRD International Women's Day Breakfast 2021



- Weekly LCLGA Mayor's Virtual Meeting including Special Meeting of LCLGA
- Photographs with 2020 Zoom Citizenship Conferees
- 2021 World Day of Prayer Service
- RDALC – Local Jobs Program Launch
- Generations in Jazz 2021 Consultative and Strategy Planning Forum
- Guest Speaker – Rotary Club of Mount Gambier
- Weekly LCLGA Mayor's Virtual Meeting
- Virtual Meeting with ProManage – re Limestone Coast Landscape Board
- Annual Meeting with CEO's of Aboriginal Control Organisations
- Guest Speaker - Probus Club Meeting

6 REPORTS FROM COUNCILLORS



7 QUESTIONS WITH NOTICE

7.1 QUESTION WITH NOTICE - 2020 STAFF SURVEY

Meeting: Council
CM9 Reference: AF20/446
Member: Paul Jenner, Councillor

The following question on notice was received from Councillor Paul Jenner.

Question

Please advise Council what has happened to the Staff survey that was completed late in 2020 with regards to presenting the whole document to Councillors?

Response

Response to be provided at the Council meeting on 16 March 2020

REPORT RECOMMENDATION

That the response to the question regarding 2020 Staff Survey raised by Councillor Paul Jenner be received and noted.

ATTACHMENTS

Nil



8 QUESTIONS WITHOUT NOTICE

9 PETITIONS

Nil

10 DEPUTATIONS

Nil



11 NOTICE OF MOTION TO RESCIND OR AMEND

11.1 NOTICE OF RESCISSION/AMENDMENT - BLUE LAKE GOLF COURSE LEASING

Meeting: Council
CM9 Reference: AF20/446
Member: Michael McCarthy, Manager Governance and Property

As Chief Executive Officer the following report is submitted under Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 recommending that Council revoke parts of its resolution 2019/131 dated 21 May 2019.

MOTION

1. That Council Report No. AR21/13946 titled 'Notice of Rescission/Amendment - Blue Lake Golf Course Leasing' as presented on 16 March 2021 be noted.
2. That parts 2 and 4 of resolution 2019/131 titled Queen Elizabeth Park Trust / Blue Lake Golf Course - Leasing that were passed on 21 May 2019 as follows:

"2. Council offer the Blue Lake Golf Club a 5 year lease comprising of a 1 year lease and 4 x 1 year right of renewal for the entire golf course including all buildings, facilities and infrastructure. This lease shall include as a standard clause the right to sublet with Council consent.

....

4. Councils willingness to enter into a lease with the Blue Lake Golf Club is subject to development of key performance indicators agreed to by Council and a detailed asset management plan being developed by the Blue Lake Golf Club with the assistance of Council."

be revoked to enable consideration to be given to alternative lease tenure options for the Blue Lake Golf Course.

REPORT

At the Council meeting held on 21 May 2019 Council resolved to grant a 1 year lease to the Blue Lake Golf Club for the Blue Lake Golf Course, with 4 x 1 year rights of renewal subject to development of key performance indicators agreed to by Council and a detailed asset management plan being developed by the Blue Lake Golf Club with the assistance of Council."

Council has since been approached by the Blue Lake Golf Club seeking to secure longer tenure, which is the subject of a further report in the March 2021 Council meeting agenda.

Council's consideration of this report and proposal is constrained by two parts of the resolution made in May 2019 since the last general election, limiting a lease to 1 year and 4x 1 year renewal terms.

This report is submitted by the Chief Executive Officer under regulation 21 of the Procedures at Meetings Regulations recommending Council to consider revoking parts of the resolution dated 21 May 2019 to enable free consideration of the Blue lake Golf Clubs further leasing proposal.

Alternatively, Council may continue to support its resolved position to grant annual lease renewals following review of key performance indicator in quarterly reports from the Blue Lake Golf Club.

ATTACHMENTS

Nil



12 ELECTED MEMBERS WORKSHOPS

12.1 ELECTED MEMBER WORKSHOP FROM 15/02/2021 TO 10/03/2021 – REPORT NO. AR21/1603

Meeting: Council
CM9 Reference: AF20/446
Author: Ashlee Lavia, Executive Administrator Community Wellbeing
Authoriser:

REPORT RECOMMENDATION

1. That Council Report No. AR21/1603 titled 'Elected Member Workshop from 15/02/2021 to 10/03/2021' as presented on 16 March 2021 be noted.

ATTACHMENTS

1. Designated Informal Gathering - Members Workshop - Record of Proceedings - 22/02/2021 [↓](#)
2. Designated Informal Gathering - Members Workshop - Record of Proceedings - 02/03/2021 [↓](#)



**DESIGNATED INFORMAL GATHERING
ONEFORTYONE PRESENTATION
5.30 PM, MONDAY 22 FEBRUARY 2021**

RECORD OF PROCEEDINGS
5.30 pm, Monday 22 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.

GUESTS PRESENT:-

Mr Mick Theobald – General Manager Operations - OneFortyOne

MEMBERS PRESENT:-

Mayor Martin
Cr Greco
Cr Meziniec
Cr Jenner
Cr Morello
Cr Amoroso
Cr Bruins
Cr Perryman (via telephone)

STAFF PRESENT:-

Acting Chief Executive Officer
General Manager Shared Services
General Manager City Growth

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Cr Hood

DISCUSSION:

Presentation and discussion with OneFortyOne General Manager Operations, Mick Theobald

Discussion closed at 6.39 p.m.



**DESIGNATED INFORMAL GATHERING
LIMESTONE COAST DESTINATION MANAGEMENT PLAN
5.30 PM, TUESDAY 2nd MARCH 2021**

RECORD OF PROCEEDINGS
5.30 pm, Tuesday 2nd March 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:-

Tony Wright, Chief Executive Officer
Limestone Coast Local Government Association (LCLGA)

Biddie Shearing, Destination Development Manager
Limestone Coast Local Government Association (LCLGA)

MEMBERS PRESENT:-

Mayor Martin
Cr Morello
Cr Bruins
Cr Perryman
Cr Greco
Cr Hood (by phone)

STAFF PRESENT:-

Acting Chief Executive Officer
General Manager Shared Services
General Manager City Growth

MEMBERS APOLOGIES:-

Cr Meziniec
Cr Amoroso
Cr Jenner

LEAVE OF ABSENCE:-

DISCUSSION:

Tourism Destination Management Plan

Discussion closed at 6:58 pm



13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil



14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 16/02/2021 – REPORT NO. AR21/1578

Meeting: Council
CM9 Reference: AF20/446
Author: Ashlee Lavia, Executive Administrator Community Wellbeing
Authoriser:

REPORT RECOMMENDATION

1. That Council Report No. AR21/1578 titled 'Council Action Items - 16/02/2021' as presented on 16 March 2021 be noted.

ATTACHMENTS

1. Council Action Items - 16/02/2021 [↓](#)



Outstanding/Finalised	Division:		Date From:	16/02/2021
	Committee:	Council	Date To:	16/02/2021
Action Sheets Report	Officer:		Printed:	12 March 2021 2:57 PM

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Cernovskis, Barbara Cernovskis, Barbara	Question without Notice	Question regarding borrowings for the next 2 years
RESOLUTION 2021/27			
Moved: Cr Paul Jenner			
Seconded: Cr Steven Perryman			
Cr Paul Jenner asked:			
Council be advised if the City of Mount Gambier has approval for the total amount of borrowings needed over the two years for the Wulanda Recreation and Convention Centre and any other major projects in council's existing long term finance and infrastructure management plans?			
			CARRIED
12 Mar 2021 - 10:48 AM - Barbara Cernovskis			
Action completed by: Lavia, Ashlee			
Response report prepared for Council meeting on 16/03/2021			

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	McGregor, Fiona Serie, Nick	Elected Members Workshops	Elected Member Workshop from 16/01/2021 to 15/02/2021
RESOLUTION 2021/28			
Moved: Cr Sonya Meziniec			
Seconded: Cr Max Bruins			
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.			
			CARRIED
19 Feb 2021 - 9:22 AM - Fiona McGregor			
Action completed by: McGregor, Fiona			
Completed			



Outstanding/Finalised	Division:		Date From:	16/02/2021
	Committee:	Council	Date To:	16/02/2021
	Officer:			
Action Sheets Report			Printed:	12 March 2021 2:57 PM

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	McGregor, Fiona Serie, Nick	Council Action Items	Council Action Items - 19/01/2021
RESOLUTION 2021/29			
Moved: Cr Christian Greco			
Seconded: Cr Frank Morello			
1. That Council Report No. AR21/1573 titled 'Council Action Items - 19/01/2021' as presented on 16 February 2021 be noted.			
CARRIED			
19 Feb 2021 - 9:22 AM - Fiona McGregor			
Action completed by: McGregor, Fiona			
Completed			

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Lavia, Ashlee Cernovskis, Barbara	Regional Sport and Recreation Centre Committee Min	Minutes of the Regional Sport and Recreation Centre Committee held on 9 February 2021
RESOLUTION 2021/30			
Moved: Cr Ben Hood			
Seconded: Cr Max Bruins			
That the Minutes of the Regional Sport and Recreation Centre Committee meeting held on 9 February 2021 as attached be noted.			
CARRIED			
19 Feb 2021 - 5:52 PM - Ashlee Lavia			
Action completed by: Lavia, Ashlee			
Completed.			



Outstanding/Finalised	Division:		Date From:	16/02/2021
	Committee:	Council	Date To:	16/02/2021
	Officer:			
Action Sheets Report			Printed:	12 March 2021 2:57 PM

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Gajic, Heidi Cernovskis, Barbara	Reports	Wulanda Recreation and Convention Centre - Community Reference Group Terms of Reference
RESOLUTION 2021/31			
Moved: Cr Ben Hood			
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
12 Mar 2021 - 10:51 AM - Heidi Gajic			
Action completed by: Lavia, Ashlee			
Report prepared for Council meeting 16/03/2021			

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Lavia, Ashlee Cernovskis, Barbara	Reports	Wulanda Recreation and Convention Centre - Terms of Reference
RESOLUTION 2021/32			
Moved: Cr Steven Perryman			
Seconded: Cr Max Bruins			
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.			
5. Further review be undertaken regarding the membership of the committee with a view to reducing the number of members on the committee.			



Outstanding/Finalised	Division:		Date From:	16/02/2021
	Committee:	Council	Date To:	16/02/2021
	Officer:			
Action Sheets Report			Printed:	12 March 2021 2:57 PM

10 Mar 2021 - 11:58 AM - Ashlee Lavia Action completed by: Lavia, Ashlee Completed.	CARRIED
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Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Wilson, Sally Serie, Nick	Council Assessment Panel Minutes	Minutes of the Council Assessment Panel held on 21 January 2021
RESOLUTION 2021/33			
Moved: Cr Paul Jenner			
Seconded: Cr Ben Hood			
That the Minutes of the Council Assessment Panel meeting held on 21 January 2021 as previously circulated be noted.			
CARRIED			
12 Mar 2021 - 2:40 PM - Sally Wilson Action completed by: Wilson, Sally For noting only.			
12 Mar 2021 - 2:55 PM - Sally Wilson Action completed by: Lavia, Ashlee Completed.			



Outstanding/Finalised	Division:	Council	Date From:	16/02/2021
	Committee:		Date To:	16/02/2021
	Officer:			
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Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Porter, Jessica Coote, Tim	Council Reports	Review of regional public transport services - Mount Gambier Public Bus Service

RESOLUTION 2021/34

Moved: Cr Steven Perryman

Seconded: Cr Ben Hood

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. 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. The CEO prepare a draft submission to Department of Infrastructure and Transport emphasizing the following points:
 - Access to effective public transport services in and around Mount Gambier and the Lower South East is important to the community.
 - The existing service is inadequate and in need of major change.
 - The current service delivery mode for mass passenger transport in Mount Gambier has historically been underfunded and remains underfunded, with supporting data from the sources quoted in report AR21/2815.
 - The absence of any inter-town public transport services in the region further compounds the inadequacy of existing public transport services, and further highlights the inadequate historical funding of public transport services in and around the regional centre Mount Gambier over many decades.
 - Calling for the department to review the suitability of the 'dial a ride' (or similar) concept as proposed by the Office for Public Transport around 2005.
4. The draft report be submitted to Council for amendment or endorsement prior to submission to the Department of Infrastructure and Transport.

CARRIED

2 Mar 2021 - 10:48 AM - Jessica Porter

Action completed by: Porter, Jessica

Draft submission and updated council report have been prepared



Outstanding/Finalised	Division: Committee: Officer:	Council	Date From: Date To:	16/02/2021 16/02/2021
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Meeting	Officer/Director	Section	Subject
Council 16/02/2021	McCarthy, Michael Barber, Darren	Council Reports	Review of Delegations - Planning, Development and Infrastructure Act
RESOLUTION 2021/35			
Moved: Cr Sonya Mezinac			
Seconded: Cr Christian Greco			
<ol style="list-style-type: none"> That Council Report No. AR20/72711 titled 'Review of Delegations - Planning, Development and Infrastructure Act' as presented on 16 February 2021 be noted. 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 16th 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. 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 16th 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 Each power and function delegated in resolutions 2 and 3: <ul style="list-style-type: none"> 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 exercise 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 instrument and remaining delegations will continue to operate according to their terms; will remain in force until varied or revoked by resolution of the Council. Previous delegations granted by the Council under the Planning, Development and Infrastructure Act are revoked with effect from this day 16th February 			



Outstanding/Finalised	Division:	Council	Date From:	16/02/2021
	Committee:		Date To:	16/02/2021
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2021.

CARRIED

22 Feb 2021 - 5:38 PM - Michael McCarthy
Action completed by: McCarthy, Michael
Delegation Register updated

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Keding, Xarnia Coote, Tim	Council Reports	Tour of the Great South Coast Cycling Tier 2 Sponsorship Funding
RESOLUTION 2021/36			
Moved: Cr Christian Greco			
Seconded: Cr Max Bruins			
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.			
CARRIED			
12 Mar 2021 - 12:22 PM - Xarnia Keding			
Action completed by: Keding, Xarnia			
Letter sent to Mr Craven of outcome of council meeting			



Outstanding/Finalised	Division:	Council	Date From:	16/02/2021
	Committee:		Date To:	16/02/2021
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Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Zwijenburg, Jeroen Barber, Darren	Council Reports	Budget Review Quarter 2 FY2020-21
RESOLUTION 2021/37			
Moved: Cr Steven Perryman			
Seconded: Cr Max Bruins			
<ol style="list-style-type: none"> That Council Report No. AR21/5589 titled 'Budget Review Quarter 2 FY2020-21' as presented on 16 February 2021 be noted. That the YTD quarter 2 budget review (BR2) revisions be adopted for the FY2020/21 financial year, reflecting: <ul style="list-style-type: none"> 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. 			
CARRIED			
12 Mar 2021 - 2:30 PM - Jeroen Zwijenburg			
Action completed by: Lavia, Ashlee			
Completed.			

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Zwijenburg, Jeroen Barber, Darren	Council Reports	Long Term Financial Plan (LTFP) and Asset Management Plan (AMPs) FY2022-FY2031
RESOLUTION 2021/38			
Moved: Cr Sonya Meziniec			
Seconded: Cr Max Bruins			
<ol style="list-style-type: none"> 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. That Council adopts the: 			



Outstanding/Finalised	Division: Committee: Officer:	Council	Date From: Date To:	16/02/2021 16/02/2021
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<p>(a) FY2022-FY2031 Long Term Financial Plan, and the</p> <p>(b) Five FY2022-FY2031 Asset Management Plans, being:</p> <p>(i) the Plant & Equipment Asset Management Plan - 2022-2031;</p> <p>(ii) the Infrastructure Asset Management Plan - 2022-2031;</p> <p>(iii) the Caroline Landfill Asset Management Plan - 2022-2031;</p> <p>(iv) the Library Information Technology and Sundry Asset Management Plan - 2022-2031;</p> <p>(v) The Buildings and Structures Asset Management Plan - 2022-2031;</p> <p>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.</p> <p>3. That Council adopts the LTFP and AMPs to form the basis for the FY2022 Annual Business Plan & Budget process.</p> <p style="text-align: right;">CARRIED</p> <p>12 Mar 2021 - 2:32 PM - Jeroen Zwijnenburg Action completed by: Lavia, Ashlee Completed. To be uploaded to Council's website following endorsement of the ABP&B for consultation.</p>	
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Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Scheidt, Jo Barber, Darren	Council Reports	Council's current Valuation and Rating System
<p>RESOLUTION 2021/39</p> <p>Moved: Cr Sonya Meziniec Seconded: Cr Max Bruins</p> <p>1. That Council Report No. AR20/80665 titled 'Council's current Valuation and Rating System' as presented on 16 February 2021 be noted.</p> <p>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.</p> <p style="text-align: right;">CARRIED</p> <p>22 Feb 2021 - 10:54 AM - Jo Scheidl Action completed by: Scheidl, Jo noted</p>			



Outstanding/Finalised	Division:		Date From:	16/02/2021
	Committee:	Council	Date To:	16/02/2021
	Officer:			
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Meeting	Officer/Director	Section	Subject
Council 16/02/2021	McGregor, Colin Barber, Darren	Council Reports	Proposed Rating Structure and Waste Service Charge

RESOLUTION 2021/40

Moved: Cr Steven Perryman
Seconded: Cr Max Bruins

- That Council Report No. AR21/7731 titled 'Proposed Rating Structure and Waste Service Charge' as presented on 16 February 2021 be noted.
- 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'):
 - 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
 - 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.
- 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.

CARRIED

12 Mar 2021 - 2:35 PM - Ashlee Lavia
Action reassigned to McGregor, Colin by: Lavia, Ashlee for the reason: Pending Annual Business Plan and Budget consultation.
12 Mar 2021 - 2:35 PM - Ashlee Lavia
Revised Target Date changed by: Lavia, Ashlee From: 2 Mar 2021 To: 30 Apr 2021
Reason: Pending Annual Business Plan and Budget consultation.
12 Mar 2021 - 2:36 PM - Ashlee Lavia
Revised Target Date changed by: Lavia, Ashlee From: 30 Apr 2021 To: 30 Apr 2021
Reason: Pending Annual Business Plan and Budget consultation.



Outstanding/Finalised

Division:
Committee:
Officer:

Council

Date From:
Date To:

16/02/2021
16/02/2021

Action Sheets Report

Printed: 12 March 2021 2:57 PM

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Cernovskis, Barbara Cernovskis, Barbara	Motions with Notice	Notice of Motion - Street Sweeping - Hallmont and Woodlands Estate

RESOLUTION 2021/41

Moved: Cr Christian Greco
Seconded: Cr Max Bruins

- That Council Report No. AR21/8145 titled 'Notice of Motion - Street Sweeping - Hallmont and Woodlands Estate' as presented on 16 February 2021 be noted.
- Verbal Report from Cr Greco be received
- \$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.
- \$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.

CARRIED

10 Mar 2021 - 12:01 PM - Barbara Cernovskis
Action completed by: Lavia, Ashlee
Completed.



Outstanding/Finalised	Division:	Council	Date From:	16/02/2021
	Committee:		Date To:	16/02/2021
Action Sheets Report	Officer:		Printed:	12 March 2021 2:57 PM

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Cernovskis, Barbara Cernovskis, Barbara	Motions with Notice	Notice of Motion - Communication, Media and Engagement Structure and Function
RESOLUTION 2021/42			
Moved: Cr Ben Hood			
Seconded: Cr Max Bruins			
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 incoming 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.			
CARRIED			
10 Mar 2021 - 12:03 PM - Ashlee Lavia			
Revised Target Date changed by: Lavia, Ashlee From: 2 Mar 2021 To: 31 May 2021			
Reason: Incoming CEO to prepare report.			

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Cernovskis, Barbara Cernovskis, Barbara	Motions with Notice	Notice of Motion - Untenanted Commercial Premises Within the CBD
RESOLUTION 2021/43			
Moved: Cr Ben Hood			
Seconded: Cr Max Bruins			
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, Senior Revenue Officer, chairpersons of the Mount Gambier Chamber of Commerce and Women in Business and Regional Development to:			



Outstanding/Finalised	Division:		Date From:	16/02/2021
	Committee:	Council	Date To:	16/02/2021
Action Sheets Report	Officer:		Printed:	12 March 2021 2:57 PM

<p>a. Investigate effective strategies and incentives for landlords and prospective businesses to encourage take-up of untenanted premises</p> <p>b. Investigate policy development for minimum shop front quality standards for the CBD.</p> <p>4. That the CEO action the workshop findings and present a report to Council within 2 months.</p>	CARRIED
<p>12 Mar 2021 - 2:53 PM - Ashlee Lavia</p> <p>Revised Target Date changed by: Lavia, Ashlee From: 2 Mar 2021 To: 31 May 2021</p> <p>Reason: In progress.</p>	

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Cernovskis, Barbara Cernovskis, Barbara	Motions with Notice	Notice of Motion - Strategy and Implementation Plan to Support the Promotion of Street Art
RESOLUTION 2021/44			
Moved: Cr Frank Morello			
Seconded: Cr Christian Greco			
<p>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.</p> <p>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.</p> <p>3. That Council develop a strategy and implementation plan to support the promotion of street art in our city.</p> <p>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.</p> <p>5. Council:</p> <p>a) develop a plan to commission beacon artworks for installation at prominent locations in Mount Gambier and;</p> <p>b) refer \$80,000 to the draft 2021/2022 budget for consideration.</p>			
			Carried



Outstanding/Finalised	Division: Committee: Officer:	Council	Date From: Date To:	16/02/2021 16/02/2021
Action Sheets Report	Printed: 12 March 2021 2:57 PM			

10 Mar 2021 - 12:05 PM - Ashlee Lavia
Revised Target Date changed by: Lavia, Ashlee From: 2 Mar 2021 To: 30 Jun 2021
Reason: Report to be prepared for Council.

Meeting	Officer/Director	Section	Subject
Council 16/02/2021	Cernovskis, Barbara Cernovskis, Barbara	Motions with Notice	Notice of Motion - Homelessness in Mount Gambier and the Surrounding Region
RESOLUTION 2021/45			
Moved: Cr Sonya Meziniec			
Seconded: Cr Christian Greco			
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 with copies sent to our local Federal and State members of Parliament.			
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 October General Meeting.			
CARRIED			
12 Mar 2021 - 2:52 PM - Ashlee Lavia Revised Target Date changed by: Lavia, Ashlee From: 2 Mar 2021 To: 30 Apr 2021 Reason: In progress.			



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

Nil

16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS

Nil



**17 WULANDA AND RECREATION AND CONVENTION CENTRE COMMITTEE
MINUTES AND RECOMMENDATIONS**

**17.1 MINUTES OF THE WULANDA RECREATION AND CONVENTION CENTRE
COMMITTEE HELD ON 9 MARCH 2021 - [Go to Attachment](#)**

RECOMMENDATION

That the Minutes of the Wulanda Recreation and Convention Centre Committee meeting held on 9 March 2021 as attached be noted.

**17.2 [Wulanda Recreation and Convention Centre - Brand Development](#) – Report No.
AR21/13415**

RECOMMENDATION

1. That Wulanda Recreation and Convention Centre Committee Report No. AR21/13415 titled 'Wulanda Recreation and Convention Centre - Brand Development' as presented on 09 March 2021 be noted.



18 COUNCIL ASSESSMENT PANEL MINUTES

18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 18 FEBRUARY 2021

RECOMMENDATION

That the Minutes of the Council Assessment Panel meeting held on 18 February 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 COUNCIL DELEGATIONS – REPORT NO. AR21/6156

Committee:	Council
Meeting Date:	16 March 2021
Report No.:	AR21/6156
CM9 Reference:	AF20/446
Author:	Michael McCarthy, Manager Governance and Property
Authoriser:	Barbara Cernovskis, Acting Chief Executive Officer
Summary:	This report provides for a periodical review of Council Delegations including updates arising from a comprehensive review by the Local Government Association of their delegation framework upon which Councils delegations scheme is based.
Strategic Plan Reference:	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

REPORT RECOMMENDATION

1. That Council Report No. AR21/6156 titled 'Review of Council Delegations ' as presented on 16 March 2021 be noted.
2. The City of Mount Gambier (Council) delegates each function or power of the Council as referenced in the tables attached to Council Report No. AR21/6156 (Attachment 1) to the identified delegate(s).
3. The delegations are granted pursuant to section 44 of the Local Government Act 1999, excepting that the functions and powers of the Council:
 - (a) as an administering agency under the Environment Protection Act 1993 are delegated pursuant to section 18C of the Environment Protection Act;
 - (b) set out in Division 8, Part 4 of the Fire and Emergency Services Act 2005 are delegated pursuant to section 93 of the Fire and Emergency Services Act;
 - (c) acting as an enforcement agency under the Food Act 2001 are delegated pursuant to section 91 of the Food Act;
 - (d) acting as a road manager under the Heavy Vehicle National Law are delegated pursuant to section 22B of the Heavy Vehicle National Law (South Australia) Act 2013;
 - (e) acting as a relevant authority under the Safe Drinking Water Act 2011 are delegated pursuant to section 43 of the Safe Drinking Water Act; and
 - (f) under the Supported Residential Facilities Act 1992 are delegated pursuant to section 9(2) of the Supported Residential Facilities Act.
4. The delegations granted pursuant to:



- (a) the Local Government Act to the Council's Chief Executive Officer (CEO), in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act;
- (b) the Fire and Emergency Services Act;
- (c) the Food Act;
- (d) the Heavy Vehicle National Law (South Australia) Act;
- (e) the Safe Drinking Water Act; and
- (f) the Supported Residential Facilities Act

may be sub-delegated by the Chief Executive Officer or delegate, except delegations under the Fire and Emergency Services Act only permitted to a Fire Prevention Officer.

5. If two or more delegates are nominated in respect of a power or function, then each nominated person or position is granted a delegation and may exercise the power or function independently of any other delegate.
6. The delegations are granted subject to the following conditions and limitations:
 - (a) the delegate must exercise a delegated function or power in accordance with:
 - (i) applicable legislative and other legal requirements; and
 - (ii) due regard to relevant policies and guidelines adopted by the Council;
 - (b) in regard to the following delegations under the Local Government Act:
 - (i) section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act;
 - (ii) section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council and the sub-delegation financial limitations set by the Chief Executive Officer;
 - (iii) section 143(1): the power to write off debts is limited to debts not exceeding \$5,000;
 - (c) Each delegation of a power or function is granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.
 - (d) A delegation of a power or function determined to be invalid or unlawful will be deemed to be severed from the delegations granted under this or any other resolution or instrument and remaining delegations will continue to operate according to their terms.
 - (e) These delegations will come into operation on Wednesday 17 March 2021 and remain in force until varied or revoked by resolution of the Council.
 - (f) Previous delegations granted by the Council of the powers and functions delegated under these resolutions are revoked with effect from Wednesday 17 March 2021.

Road Traffic Act Sub-Delegations and Authorisations

7. Pursuant to the Instrument of General Approval and Delegation (dated 22 August 2013) under the Road Traffic Act 1961 (Act), Council:
 - (a) authorises the employees of the Council named in the tables attached to Council Report No. AR21/6156 (Attachment 2) to exercise the powers under sections 17 and 20 of the Road Traffic Act as conferred on or delegated to the Council by the Minister



for Transport and Infrastructure subject to the conditions set out in the Instrument of General Approval and Delegation.

- (b) is of the opinion that the following person(s) as referenced in the tables attached to Council Report No. AR21/6156 (Attachment 2) is (or are) experienced traffic engineering practitioners and are hereby authorised for the purpose of preparing and endorsing a Traffic Impact Statement in accordance with Clause A.7 of the Instrument of General Approval and Delegation.
 - Abdullah Mahmud
- (c) is of the opinion that the following person(s) as referenced in the tables attached to Council Report No. AR21/6156 (Attachment 2) has (or have) an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans for the purpose of Clause A.7 of the Instrument of General Approval and Delegation:
 - Abdullah Mahmud.
- (d) sub-delegates the powers in sub-section 33(1) of the Act as granted in Clause G. of the Instrument of General Approval and Delegation by the Minister for Transport and Infrastructure to any person occupying or acting in the position Chief Executive Officer of the Council.
- (e) These sub-delegations and authorisations will come into operation on Wednesday 17 March 2021 and remain in force until varied or revoked by resolution of the Council.
- (f) Previous sub-delegations and authorisations granted by the Council of the powers and functions under the Instrument of General Approval and Delegation (dated 22 August 2013) are revoked with effect from Wednesday 17 March 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.

Section 44 of the Local Government Act 1999 provides that the Council may delegate a power or function vested or conferred under this or another Act to a Council committee, a subsidiary, an employee, an employee occupying a particular office or position, or an authorised person. Other Acts also contain specific powers of delegation.

Council last conducted a review of delegations in March 2019, with subsequent updates in June and December 2019. In the intervening period a delegation (software) system has been implemented to assist with the management of delegations and sub-delegations made by Council and the Chief Executive Officer.

In September 2020 the Local Government Association ("LGA") released a new and expanded delegations framework to provide a simpler and more contemporary approach to managing delegations, compared to the previous LGA templates and process which had not undergone any significant format change since their implementation with the Local Government Act 1999.

This report presents the new LGA delegations framework for endorsement by Council.

The current delegations (and sub-delegations made by the Chief Executive Officer) that will be replaced by the new LGA delegations framework are accessible on the Council website <https://www.mountgambier.sa.gov.au/council/governance/registers>.

PROPOSAL

An instrument of delegation for the delegation of powers and functions by the Council to the Chief Executive Officer under the new delegations framework is attached to this report (Attachment 1).

The instrument of delegation identifies:

- a) the statutory powers to delegate the powers or functions subject to the instrument;
- b) the statutory basis for any power to sub-delegate a delegated power or function;
- c) the conditions and limitations applying to the exercise of a delegated power or function; and
- a) in an attached table for each Act or regulation under which a delegation is granted by the instrument of delegation:
 - i. The delegated power or function; and
 - ii. The identity of the delegate or delegates in respect of that power or function.

If the Council resolves to grant the delegation, then delegations will come into operation on the day following the date of the Council resolution.

If the Council resolves to grant the delegations provided for in the attached instrument of delegation, then previous delegations of the powers and functions will be revoked from the date on which the delegations in the attached instrument of delegation come into operation.

The delegations under the new LGA delegation framework associated with the instruments of delegation are attached to this report (Attachment 1) and will be published on the Council website when made.

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



Delegations under the Planning, Development and Infrastructure Act are currently being dealt with separate to other delegations of statutory powers and functions due to the imminent transition of the City of Mount Gambier (as a Phase 3 Council) to the Planning, Development and Infrastructure Act.

This transition will result in the delegations made under the Development Act becoming redundant and these will be subsequently phased out in further delegation reviews.

The Planning, Development and Infrastructure Act delegations will be published on the Council website when made.

Authorisations and sub-delegation under the *Road Traffic Act 1961*

The Minister for Transport and Infrastructure granted delegations to the Council under the Instrument of General Approval and Delegation (dated 22 August 2013) (General Approval).

The General Approval permits the Council to:

- d) sub-delegate the powers under section 33(1) of the Road Traffic Act; and
- e) authorise employees of the Council to exercise the powers under sections 17 and 20 of the Road Traffic Act for the purpose of Clause A of the Instrument of General Approval.

An instrument of sub-delegation and an instrument of authorisation are attached (Attachment 2).

The General Approval requires that the Council's decision to grant an authorisation be recorded in a written instrument signed by the Chief Executive Officer on behalf of the Council. Accordingly, the instrument includes an execution block for the Chief Executive Officer.

LEGAL IMPLICATIONS

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

Council uses the template delegations and processes as 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 give effect to the strategic and policy objectives of Council through the many and diverse transactions and activities undertaken by the administration on a daily basis.



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

VALUE FOR MONEY

The use of delegations (and sub-delegations) enables the Council, Chief Executive Officer and other Council officers to direct decision making to an appropriate (sub)delegate to enable efficient and effective administration of the many and varied and routine functions 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 of 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 with regard to exercising, or not exercising, delegated powers.

It is important to note that a delegation provides authority but not an obligation for a delegate to exercise the delegated power. Accordingly, some decisions may be escalated to a higher authority for consideration and determination where the delegate considers it appropriate.

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 that has not already been determined under delegation.

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 delegation register is published on the Council website. It is proposed that this would continue.

IMPLEMENTATION STRATEGY

The implementation of delegations (and sub-delegations) under the new framework remains similar to the previous process, but using the newly implemented delegation software system.

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

CONCLUSION AND RECOMMENDATION

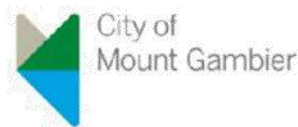
This report recommends that Council revoke all previous delegations and authorisations and grant the delegation and authorisation of powers and functions of the Council as provided for in the attached instruments of (sub)delegation and authorisation to align with the Local Government Association new delegation framework.



ATTACHMENTS

1. Delegable Powers and Functions - Attachment 1 [↓](#)
2. Instrument of sub-delegation and authorisation under the Road Traffic Act 1961 - Attachment 2 [↓](#)





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Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409352	Burial and Cremation Act 2013	section 8(2)	Approve the interment of bodily remains	council
409353	Burial and Cremation Act 2013	section 13(4)	Inter additional bodily remains	relevant authority for cemetery or crematorium
409354	Burial and Cremation Act 2013	section 13(6)	Be consulted by the Attorney-General regarding the opening of an interment site, exhumation or removal of bodily remains or re-interment of bodily remains	relevant authority for cemetery or crematorium
409355	Burial and Cremation Act 2013	section 18(1)	Ensure that cremated remains are only released to an authorised person	relevant authority for cemetery or crematorium
409356	Burial and Cremation Act 2013	section 18(2)	Dispose of cremated remains	relevant authority for cemetery or crematorium
409357	Burial and Cremation Act 2013	section 19	Establish a cemetery, natural burial ground or crematorium	council
409358	Burial and Cremation Act 2013	section 20	Establish and manage a public mortuary	council
409359	Burial and Cremation Act 2013	section 21	Establish a mausoleum	relevant authority for cemetery or crematorium
409360	Burial and Cremation Act 2013	section 22	Provide part of a cemetery as a natural burial ground	relevant authority for cemetery or crematorium
409361	Burial and Cremation Act 2013	section 23	Set apart part of a cemetery or natural burial ground for a particular religion	relevant authority for cemetery or crematorium
409362	Burial and Cremation Act 2013	section 24(1)	Close a cemetery or natural burial ground	relevant authority for cemetery or crematorium





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409363	Burial and Cremation Act 2013	section 24(2)	Provide notice of proposed closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409364	Burial and Cremation Act 2013	section 24(5)	Provide details of representations or submissions to the Minister regarding the proposed closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409365	Burial and Cremation Act 2013	section 24(8)(a)	Discharge unexercised interment rights and provide a refund by agreement with the interment holder on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409366	Burial and Cremation Act 2013	section 24(8)(b)	Discharge unexercised interment rights and issue a new interment right by agreement with the interment holder on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409367	Burial and Cremation Act 2013	section 24(9)(a)	Discharge interment rights and issue a new interment right with the interment holder on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409368	Burial and Cremation Act 2013	section 24(9)(b)	Remove and re-inter human remains by agreement with the interment holder on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409369	Burial and Cremation Act 2013	section 24(9)(c)	Remove and reposition a memorial by agreement with the interment holder on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409370	Burial and Cremation Act 2013	section 24(10)	Referral of matter for mediation if agreement cannot be reached on the discharge of an interment right on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409371	Burial and Cremation Act 2013	section 24(11)	Pay for mediation with respect to the discharge of an interment right on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409372	Burial and Cremation Act 2013	section 24(12)(a)	Offer land as a gift on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409373	Burial and Cremation Act 2013	section 24(12)(b)	Demolish, remove, relocate or replace a grave on closure of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409374	Burial and Cremation Act 2013	section 24(14)	Prepare an inventory prior to closure of a cemetery or natural burial ground identifying all graves and memorial, a record of all inscriptions and other particulars on memorials and a photograph of each memorial	relevant authority for cemetery or crematorium





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409375	Burial and Cremation Act 2013	section 24(15)	Make the inventory of graves and memorials available to the public	relevant authority for cemetery or crematorium
409376	Burial and Cremation Act 2013	section 25(1)	Petition the Minister to have trust on which land is held by council which was formerly a cemetery or natural burial ground determined and the land dedicated as park lands	council
409377	Burial and Cremation Act 2013	section 25(5)	Pay costs of advertising or inquiry related to the determination of a trust and dedication of land as park lands	council
409378	Burial and Cremation Act 2013	section 25(4)(a)	Remove memorials if a closed cemetery is dedicated as park lands	relevant authority for cemetery or crematorium
409379	Burial and Cremation Act 2013	section 25(4)(b)	Relocate memorials if a closed cemetery is dedicated as park lands	relevant authority for cemetery or crematorium
409380	Burial and Cremation Act 2013	section 25(4)(c)	Replace memorials if a closed cemetery is dedicated as park lands	relevant authority for cemetery or crematorium
409381	Burial and Cremation Act 2013	section 26(2)	Convert a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council into a public park or garden*	relevant authority for cemetery or crematorium
409382	Burial and Cremation Act 2013	section 26(3)	Give notice of intention to convert a cemetery into a public park where the cemetery is not on land held on trust by the council or that includes land under the care, control and management of a council	relevant authority for cemetery or crematorium
409383	Burial and Cremation Act 2013	section 26(6)(a)	Remove memorials from a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	relevant authority for cemetery or crematorium
409384	Burial and Cremation Act 2013	section 26(6)(b)	Relocate memorials from a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	relevant authority for cemetery or crematorium
409385	Burial and Cremation Act 2013	section 26(6)(c)	Replace memorials a closed cemetery which is not on land held on trust by the council or that includes land under the care, control and management of a council	relevant authority for cemetery or crematorium
409386	Burial and Cremation Act 2013	section 27(1)(a)	Construct roads and pathways for purpose of converting closed cemetery into a public park or garden	relevant authority for cemetery or crematorium





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409387	Burial and Cremation Act 2013	section 27(1)(b)	Erect or construct buildings for purpose of converting closed cemetery into a public park or garden	relevant authority for cemetery or crematorium
409388	Burial and Cremation Act 2013	section 27(1)(c)	Construct a vault or other repository for human remains for purpose of converting closed cemetery into a public park or garden	relevant authority for cemetery or crematorium
409389	Burial and Cremation Act 2013	section 27(1)(d)	Erect lighting, seating or other infrastructure or public amenity for purpose of converting closed cemetery into a public park or garden	relevant authority for cemetery or crematorium
409390	Burial and Cremation Act 2013	section 27(1)(e)	Take such other action for laying out land as parklands or a public place or garden for purpose of converting closed cemetery into a public park or garden	relevant authority for cemetery or crematorium
409391	Burial and Cremation Act 2013	section 28(1)	Provide notice of cemetery or natural burial ground closure to the Registrar	relevant authority for cemetery or crematorium
409392	Burial and Cremation Act 2013	section 28(2)	Provide notice of crematorium closure to the Registrar or the Environment Protection Authority	relevant authority for cemetery or crematorium
409393	Burial and Cremation Act 2013	section 28(3)	Forward records of closed cemetery, natural burial ground or crematorium to the Libraries Board of South Australia	relevant authority for cemetery or crematorium
409394	Burial and Cremation Act 2013	section 30(1)	Agree to the interment of human remains	relevant authority for cemetery or crematorium
409395	Burial and Cremation Act 2013	section 30(1)	Issue an interment right	relevant authority for cemetery or crematorium
409396	Burial and Cremation Act 2013	section 30(2)	Provide statement in plain English setting out rights and responsibilities in regard to an interment right to person applying for an interment right	relevant authority for cemetery or crematorium
409397	Burial and Cremation Act 2013	section 30(3)	Determine capacity of interment site	relevant authority for cemetery or crematorium
409398	Burial and Cremation Act 2013	section 30(5)	Carry out a lift and deepen procedure	relevant authority for cemetery or crematorium





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409399	Burial and Cremation Act 2013	section 32(1)	Renew interment right	relevant authority for cemetery or crematorium
409400	Burial and Cremation Act 2013	section 32(1)	Fix renewal fee	relevant authority for cemetery or crematorium
409401	Burial and Cremation Act 2013	section 32(2)	Provide notice of interment right expiry	relevant authority for cemetery or crematorium
409402	Burial and Cremation Act 2013	section 32(3)	Provide statement in plain English setting out rights and responsibilities in regard to an interment right to person renewing interment right	relevant authority for cemetery or crematorium
409403	Burial and Cremation Act 2013	section 33(1)	Transfer an interment right	relevant authority for cemetery or crematorium
409404	Burial and Cremation Act 2013	section 33(1)(a)	Determine consideration for transfer of interment right	relevant authority for cemetery or crematorium
409405	Burial and Cremation Act 2013	section 33(3)	Record interment right transfer in register	relevant authority for cemetery or crematorium
409406	Burial and Cremation Act 2013	section 34(1)	Receive surrendered interment right	relevant authority for cemetery or crematorium
409407	Burial and Cremation Act 2013	section 34(2)	Provide a refund on the surrender of an unexercised interment right	relevant authority for cemetery or crematorium
409408	Burial and Cremation Act 2013	section 37(1)	Keep a register of interment rights	relevant authority for cemetery or crematorium
409409	Burial and Cremation Act 2013	section 37(2)	Record information in the interment rights register	relevant authority for cemetery or crematorium
409410	Burial and Cremation Act 2013	section 38(1)(a)	Reuse an interment site on expiry of an interment right	relevant authority for cemetery or crematorium





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409411	Burial and Cremation Act 2013	section 38(1)(b)	Remove a memorial on expiry of an interment right	relevant authority for cemetery or crematorium
409412	Burial and Cremation Act 2013	section 38(2)(a)	Give notice of intention to reuse an interment site by public advertisement	relevant authority for cemetery or crematorium
409413	Burial and Cremation Act 2013	section 38(2)(b)	Give notice of intention to reuse an interment site by notice to the personal representative of the deceased	relevant authority for cemetery or crematorium
409414	Burial and Cremation Act 2013	section 39(2)	Deal with and dispose of a memorial in accordance with the Burial and Cremation Act	relevant authority for cemetery or crematorium
409415	Burial and Cremation Act 2013	section 40	Enter into an agreement with an interment right holder to maintain memorial	relevant authority for cemetery or crematorium
409416	Burial and Cremation Act 2013	section 41(1)	Provide notice requiring repair, removal or reinstatement of memorial	relevant authority for cemetery or crematorium
409417	Burial and Cremation Act 2013	section 41(2)	Carry out repair, removal or reinstatement work	relevant authority for cemetery or crematorium
409418	Burial and Cremation Act 2013	section 41(2)	Recover costs of work repairing, removing or reinstating a memorial	relevant authority for cemetery or crematorium
409419	Burial and Cremation Act 2013	section 41(3)	Carry out repair, removal or reinstatement work	relevant authority for cemetery or crematorium
409420	Burial and Cremation Act 2013	section 41(3)	Recover costs of work repairing, removing or reinstating a memorial	relevant authority for cemetery or crematorium
409421	Burial and Cremation Act 2013	section 42(1)	Remove and dispose of memorial where interment right has expired	relevant authority for cemetery or crematorium
409422	Burial and Cremation Act 2013	section 42(1)(c)	Give notice of intention to remove and dispose of a memorial on expired interment site by public advertisement and notice affixed to the memorial	relevant authority for cemetery or crematorium





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409423	Burial and Cremation Act 2013	section 42(1)(d)	Give notice of intention to remove and dispose of a memorial on expired interment site by public notice to owner of memorial	relevant authority for cemetery or crematorium
409424	Burial and Cremation Act 2013	section 42(2)	Keep prescribed records of disposed memorials	relevant authority for cemetery or crematorium
409425	Burial and Cremation Act 2013	section 43(a)	Enlarge a cemetery, natural burial ground or crematorium	relevant authority for cemetery or crematorium
409426	Burial and Cremation Act 2013	section 43(b)	Improve or embellish a cemetery, natural burial ground or crematorium	relevant authority for cemetery or crematorium
409427	Burial and Cremation Act 2013	section 43(c)	Restrict interments in any part of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409428	Burial and Cremation Act 2013	section 43(d)	Take action for proper management and maintenance of a cemetery, natural burial ground or crematorium	relevant authority for cemetery or crematorium
409429	Burial and Cremation Act 2013	section 45	Restrict interments in any part of a cemetery or natural burial ground	relevant authority for cemetery or crematorium
409430	Burial and Cremation Act 2013	section 46(1)	Issue notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	council
409431	Burial and Cremation Act 2013	section 46(1)	Respond to notice from the Minister that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	relevant authority for cemetery or crematorium
409432	Burial and Cremation Act 2013	section 46(3)	Cause work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	council
409433	Burial and Cremation Act 2013	section 46(4)	Cause work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	council
409434	Burial and Cremation Act 2013	section 46(5)	Recover costs of work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	council





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409435	Burial and Cremation Act 2013	section 47(1)	Apply for review of decision requiring work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition or fails to comply with the Burial and Cremation Act	relevant authority for cemetery or crematorium
409436	Burial and Cremation Act 2013	section 47(1)	Make submissions on a review of decision requiring work to be undertaken to satisfy notice that cemetery or natural burial ground is in a neglected condition	council
409437	Burial and Cremation Act 2013	section 48(1)	Receive land used as a cemetery or natural burial ground on trust	council
409438	Burial and Cremation Act 2013	section 49(1)	Assume administration of cemetery or natural burial ground	council
409439	Burial and Cremation Act 2013	section 49(1)(c)	Agree to transfer administration of cemetery or natural burial ground	council
409440	Burial and Cremation Act 2013	section 50(1)	Allow access to of cemetery, natural burial ground or crematorium	relevant authority for cemetery or crematorium
409441	Burial and Cremation Act 2013	section 50(2)	Require person to leave cemetery, natural burial ground or crematorium	relevant authority for cemetery or crematorium
409442	Burial and Cremation Act 2013	section 51(1)	Deal with land used as a cemetery or natural burial ground in ordinary course of commerce	relevant authority for cemetery or crematorium
409443	Burial and Cremation Act 2013	section 51(2)	Discharge interment rights prior to dealing with land used as a cemetery or natural burial ground in ordinary course of commerce	relevant authority for cemetery or crematorium
409444	Burial and Cremation Act 2013	section 51(2)(a)	Provide refund to holder of an interment right on the discharge of that right in order to deal with land used as a cemetery or natural burial ground in ordinary course of commerce	relevant authority for cemetery or crematorium
409445	Burial and Cremation Act 2013	section 51(2)(b)	Issue new interment right to holder of an interment right on the discharge of that right in order to deal with land used as a cemetery or natural burial ground in ordinary course of commerce	relevant authority for cemetery or crematorium
409446	Burial and Cremation Act 2013	section 52	Deal with land which was a cemetery or natural burial ground closed in accordance with the Burial and Cremation Act in ordinary course of commerce	council





Burial and Cremation Act 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409447	Burial and Cremation Act 2013	section 53(1)	Keep registers and plan prescribed by Burial and Cremation Act	relevant authority for cemetery or crematorium
409448	Burial and Cremation Act 2013	section 53(3)	Keep records prescribed by Burial and Cremation Act	relevant authority for cemetery or crematorium
409449	Burial and Cremation Act 2013	section 53(4)	Make registers prescribed by Burial and Cremation Act publicly available	relevant authority for cemetery or crematorium
409450	Burial and Cremation Act 2013	section 53(5)	Produce a register prescribed by Burial and Cremation Act for inspection	relevant authority for cemetery or crematorium
409451	Burial and Cremation Act 2013	section 56(1)	Request Public Trustee to act for interment right holder	relevant authority for cemetery or crematorium
409452	Burial and Cremation Act 2013	section 58(2)	Appoint authorised officers	council
409453	Burial and Cremation Act 2013	section 58(3)	Impose conditions on appointment of an authorised officer	council
409454	Burial and Cremation Act 2013	section 58(4)	Issue identity card to an authorised officer	council
409455	Burial and Cremation Act 2013	section 58(7)	Vary or revoke appointment or impose further conditions on an authorised officer	council





Burial and Cremation Regulations 2014

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409456	Burial and Cremation Regulations 2014	regulation 12(1)	Ensure remains are placed in labelled container and stored in ossuary	relevant authority for cemetery or crematorium
409457	Burial and Cremation Regulations 2014	regulation 12(2)	Provide notice to the Attorney-General and Registrar of removal of remains to ossuary	relevant authority for cemetery or crematorium
409458	Burial and Cremation Regulations 2014	regulation 16	Fill interment site to level of natural surface	relevant authority for cemetery or crematorium
409459	Burial and Cremation Regulations 2014	regulation 17(2)	Approve manner of marking name plate attached to coffin or bodily remains	relevant authority for cemetery or crematorium
409460	Burial and Cremation Regulations 2014	regulation 18(1)(a)	Approve construction material for mausoleum or vault	relevant authority for cemetery or crematorium
409461	Burial and Cremation Regulations 2014	regulation 18(5)	Be satisfied that mausoleum or vault is sealed	relevant authority for cemetery or crematorium
409462	Burial and Cremation Regulations 2014	regulation 19(1)	Open and inspect mausoleum or vault	relevant authority for cemetery or crematorium
409463	Burial and Cremation Regulations 2014	regulation 19(2)	Give notice to take remedial action if mausoleum or vault does not comply with the Burial and Cremation Regulations or offensive odours or noxious gases or fluids have escaped or are escalating from the mausoleum or vault	relevant authority for cemetery or crematorium
409464	Burial and Cremation Regulations 2014	regulation 19(3)	Cause work to be undertaken if person fails to comply with notice provided under regulation 19(2)	relevant authority for cemetery or crematorium
409465	Burial and Cremation Regulations 2014	regulation 19(3)	Recover costs of undertaking work if person fails to comply with notice provided under regulation 19(2)	relevant authority for cemetery or crematorium
409466	Burial and Cremation Regulations 2014	regulation 21(1)	Dispose of name plate, metal or plastic fitting, any other object removed from the exterior of coffin or any other thing in possession due to cremation	relevant authority for cemetery or crematorium
409467	Burial and Cremation Regulations 2014	regulation 21(3)	Ensure nameplate is provided to person holding the relevant cremation permit or a person authorised by that person	relevant authority for cemetery or crematorium





Burial and Cremation Regulations 2014

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409468	Burial and Cremation Regulations 2014	regulation 22	Fence the cemetery or natural burial ground	relevant authority for cemetery or crematorium
409469	Burial and Cremation Regulations 2014	regulation 24(1)	Issue direction to person in charge of a motor vehicle within a cemetery or natural burial ground as to the driving of the vehicle	relevant authority for cemetery or crematorium
409470	Burial and Cremation Regulations 2014	regulation 24(2)	Issue direction to person in charge of a motor vehicle within a cemetery or natural burial ground as to the parking of the vehicle	relevant authority for cemetery or crematorium
409471	Burial and Cremation Regulations 2014	regulation 25	Authorise removal, damage, defacement or interference of fixtures, structure or grounds within the cemetery or natural burial ground	relevant authority for cemetery or crematorium
409472	Burial and Cremation Regulations 2014	regulation 26(a)	Cause removal of unattached ornament, empty flower container, broken masonry, decayed or broken wreath or dead flowers from the cemetery or natural burial ground	relevant authority for cemetery or crematorium
409473	Burial and Cremation Regulations 2014	regulation 26(b)	Cause pruning, cutting down or removal of plants within the cemetery or natural burial ground	relevant authority for cemetery or crematorium
409474	Burial and Cremation Regulations 2014	regulation 27	Require a person to leave the cemetery or natural burial ground	relevant authority for cemetery or crematorium





By-Law Delegation

ID	Delegation Source	Provision	Item Delegated
291250	By-Law No. 1 Permits & Penalties 2018 - Delegations	1	to grant or refuse an application for permission to undertake an activity or engage in conduct regulated by a Council By-law or to otherwise grant permission under any Council By-law;
291251	By-Law No. 1 Permits & Penalties 2018 - Delegations	2	to attach any conditions that the delegate sees fit to a grant of permission issued under a By-law and to vary or revoke such conditions or impose new conditions by notice in writing to the person(s) to whom permission was granted;
291252	By-Law No. 1 Permits & Penalties 2018 - Delegations	3	10.1.3. to revoke or suspend a grant of permission that has been issued under a Council By-law by notice in writing to the person(s) to whom permission was granted; and
291253	By-Law No. 1 Permits & Penalties 2018 - Delegations	4	10.1.4. to commence proceedings to prosecute an offence under a Council By-law.





Community Titles Act 1996

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409475	Community Titles Act 1996	section 3(11)	Endorse scheme description	relevant development authority
409476	Community Titles Act 1996	section 15A(b)(i)	Certify compliance with the requirements of the Act under which the encumbrance was enter into, or is in force, as to the variation or termination	council (as holder of a statutory encumbrance)
409477	Community Titles Act 1996	section 27(1)(b)(i)	Consent to encroachment over land vested in, or under the control, of the council	council
409478	Community Titles Act 1996	section 30(4)	Require modification to a scheme description prior to endorsing the scheme description	relevant development authority
409479	Community Titles Act 1996	section 31(3)	Endorse a certified copy of an amended scheme description	relevant development authority
409480	Community Titles Act 1996	section 53A(b)(i)	Certify compliance with the requirements of the Act under which the encumbrance was enter into, or is in force, as to the variation or termination	council (as holder of a statutory encumbrance)
409481	Community Titles Act 1996	section 70(3)	Approve the retention of a primary or secondary lot	relevant development authority





Cost of Living Concessions Act 1986

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409482	Cost of Living Concessions Act 1986	section 6(1)	Apply to the Treasurer for the amount of rates remitted under the Cost of Living Concessions Act to be paid to the rating authority	rating authority





Crown Land Management Act 2009

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409483	Crown Land Management Act 2009	section 18A(1)	Seek the consent of the Minister to the exclusion of dedicated land from classification as community land	council
409484	Crown Land Management Act 2009	section 27(2)	Request the Minister to exercise power or functions under Division 4, Part 3 of the Crown Land Management Act in respect of the Adelaide Park Lands under the care, control and management of the council (other than land in relation to which a power to grant easements otherwise exists under the Act or the Real Property Act 1886).	Adelaide City Council





Development Act 1993 and Development Regulations 2008

ID	Delegation Source	Provision	Item Delegated
277885	Development Act 1993	s6(3)	<p>1. Concept of Change in the Use of Land</p> <p>1.1 The power pursuant to Section 6(3) of the Development Act 1993 ('the Act') and in circumstances where a particular use of land has been discontinued for a period of six months or more:</p> <p>1.1.1 to form the opinion that the revival of that use would be inconsistent with the Development Plan and have an adverse effect on the locality in which the land is situated; and</p>
278284	Development Act 1993	s6(3)	<p>1. Concept of Change in the Use of Land</p> <p>1.1 The power pursuant to Section 6(3) of the Development Act 1993 ('the Act') and in circumstances where a particular use of land has been discontinued for a period of six months or more:</p> <p>1.1.2 to serve written notice on the owner and occupier of the land declaring that a revival of the use will be treated for the purposes of the Act as a change in the use of land.</p>
277886	Development Act 1993	s18(1)	<p>2. Appointment of Authorised Officers</p> <p>2.1 The power pursuant to Section 18(1) of the Act to appoint a person to be an authorised officer for the purposes of the Development Act 1993.</p>
277887	Development Act 1993	s18(2)	<p>2. Appointment of Authorised Officers</p> <p>2.2 The power pursuant to Section 18(2) of the Act to impose conditions on the appointment of an authorised officer.</p>
277888	Development Act 1993	s18(3)	<p>2. Appointment of Authorised Officers</p> <p>2.3 The duty, pursuant to Section 18(3) of the Act to issue an authorised officer with an identity card.</p>
277889	Development Act 1993	s18(5)	<p>2. Appointment of Authorised Officers</p> <p>2.4 The power pursuant to Section 18(5) of the Act to at any time, revoke an appointment which the Delegate or the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.</p>
277890	Development Act 1993	s20(8)	<p>3. Delegations</p> <p>3.1 The duty pursuant to Section 20(8) of the Act to ensure that notice of a delegation under Section 20 of the Act is, in prescribed circumstances, given in the Gazette.</p>
277891	Development Act 1993	s24(1)(a)(i)	<p>4. Council or Minister May Amend a Development Plan</p> <p>4.1 Where an amendment relates to the area, or part of the area, of a council, the power pursuant to Section 24(1)(a)(i) of the Act to prepare an amendment to a Development Plan.</p>
277892	Development Act 1993	s24(1)(b)(i)	<p>4. Council or Minister May Amend a Development Plan</p> <p>4.2 Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(i) to consult with the Minister.</p>
277893	Development Act 1993	s24(1)(b)(ii)	<p>4. Council or Minister May Amend a Development Plan</p> <p>4.3 Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(ii) of the Act to prepare an amendment to a Development Plan at the request or with the approval of the Minister.</p>





Development Act 1993 and Development Regulations 2008

ID	Delegation Source	Provision	Item Delegated
277894	Development Act 1993	s24(1a)	4. Council or Minister May Amend a Development Plan 4.4 The power pursuant to Section 24(1a) of the Act and in accordance with subdivision 2 of Division 2 Part 3 of the Act to act jointly with one or more councils in preparing amendments to 1 or more Development Plans under sub Section (1)(a)(i) or (1)(b)(ii) of the Act.
277895	Development Act 1993	s24(1)(a)(iva)	4. Council or Minister May Amend a Development Plan 4.5 The power pursuant to section 24(1)(a)(iva) of the Act, where the Council or the Delegate has, after commencing the processes associated with making an amendment as set out in Section 25 of the Act, to subsequently decide not to proceed with the amendment after all.
277896	Development Act 1993	s 24(1b)	4. Council or Minister May Amend a Development Plan 4.6 The power pursuant to Section 24(1b) of the Act to make submissions in relation to the matter within the period specified by the Minister.
277897	Development Act 1993	s24(2a)	4. Council or Minister May Amend a Development Plan 4.7 The power pursuant to Section 24(2a) of the Act to make submissions (within a period specified in the notice) in relation to a matter.
277898	Development Act 1993	s 25(1)	5. Amendments by a Council 5.1 The power pursuant to Section 25(1) of the Act to prepare a 'Statement of Intent' in accordance with the Regulations.
277899	Development Act 1993	s25(1)	5. Amendments by a Council 5.2 The power pursuant to Section 25(1) of the Act to reach agreement with the Minister on a 'Statement of Intent' prepared by the Council.
277900	Development Act 1993	s25(4) and 25(5)	5. Amendments by a Council 5.3 Subject to Sections 25(4) and 25(5) of the Act the power pursuant to Section 25(3) of the Act to prepare a proposal, to be called a 'Development Plan Amendment' (or DPA) that complies with the following requirements: 5.3.1 the DPA must be based on the outcome of investigations initiated by the Council or the Delegate in accordance with the terms of the Statement of Intent and such other investigations (if any) as the Council or the Delegate thinks fit; 5.3.2 the DPA must include an assessment of the extent to which the proposed amendment: 5.3.2.1 accords with the Planning Strategy; and 5.3.2.2 accords with the Statement of Intent; and 5.3.2.3 accords with other parts of the Development Plan; and 5.3.2.4 complements the policies in the Development Plans for adjoining areas; and 5.3.2.5 satisfies the matters prescribed in the Regulations; 5.3.3 the DPA must include:





Development Act 1993 and Development Regulations 2008

ID	Delegation Source	Provision	Item Delegated
			<p>5.3.3.1 an explanation of the intent of the proposed amendments, the relationship between that intent and the policy of the Statement of Intent, and a summary of the major policy changes (if any) that are proposed; and</p> <p>5.3.3.2 a summary of the conclusions drawn from the investigations and assessments referred to above; and</p> <p>5.3.3.3 a draft of the amendment, or a draft of the relevant section of the Development Plan as amended (with the amendments shown in a distinctive manner);</p> <p>5.3.4 the DPA must include an assessment of the extent to which the proposed amendment accords with relevant infrastructure planning (with respect to both physical and social infrastructure) identified by the Council through strategic planning or other processes undertaken by the Council under the Act or the Local Government Act 1999 or identified by a Minister, or any other relevant government agency, in accordance with any scheme set out in the Regulations, in connection with the preparation of the DPA under the Act;</p> <p>5.3.5 the DPA must include any other matter prescribed by the Regulations.</p>
277901	Development Act 1993	s25(3)(a)	<p>5. Amendments by a Council</p> <p>5.4 The power pursuant to Section 25(3)(a) of the Act to initiate investigations in accordance with the terms of the Statement of Intent and such other investigations as the Delegate thinks fit.</p>
277902	Development Act 1993	s25(4)	<p>5. Amendments by a Council</p> <p>5.5 The duty, pursuant to Section 25(4) of the Act to prepare a DPA only after the Delegate has considered the advice of a person with prescribed qualifications.</p>
277903	Development Act 1993	s25(5)	<p>5. Amendments by a Council</p> <p>5.6 The power pursuant to Section 25(5) of the Act to not, except as authorised by the Minister, propose an amendment to a part of a Development Plan that has been declared by the Minister by notice in the Gazette as being part of a set of standard policy modules for the purposes of the Act.</p>
277904	Development Act 1993	s25(6)	<p>5. Amendments by a Council</p> <p>5.7 The duty pursuant to Section 25(6) of the Act to deal with a DPA in accordance with process A, B or C as described by the Act, depending on an agreement reached between the Council or the Delegate and the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.</p>
277905	Development Act 1993	s25(6)	<p>5. Amendments by a Council</p> <p>5.8 The power pursuant to Section 25(6) of the Act to reach an agreement with the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.</p>
277906	Development Act 1993	s25(7)(a)	<p>5. Amendments by a Council</p> <p>5.9 Process A</p> <p>5.9.1 The duty pursuant to Section 25(7)(a) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent, for comment within the period prescribed by the Regulations.</p>





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ID	Delegation Source	Provision	Item Delegated
278286	Development Act 1993	s25(7)(b)	<p>5. Amendments by a Council 5.9 Process A</p> <p>5.9.2 The power pursuant to Section 25(7)(b) of the Act, if a response is not received within the period that applies under Section 25(7)(a) of the Act, to assume that the particular Department, agency or other body does not desire to provide any comment.</p>
278287	Development Act 1993	s 25(7)(c)	<p>5. Amendments by a Council 5.9 Process A</p> <p>5.9.3 The power pursuant to Section 25(7)(c) of the Act to consult with the Minister.</p>
278288	Development Act 1993	s25(7)(c)(i)	<p>5. Amendments by a Council 5.9 Process A</p> <p>5.9.4 The duty pursuant to Section 25(7)(c)(i) of the Act to comply with the requirement of the Minister to make an alteration to the DPA.</p>
278289	Development Act 1993	s25(10), 25(11), 25(12) and 25(12a)	<p>5. Amendments by a Council 5.9 Process A</p> <p>5.9.5 Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act, the duty pursuant to Section 25(7)(d) of the Act to release the DPA for public consultation in accordance with the Regulations), over a period of at least 8 weeks.</p>
277907	Development Act 1993	s25(8)(a)	<p>5. Amendments by a Council 5.10 Process B</p> <p>5.10.1 The duty pursuant to Section 25(8)(a) of the Act, if required by the Minister, to first refer the DPA to the Minister for consideration.</p> <p>5.10.2 The power, pursuant to Section 25(8)(a) of the Act, to consult with the Minister.</p> <p>5.10.3 The duty pursuant to Section 25(8)(a)(i) of the Act to comply with a requirement of the Minister to make an alteration to the DPA.</p> <p>5.10.4 Subject to complying with Section 25(8)(a) of the Act, (if relevant) the duty and power pursuant to Section 25(8)(b)(i) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 8 weeks, and, if a response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.</p> <p>5.10.5 Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act the duty pursuant to Section 25(8)(b)(ii) of the Act to release the DPA for public consultation in accordance with the Regulations over a period that is at least concurrent with the period that applies under Section 25(8)(b)(i) of the Act.</p>





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277908	Development Act 1993	s25(9)(a)	<p>5. Amendments by a Council</p> <p>5.11 Process C</p> <p>5.11.1 The duty and power pursuant to Section 25(9)(a) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 4 weeks, and, if a response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.</p> <p>5.11.2 Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act, the duty pursuant to Section 25(9)(b) of the Act to release the DPA for public consultation in accordance with the Regulations, over a period that is at least concurrent with the period that applies under Section 25(9)(a) of the Act.</p> <p>5.11.3 The duty pursuant to Section 25(9)(c) of the Act, at the time that the DPA is released for public consultation, to give:</p> <p>5.11.3.1 an owner or occupier of any land that is directly subject to the operation of the proposed amendment; and</p> <p>5.11.3.2 an owner or occupier of each piece of adjacent land to land that is directly subject to the operation of the proposed amendment, a written notice in accordance with the Regulations.</p>
277909	Development Act 1993	s25(10)	<p>5. Amendments by a Council</p> <p>5.12 The duty pursuant to Section 25(10) of the Act to not release a DPA for public consultation unless or until the Chief Executive Officer of the Council has, on behalf of the Council, issued a certificate in the prescribed form relating to the extent to which the proposed amendment:</p> <p>5.12.1 accords with the Planning Strategy; and</p> <p>5.12.2 accords with the Statement of Intent; and</p> <p>5.12.3 accords with other parts of the Development Plan; and</p> <p>5.12.4 complements the policies in the Development Plans for adjoining areas; and</p> <p>5.12.5 satisfies the matters prescribed in the Regulations.</p>
277910	Development Act 1993	s25(11)	<p>5. Amendments by a Council</p> <p>5.13 In addition to any requirement prescribed by the Regulations, the duty pursuant to Section 25(11) of the Act for the purposes of undertaking the public consultation, to:</p> <p>5.13.1 allow interested persons to make representations in writing in relation to the matter over the period that applies for the purposes of the public consultation; and</p>





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			<p>5.13.2 subject to Section 25(11)(b) of the Act and in accordance with the Regulations, hold within the area of the Council at least 1 meeting where members of the public may attend and make representations in relation to the matter,</p> <p>5.13.3 appoint a committee (which may, but need not, include members of the Council) to consider any representations made under Sections 25(11)(a) or 25(11)(b) of the Act and to provide advice in relation to those representations.</p>
277911	Development Act 1993	s25(12)	<p>5. Amendments by a Council</p> <p>5.14 If a proposed amendment designates a place as a place of local heritage value, the duty pursuant to Section 25(12) of the Act, at or before the time when the DPA is released for public consultation, to give each owner of land constituting a place proposed as a place of local heritage value a written notice:</p> <p>5.14.1 informing the owner of the proposed amendment, and</p> <p>5.14.2 inviting the owner to make submissions on the amendment within the period provided for public consultation under the Regulations.</p>
277912	Development Act 1993	s25(12a)	<p>5. Amendments by a Council</p> <p>5.15 If a proposed amendment declares a tree to be a significant tree or a stand of trees to be significant trees, the duty pursuant to Section 25(12a) of the Act, at or before the time when the DPA is released for public consultation, to give each owner of land where the tree or trees are located a written notice:</p> <p>5.15.1 informing the owner of the proposed amendment; and</p> <p>5.15.2 inviting the owner to make submissions on the amendment within the period provided for public consultation under the Regulations.</p>
277913	Development Act 1993	s25(13)(a)	<p>5. Amendments by a Council</p> <p>5.16 The duty pursuant to Section 25(13)(a) of the Act, after complying with the requirements of Sections 25(1)-(12a) of the Act, to, in accordance with the Regulations prepare a report on the matters raised during the consultation period, on the reasons for any failure to comply with any time set for any step under Sections 25(1)-(12a) of the Act, and on any recommended alterations to the proposed amendment.</p>
277914	Development Act 1993	s25(13)(b)	<p>5. Amendments by a Council</p> <p>5.17 The power pursuant to Section 25(13)(b) of the Act, if the Delegate thinks fit, by notice in writing to the Minister, to decline to proceed any further with an amendment.</p>
277915	Development Act 1993	s25(13)(a);	<p>5. Amendments by a Council</p> <p>5.18 The duty to send to the Minister:</p> <p>5.18.1 a copy of a report under Section 25(13)(a); and</p> <p>5.18.2 a certificate from the Chief Executive Officer; pursuant to and in accordance with Section 25(14) of the Act and the Regulations.</p>





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277916	Development Act 1993	s25(15)(d) and 25(15)(f)	5. Amendments by a Council 5.19 The power pursuant to Sections 25(15)(d) and 25(15)(f) of the Act to consult with the Minister.
277917	Development Act 1993	s25(21)	5. Amendments by a Council 5.20 The power pursuant to and in accordance with Section 25(21) of the Act to consult with, and make submissions to the Minister.
277918	Development Act 1993	s25(23)	5. Amendments by a Council 5.21 The power pursuant to Section 25(23) of the Act to consult with the Minister.
277919	Development Act 1993	s26(5)(d)(i)	6. Amendments by the Minister 6.1 The power pursuant to Section 26(5)(d)(i) of the Act, in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 8 weeks.
277920	Development Act 1993	s26(5a)(a)	6. Amendments by the Minister 6.2 The power pursuant to Section 26(5a)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 8 weeks.
277921	Development Act 1993	s26(5b)(a)	6. Amendments by the Minister 6.3 The power pursuant to Section 26(5b)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 4 weeks.
277922	Development Act 1993	s26(12)	6. Amendments by the Minister 6.4 The power pursuant to Section 26(12) of the Act, to make comment to the Minister within a period determined by the Minister in relation to a proposal to act under Section 26(11) of the Act.
277923	Development Act 1993	s26(12)	6. Amendments by the Minister 6.5 The power pursuant to, Section 26(12) of the Act to, by notice in writing, object to the Minister's proposed action.
277924	Development Act 1993	s27(6)	7. Parliamentary Scrutiny 7.1 The power pursuant to Section 27(6) of the Act to consult with the Minister.
277925	Development Act 1993	s30(1)	8. Strategic Directions Reports 8.1 The duty pursuant to Section 30(1) of the Act, to, from time to time, in accordance with the requirements of Section 30 of the Act, prepare a report under Section 30 of the Act (a Strategic Directions Report) that: 8.1.1 addresses the strategic planning issues within the area of the Council, with particular reference to: 8.1.1.1 the Planning Strategy; and 8.1.1.2 any other policy or document prescribed by the regulations; and 8.1.2 addresses appropriate amendments to any Development Plan that applies within the area of the Council; and 8.1.3 sets out the Council's priorities for:





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			<p>8.1.3.1 achieving orderly and efficient development through the implementation of planning policies; and</p> <p>8.1.3.2 the integration of transport and land-use planning within its area; and</p> <p>8.1.3.3 implementing any relevant targets set out in the Planning Strategy; and</p> <p>8.1.3.4 implementing affordable housing policies set out in the Planning Strategy within its area; and</p> <p>8.1.3.5 infrastructure planning (with respect to both physical and social infrastructure), taking into account any advice provided by a Minister, or any other relevant government agency, in accordance with a scheme set out in the regulations, and any of the Council's proposals with respect to infrastructure; and</p> <p>8.1.3.6 other projects or initiatives considered to be relevant by the Council; and</p> <p>8.1.4 contains such other material as may be:</p> <p>8.1.4.1 prescribed by the regulations; or</p> <p>8.1.4.2 required by the Minister.</p>
277926	Development Act 1993	s30(2)	<p>8. Strategic Directions Reports</p> <p>8.2 The duty pursuant to Section 30(2) of the Act to prepare and complete a report under Section 30 of the Act:</p> <p>8.2.1 within 12 months after an alteration is made to the Planning Strategy, or within such longer period as the Minister may allow, if:</p> <p>8.2.1.1 the Minister declares, by notice in the Gazette, that the alteration is considered to be a significant alteration that should trigger a review of Development Plans, or specified Development Plans, under Section 30 of the Act in relation to issues specified by the Minister; and</p> <p>8.2.1.2 the Development Plan that applies in relation to the Council's area (or a part of its area) falls within the ambit of the declaration; and</p> <p>8.2.2 in any event, within 5 years after the completion of the last report under Section 30 of the Act.</p>
277927	Development Act 1993	s30(3)	<p>8. Strategic Directions Reports</p> <p>8.3 The duty, pursuant to Section 30(3) of the Act, in connection with the preparation of a report under Section 30 of the Act, to:</p> <p>8.3.1 by public advertisement, invite interested persons to make written submissions to the Council within 2 months of the date of the advertisement or such longer period as may be allowed by the advertisement; and</p>





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			8.3.2 consult with any prescribed authority or body in the manner specified by the regulations.
277928	Development Act 1993	s30(4)	8. Strategic Directions Reports 8.4 The duty, pursuant to Section 30(4) of the Act, in connection with the operation of Section 30(3) of the Act, to prepare and make available the documentation prescribed by the regulations.
277929	Development Act 1993	s30(5)	8. Strategic Directions Reports 8.5 The duty pursuant to Section 30(5) of the Act to give a person who makes a written response to an invitation under Section 30(3)(a) of the Act an opportunity to appear personally or by representative before the Council or a Council Committee and to be heard on those submissions.
277930	Development Act 1993	s30(6)	8. Strategic Directions Reports 8.6 The duty pursuant to Section 30(6) of the Act, in preparing a report under Section 30 of the Act, to: 8.6.1 reach agreement with the Minister on a Statement of Intent with respect to any proposed amendments to a Development Plan that applies within the area of the Council; and 8.6.2 if relevant, prepare a DPA that is suitable for consideration under Section 25(3) of the Act.
277931	Development Act 1993	s30(7)	8. Strategic Directions Reports 8.7 The duty pursuant to Section 30(7) of the Act to furnish a report under Section 30 of the Act to the Minister.
277932	Development Act 1993	s30(8)	8. Strategic Directions Reports 8.8 The duty pursuant to Section 30(8) of the Act to, then, in accordance with any reasonable request of the Minister, enter into an agreement with the Minister on the steps that the Council will take as a result of the matters contained in the report (and the report will not be taken to have been completed unless or until such an agreement is reached with the Minister).
277933	Development Act 1993	s30(9)	8. Strategic Directions Reports 8.9 The power pursuant to Section 30(9) of the Act to request the Minister to exempt the Council: 8.9.1 from a requirement to prepare a particular report under Section 30 of the Act; or 8.9.2 from a particular requirement with respect to a report under Section 30 of the Act.
277934	Development Act 1993	s30(12)	8. Strategic Directions Reports 8.10 The duty pursuant to Section 30(12) of the Act to make copies of a report prepared under Section 30 of the Act available for inspection (without charge) by the public at the principal office of the Council.
277935	Development Act 1993	s30(13)	8. Strategic Directions Reports 8.11 The duty pursuant to Section 30(13) of the Act, if a report proposes amendments to a Development Plan that applies within the area of the Council, to ensure that it releases a DPA for public consultation under Section 25 within the period prescribed by the regulations.
277936	Development Act 1993	s30(14)	8. Strategic Directions Reports 8.12 The power pursuant to Section 30(14) of the Act, to request in accordance with the regulations a Minister identified by





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			the regulations for the purposes of this provision to furnish to the Council within the prescribed period a statement of the nature and extent of any infrastructure that, according to the Minister's assessment, should be taken into account in connection with the preparation of a report under Section 30 of the Act.
277937	Development Act 1993	s30(15)	8. Strategic Directions Reports 8.13 The power pursuant to Section 30(15) of the Act to act jointly with two or more councils under Section 30 of the Act and to act on behalf of, and with the agreement of, the other council or councils in undertaking any process or procedure under Section 30 of the Act.
277938	Development Act 1993	s31(3)	9. Copies of Plans to be Made Available to the Public 9.1 The duty pursuant to Section 31(3) of the Act to make copies of a Development Plan published under Section 31(1) of the Act that applies in relation to the area of the Council available for inspection (without charge) and purchase by the public at an office of the Council.
277939	Development Act 1993	s33(1)(a)	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.1 the provisions of the appropriate Development Plan;
278264	Development Act 1993	s33(1)(b)	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.2 the provisions of the Building Rules;
278265	Development Act 1993	s33(1)(c)	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.3 in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) on the satisfaction of the conditions specified in Section 33(1)(c) of the Act;
278266	Development Act 1993	s33(1)(d)	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.4 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 on the satisfaction of the conditions specified in Section 33(1)(d) of the Act;
278267	Development Act 1993	s33(1)(e)	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.5 the requirement that any encroachment of a building over, under, across or on a public place has been dealt with in a satisfactory manner; and
278268	Development Act 1993	s33(1)(f)	10. Matters Against Which Development Must be Assessed 10.1 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development): 10.1.6 such other matters as may be prescribed.





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277940	Development Act 1993	s33(3)	10. Matters Against Which Development Must be Assessed 10.2 The power pursuant to Section 33(3) of the Act, when granting a development plan consent, to reserve a decision on a specified matter until further assessment of the development under the Act.
277941	Development Act 1993	s33(1)	10. Matters Against Which Development Must be Assessed 10.3 If: 10.3.1 a development only requires an assessment under paragraph (b) of Section 33(1) of the Act; and 10.3.2 the Council: 10.3.2.1 is the relevant authority; and 10.3.2.2 is to make the assessment under that paragraph; and 10.3.3 the Council determines to grant consent under that paragraph, the duty, pursuant to Section 33(4b) of the Act as the relevant authority, to issue the relevant development approval with the consent.
277942	Development Act 1993	s34(1)(b)(iii)	11. Determination of Relevant Authority 11.1 The power pursuant to Section 34(1)(b)(iii) of the Act to request the Minister to declare the Development Assessment Commission to be the relevant authority for a proposed development.
277943	Development Act 1993	s34(1a)	11. Determination of Relevant Authority 11.2 The power pursuant to Section 34(1a) of the Act, where the Minister has made a declaration under Section 34(1)(b)(vi) of the Act, to provide the Development Assessment Commission with a report, relating to the application for development authorisation, within the time prescribed by the Regulations.
277944	Development Act 1993	s34(8a)	11. Determination of Relevant Authority 11.3 The power pursuant to Section 34(8a) of the Act to, in conjunction with the Councils for the areas in relation to which a regional development assessment panel has been constituted, remove a member from the panel for a failure to comply with the requirements of Section 34(6a) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.
277945	Development Act 1993	s34(21)	11. Determination of Relevant Authority 11.4 The power in accordance with Section 34(21) of the Act to withdraw from a regional development assessment panel
277946	Development Act 1993	34(27)(a) 34(23)	11. Determination of Relevant Authority 11.5 The duty pursuant to Section 34(27)(a) of the Act to establish a policy relating to the basis upon which the Council will make the various delegations required by Section 34(23) of the Act.
277947	Development Act 1993	34(27)(b) 34(27)(a)	11. Determination of Relevant Authority 11.6 The duty pursuant to Section 34(27)(b) of the Act to ensure that a copy of the policy established by the Council under Section 34(27)(a) of the Act is available for inspection at the principal office of the council during ordinary office hours and for inspection on the internet.





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277948	Development Act 1993	s35(1)	12. Special Provisions Relating to Assessment Against Development Plans 12.1 The duty pursuant to Section 35(1) of the Act to grant a development plan consent if the Regulations or the relevant Development Plan describes any proposed development as a complying development (subject to such conditions or exceptions as may be prescribed by the Regulations or the relevant Development Plan and subject to any other provision made by the Act or applying under the Regulations).
277949	Development Act 1993	s35(1b)	12. Special Provisions Relating to Assessment Against Development Plans 12.2 The power pursuant to Section 35(1b) of the Act to determine a development that is assessed by a relevant authority as being a minor variation from complying development to be complying development.
277950	Development Act 1993	s35(1d)	12. Special Provisions Relating to Assessment Against Development Plans 12.3 Subject to Sections 35 (1d) and (1e) of the Act, if a proposed development meets all but 1 criteria necessary for the development to be complying development, the duty, pursuant to Section 35(1c) of the Act to regard the aspect or aspects of the development that are consistent with the development being complying development accordingly and to assess the balance of the development as merit development.
277951	Development Act 1993	s35(2)	12. Special Provisions Relating to Assessment Against Development Plans 12.4 The power pursuant to Section 35(2) of the Act to assess whether or not a development is seriously at variance with the relevant Development Plan.
277952	Development Act 1993	s35(3)(a)	12. Special Provisions Relating to Assessment Against Development Plans 12.5 The power pursuant to Section 35(3)(a) of the Act in appropriate cases, to concur in the granting of consent to a development described as a non-complying development.
278271	Development Act 1993	35(6)	12. Special Provisions Relating to Assessment Against Development Plans 12.6 Subject to the Act, the power and duty pursuant to Section 35(6) of the Act, to accept that a proposed development complies with the provisions of the appropriate development plan to the extent that such compliance is certified by a private certifier.
277953	Development Act 1993	s36(1)	13. Special Provisions Relating to Assessment Against the Building Rules 13.1 The duty pursuant to Section 36(1) of the Act to grant a building rules consent if the Regulations provide that any proposed building work complies with the Building Rules.
277954	Development Act 1993	s36(2)	13. Special Provisions Relating to Assessment Against the Building Rules 13.2 The power pursuant to and in accordance with Section 36(2) of the Act: 13.2.1 to assess whether a development is at variance with the Building Rules; 13.2.2 to determine whether to grant building rules consent where the variance is with the performance requirements of the Building Code and the Building Rules Assessment Commission concurs in the granting of consent; 13.2.3 to determine whether to grant building rules consent where the variance is with a part of the Building Rules other than the Building Code and to determine that it is appropriate to grant the consent despite the variance on the basis that the Delegate is satisfied that:





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			<p>13.2.3.1 the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building fails to conform with the Building Rules only in minor respects and the variance is justifiable having regard to the objects of the Development Plan or the performance requirements of the Building Code and would achieve the objects of the Act as effectively, or more effectively, than if the variance were not to be allowed; or</p> <p>13.2.3.2 in circumstances where the development has already occurred the variance is justifiable in the circumstances of the particular case.</p>
277955	Development Act 1993	s36(3)	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.3 The duty pursuant to Section 36(3) of the Act to modify the application of the Building Rules to avoid an inconsistency between the Building Rules and the Development Plan in relation to a State heritage place or a local heritage place.</p>
277956	Development Act 1993	s36(3a) 36(3)	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.4 The duty pursuant to Section 36(3a) of the Act to seek and consider the advice of the Building Rules Assessment Commission before imposing or agreeing to a requirement under Section 36(3) of the Act that would be at variance with the performance requirements of the Building Code.</p>
277957	Development Act 1993	s36(4)(a) 36(4)(b)	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.5 The duty pursuant to Section 36(4)(a) and (b) of the Act to accept that proposed building work complies with the Building Rules to the extent that:</p> <p>13.5.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the Regulations; or</p> <p>13.5.2 such compliance is certified by a private certifier.</p>
277958	Development Act 1993	s36(6)	<p>13. Special Provisions Relating to Assessment Against the Building Rules</p> <p>13.6 The power pursuant to Section 36(6) of the 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 with the requirements of the Building Rules for a building of that classification.</p>
277959	Development Act 1993	37(1)(a) 37(1)(b)	<p>14. Consultation With Other Authorities or Agencies</p> <p>14.1 Subject to Section 37AA of the Act, the duty pursuant to Section 37(1)(a) and (b) of the Act where an assessment is required of an application for the consent or approval of a proposed development of a prescribed class to:</p> <p>14.1.1 refer the application, together with a copy of any relevant information provided by the applicant to a body prescribed by the Regulations and including the Development Assessment Commission, and</p> <p>14.1.2 not make a decision until a response has been received from the prescribed body in relation to the matter or matters for which the referral was made or the presumption is made that the body does not desire to make a response or concur (as the case requires).</p>
277960	Development Act 1993	s37(5)(a)	<p>14. Consultation With Other Authorities or Agencies</p> <p>14.2 The duty pursuant to Section 37(5)(a) of the Act where an application has been refused or conditions imposed in</p>





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ID	Delegation Source	Provision	Item Delegated
			respect of a development authorisation by direction of a prescribed body, to notify the applicant that the application was refused, or the conditions imposed, by direction under Section 37 of the Act.
277961	Development Act 1993	s37(6)	14. Consultation With Other Authorities or Agencies 14.3 If a relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the Act, the power, pursuant to Section 37(6) of the Act to make application for the relevant authority to be joined as a party to the proceedings.
277962	Development Act 1993	37AA(2)(e) 37AA(2)(c)	15. Preliminary Advice and Agreement 15.1 The power pursuant to and in accordance with Section 37AA(2)(e) of the Act to be satisfied that an application accords with an agreement indicated by a prescribed body in accordance with Section 37AA(2)(c) of the Act.
277963	Development Act 1993	s37AA(4)	15. Preliminary Advice and Agreement 15.2 The power pursuant to and in accordance with Section 37AA(4) of the Act to determine that an agreement under Section 37AA of the Act is no longer appropriate due to the operation of Section 53 of the Act.
277964	Development Act 1993	s37A(1)	16. Proposed Development Involving Creation of Fortifications 16.1 The duty pursuant to Section 37A(1) of the Act where 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').
277965	Development Act 1993	s37A(2)(b)	16. Proposed Development Involving Creation of Fortifications 16.2 The power pursuant to Section 37A(2)(b) of the Act to receive the Commissioner's written determination under Section 37A(2)(a) of the Act.
277966	Development Act 1993	s37A(5)	16. Proposed Development Involving Creation of Fortifications 16.3 The duty pursuant to Section 37A(5) of the Act if the Commissioner determines that the proposed development involves the creation of fortifications to: 16.3.1 if the proposed development consists only of the creation of fortifications - refuse the application; or 16.3.2 in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications.
277967	Development Act 1993	s37A(6)	16. Proposed Development Involving Creation of Fortifications 16.4 The duty pursuant to Section 37A(6) of the Act, if the Delegate acting on the basis of a determination of the Commissioner under subsection 37A(2) 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 37A of the Act.
277968	Development Act 1993	s38(3)	17. Public Notice and Consultation 17.1 The duty, pursuant to Section 38(3) of the Act, where a person applies for a consent in respect of the Development Plan for a Category 1 development, to not on the Delegate's own initiative seek the views of the owners or occupiers of adjacent or other land in relation to the granting or refusal of development plan consent.





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ID	Delegation Source	Provision	Item Delegated
277969	Development Act 1993	s38(3a)(a)	<p>17. Public Notice and Consultation</p> <p>17.2 Where a person applies for a consent in respect of the Development Plan for a Category 2A development, -</p> <p>17.2.1 the duty pursuant to Section 38(3a)(a) of the Act to:</p> <p>17.2.1.1 subject to any exclusion or qualification prescribed by the Regulations - give an owner or occupier of each piece of adjoining land; and</p> <p>17.2.1.2 give any other person of a prescribed class, notice of the application; and</p> <p>17.2.2 the duty pursuant to Section 38(3a)(b) of the Act, to:</p> <p>17.2.2.1 give consideration to any representations in writing made in accordance with the Regulations by a person who is entitled to be given notice under paragraph (a) of Section 38(3a) of the Act; and</p> <p>17.2.2.2 forward to the applicant a copy of any representations that the relevant authority must consider under subparagraph (i) of Section 38(3a)(b) of the Act and allow the applicant an opportunity to respond in writing, to those representations within the period prescribed by the Regulations; and</p> <p>17.2.3 if a representation is received under paragraph (b) of Section 38(3a) of the Act within the prescribed number of days, the power pursuant to Section 38(3a)(c) of the Act to, in the Delegate's absolute discretion, allow the person who made the representation to appear personally or by representative before it to be heard in support of the representation.</p>
277970	Development Act 1993	s38(4)	<p>17. Public Notice and Consultation</p> <p>17.3 The duty pursuant to Section 38(4) of the Act to give notice of a proposal for a Category 2 development.</p>
277971	Development Act 1993	s38(5)	<p>17. Public Notice and Consultation</p> <p>17.4 The duty pursuant to Section 38(5) of the Act to give notice of a proposal for a Category 3 development.</p>
277972	Development Act 1993	s38(8)	<p>17. Public Notice and Consultation</p> <p>17.5 The duty pursuant to Section 38(8) of the Act to forward to an applicant a copy of any representation made regarding the proposed development, and to allow the applicant to respond in writing to those representations.</p>
277973	Development Act 1993	s38(10)(a)	<p>17. Public Notice and Consultation</p> <p>17.6 The power pursuant to Section 38(10)(a) of the Act, in respect of a Category 2 development, to determine whether to allow a person who made a representation to appear personally or by representative before the Delegate.</p>
277974	Development Act 1993	s38(10)(b)	<p>17. Public Notice and Consultation</p> <p>17.7 The duty pursuant to Section 38(10)(b) of the Act, in respect of a Category 3 development, to allow a person who made a representation and who as part of that representation indicated an interest in appearing before the Delegate, a reasonable opportunity to appear personally or by representative to be heard in support of the representation.</p>





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ID	Delegation Source	Provision	Item Delegated
277975	Development Act 1993	s38(11)	17. Public Notice and Consultation 17.8 The duty pursuant to Section 38(11) of the Act to allow an applicant to appear personally or by representative before the Delegate or the Council in order to respond to any relevant matter.
277976	Development Act 1993	s38(12)	17. Public Notice and Consultation 17.9 The duty pursuant to Section 38(12) of the Act, where representations have been made under Section 38 of the Act, to give notice of the decision on the application to each person who made a representation and in respect of a Category 3 development of the person's appeal rights under the Act, and give notice to the Court.
277977	Development Act 1993	s38(17)	17. Public Notice and Consultation 17.10 The power, pursuant to subsection 38(17) of the Act, where a relevant authority is acting under Section 38 of the Act in relation to a Category 2A or Category 2 development, to not take into account under Section 38 of the Act a representation made by a person who is not entitled to be given notice of the relevant application under Section 38 of the Act.
277978	Development Act 1993	s38(18)	17. Public Notice and Consultation 17.11 The power, pursuant to subsection 38(18) of the Act, to not take into account under Section 38 of the Act, a representation that is not made in accordance with any requirement prescribed by the Regulations for the purposes of Section 38.
277979	Development Act 1993	s39(2)	18. Application and Provision of Information 18.1 The power pursuant to Section 39(2) of the Act to request an applicant to: 18.1.1 provide such additional documents or information to enable assessment of the application; 18.1.2 remedy any defect or deficiency in any application or accompanying document or information required by or under the Act; 18.1.3 consult with an authority or body prescribed by the Regulations; 18.1.4 (where required by the Regulations) prepare a statement of effect in relation to non-complying development; and 18.1.5 comply with any other requirement prescribed by the Regulations.
277980	Development Act 1993	s39(2a)	18. Application and Provision of Information 18.2 If: 18.2.1 a development is of a kind that is complying development; and 18.2.2 the development falls within a class of development prescribed by the Regulations for the purpose of Section 39(2a)(b) of the Act; and 18.2.3 the applicant has complied with the requirements of Section 39(1)(a), (c) and (d),





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ID	Delegation Source	Provision	Item Delegated
			the duty, pursuant to Section 39(2a) of the Act, to, in making an assessment as to development plan consent, assess the application without requesting the applicant to provide additional documents or information.
277981	Development Act 1993	s39(2b)	<p>18. Application and Provision of Information</p> <p>18.3 If:</p> <p>18.3.1 a development falls within a class of development prescribed by the Regulations for the purposes of Section 39(2b)(b) of the Act; and</p> <p>18.3.2 the applicant has complied with the requirements of Section 39(1)(a), (c) and (d) of the Act, the power and duty pursuant to Section 39(2b)(c) of the Act, to;</p> <p>18.3.3 in making an assessment as to development plan consent, request the applicant to provide additional documents or information in relation to the application on 1 occasion only; and</p> <p>the duty pursuant to Section 39(2b)(d) of the Act, to;</p> <p>18.3.4 make that request within a period prescribed by the Regulations.</p>
277982	Development Act 1993	s39(3)	<p>18. Application and Provision of Information</p> <p>18.4 Pursuant to Section 39(3)(b) of the Act, where a request is made under Section 39(2) of the Act and the request is not complied with within the time specified by the Regulations, the power pursuant to Section 39(3)(b) of the Act to:</p> <p>18.4.1 subject to Section 39(3)(b)(ii) of the Act, refuse the application; and</p> <p>18.4.2 refuse the application in prescribed circumstances (including, if the Regulations so provide, in a case involving development that is complying development).</p>
277983	Development Act 1993	39(3a)	<p>18. Application and Provision of Information</p> <p>18.5 The duty, pursuant to Section 39(3a) of the Act, in dealing with an application that relates to a regulated tree, to seek to make any assessment as to whether the tree is a significant tree without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.</p>
277984	Development Act 1993	s39(3b)	<p>18. Application and Provision of Information</p> <p>18.6 The duty, pursuant to Section 39(3b) of the Act, in dealing with an application that relates to a regulated tree that is not a significant tree, to seek to assess the application without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.</p>
277985	Development Act 1993	s39(4)(a) s39(5)	<p>18. Application and Provision of Information</p> <p>18.7 The power pursuant to Section 39(4)(a) and Section 39(5) of the Act to permit an applicant to vary an application or vary any plans, drawings, specifications or other documents that accompanied an application.</p>
277986	Development Act 1993	s39(4)(b) s39(5)	<p>18. Application and Provision of Information</p> <p>18.8 The power pursuant to Section 39(4)(b) and Section 39(5) of the Act to permit an applicant to lodge an application without the provision of any information or document required by the Regulations.</p>





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ID	Delegation Source	Provision	Item Delegated
277987	Development Act 1993	s39(4)(c) s39(5)	18. Application and Provision of Information 18.9 The power pursuant to Section 39(4)(c) and Section 39(5) of the Act to waive payment of whole or part of the application fee or refund an application fee (to the extent that such fees are payable to the Council).
277988	Development Act 1993	s39(4)(d)	18. Application and Provision of Information 18.10 The power pursuant to Section 39(4)(d) of the Act and Regulation 17(3)(a) of the regulations to refuse an application that relates to a development of the kind that is described as a non-complying development under the Development Plan without proceeding to make an assessment of the application.
277989	Development Act 1993	s39(4)(e)	18. Application and Provision of Information 18.11 The power pursuant to Section 39(4)(e) of the Act, if there is an inconsistency between any documents lodged with the Council for the purposes of Division 1 of Part 4 of the Act, or between any such document and a development authorisation that has already been given that is relevant in the circumstances, to return or forward any document to the applicant or to any other person and to determine not to finalise the matter until any specified matter is resolved, rectified or addressed.
277990	Development Act 1993	s39(7)	18. Application and Provision of Information 18.12 The power pursuant to Section 39(7) of the Act to approve an application for variation of the conditions of the development authorisation previously given under the Act, or to extend the period for which such authorisation remains operative.
277991	Development Act 1993	s39(7)(c)	18. Application and Provision of Information 18.13 The power, pursuant to section 39(7)(c) to determine whether representations relate to any aspect of the development under consideration on account of an application for variation, and to determine whether, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development.
277992	Development Act 1993	s39(7)(d)	18. Application and Provision of Information 18.14 The power, pursuant to section 39(7)(d) of the Act, to approve the seeking of a variation to extend the period for which the relevant authorisation remains operative.
277993	Development Act 1993	s39(7a)	18. Application and Provision of Information 18.15 Where granting an application for variation of a development authorisation pursuant to section 39(6), the power, pursuant to section 39(7a), to make specific provision for the variation of a condition imposed with respect to the original authorisation in its decision on the application for variation.
277994	Development Act 1993	s39(8)	18. Application and Provision of Information 18.16 The power pursuant to Section 39(8) of the Act to issue a consent which provides for the undertaking of development in stages.
277995	Development Act 1993	s39(9)	18. Application and Provision of Information 18.17 The power pursuant to Section 39(9) of the Act to determine that the applicant is entitled to a refund of the application fee in the event that an application is withdrawn.
277996	Development Act 1993	s40(1)	19. Determination of Application 19.1 The duty pursuant to Section 40(1) of the Act to give notice of a decision in accordance with the Regulations (and in the case of a refusal, the duty to include the reasons for the refusal and any appeal rights that exist under the Act.)





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ID	Delegation Source	Provision	Item Delegated
277997	Development Act 1993	s40(3)	19. Determination of Application 19.2 The power pursuant to Section 40(3) of the Act to extend the period of time within which a development authorisation remains operative.
277998	Development Act 1993	s41(1)	20. Time Within Which Decision Must be Made 20.1 The duty, pursuant to Section 41(1) of the Act to deal with an application as expeditiously as possible and within the time prescribed by the Regulations.
277999	Development Act 1993	s41(1)	20. Time Within Which Decision Must be Made 20.2 If: 20.2.1 the relevant authority does not decide an application that relates to development that is a complying development within the time prescribed under Section 41(1) of the Act; and 20.2.2 the applicant gives the relevant authority a notice in accordance with the Regulations on the basis that the decision on the application has not been made, the duty pursuant to Section 41(5)(d) of the Act, subject to any exclusion or qualification prescribed by the Regulations, to refund the fee received by the relevant authority under Section 39(1)(d) in relation to the application.
278000	Development Act 1993	s42(1)	21. Conditions 21.1 The power pursuant to Sections 42(1) and (3) of the Act to attach such conditions as the Delegate thinks fit or as may be prescribed by regulation to any decision under Division 1 of Part 4 of the Act.
278001	Development Act 1993	s42(4)	21. Conditions 21.2 The duty, pursuant to Section 42(4) of the Act, in accordance with Section 42(5) of the Act and subject to Sections 42(6) and (8) of the Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind determined by the Delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).
278002	Development Act 1993	s42(6) s42(4)	21. Conditions 21.3 The power, pursuant to Section 42(6) of the Act, on the application of the applicant, to determine that a payment of an amount calculated in accordance with the Regulations be made into the relevant fund in lieu of planting one or more replacement trees under Section 42(4) of the Act.
278003	Development Act 1993	s42(8)(b)	21. Conditions 21.4 The power, pursuant to Section 42(8)(b) of the Act, after taking into account any criteria prescribed by the Regulations and if the Minister concurs, to determine that it is appropriate to grant an exemption under Section 42 of the Act in a particular case.
278004	Development Act 1993	s43	22. Cancellation by a Relevant Authority 22.1 The power pursuant to Section 43 of the Act to cancel a development authorisation previously given by the Council or the Delegate.





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ID	Delegation Source	Provision	Item Delegated
278005	Development Act 1993	s45A(2)	23. Investigation of Development Assessment Performance 23.1 The power pursuant to Section 45A(2) of the Act to explain the Council's actions and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action) to the Minister within a period (being at least 28 days) specified by the Minister.
278006	Development Act 1993	s45A(14)	23. Investigation of Development Assessment Performance 23.2 The duty pursuant to Section 45A(14) of the Act to comply with a direction under Section 45A(11) or (13) of the Act.
278007	Development Act 1993	s45A(12) 45A(11)	23. Investigation of Development Assessment Performance 23.3 The power pursuant to Section 45A(12) of the Act to make submissions to the Minister on the report on which the action under Section 45A(11) of the Act is based within a period (being at least 28 days) specified by the Minister.
278008	Development Act 1993	s49(4a)	24. Crown Development and Public Infrastructure 24.1 The power pursuant to Section 49(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.
278009	Development Act 1993	s49(5)	24. Crown Development and Public Infrastructure 24.2 The power pursuant to Section 49(5) of the Act to report to the Development Assessment Commission on any matters contained in a notice from the Development Assessment Commission under Section 49(4a) of the Act.
278010	Development Act 1993	s49(9)	24. Crown Development and Public Infrastructure 24.3 The power pursuant to Section 49(9) of the Act to withdraw opposition to a State agency proposed development.
278011	Development Act 1993	s49A(4a)	25. Electricity Infrastructure Development 25.1 The power pursuant to Section 49A(4a) of the Act to receive notice from the Development Assessment Commission containing the prescribed particulars of the development in accordance with the Regulations.
278012	Development Act 1993	s49A(5)	25. Electricity Infrastructure Development 25.2 The power pursuant to Section 49A(5) of the Act, where notice of a proposal to undertake development for the purposes of the provision of electricity infrastructure has been given to the Council pursuant to Section 49A(4a) of the Act, to report to the Development Assessment Commission on any matters contained in the said notice.
278013	Development Act 1993	s49A(9)	25. Electricity Infrastructure Development 25.3 The power pursuant to Section 49A(9) of the Act, in circumstances where the Council's report to the Development Assessment Commission under Section 49A(5) of the Act expressed opposition to the proposed development, to withdraw that opposition.
278014	Development Act 1993	s50(1)	26. Open Space Contribution System 26.1 The power pursuant to Section 50(1) of the Act, with respect to an application for the division of land into more than 20 allotments where one or more allotments is less than one hectare in area, to require: 26.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or 26.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of by Section 50 of the Act; or





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			26.1.3 that the land be vested in the Council and that the applicant make a contribution determined in accordance with Section 50(7) of the Act, according to the determination and specification of the Council or Delegate.
278015	Development Act 1993	s50(1)	26. Open Space Contribution System 26.2 The power pursuant to Section 50(1) of the Act, when proposing to take any action that is at variance with the Council's Development Plan to seek the concurrence of the Development Assessment Commission.
278016	Development Act 1993	s50(3)	26. Open Space Contribution System 26.3 The power pursuant to Section 50(3) and 50(2)(d) of the Act to enter into an agreement on behalf of the Council with the Development Assessment Commission and the applicant under which certain land described by the relevant plan of division will be vested in the Council.
278017	Development Act 1993	s50(3a)	26. Open Space Contribution System 26.4 The power pursuant to Section 50(3a) of the Act to concur on behalf of the Council to the vesting of land in the Council pursuant to a requirement of the Development Assessment Commission that an area of the site of the development be kept as open space or in some other form that allows for active or passive recreation under Section 50(3a)(a) of the Act.
278018	Development Act 1993	s50(10)	26. Open Space Contribution System 26.5 The power pursuant to Section 50(10) of the Act to receive payment of monies from an applicant under Section 50(1) of the Act and the duty to immediately pay that money into a special fund established for the purposes of Section 50 and to apply that money for the purpose of acquiring or developing land as open space.
278019	Development Act 1993	s50(11)	26. Open Space Contribution System 26.6 The power pursuant to Section 50(11) of the Act to determine that the division of land is being undertaken in stages such that Section 50 of the Act does not apply to an application for development authorisation to the extent that an earlier application in respect of the same development has addressed the requirements of Section 50 of the Act in respect of the area of land as a whole.
278020	Development Act 1993	s50A(1)	27. Carparking Fund 27.1 The power pursuant to Section 50A(1) of the Act to establish a car parking fund.
278021	Development Act 1993	s50A(1)	27. Carparking Fund 27.2 The duty pursuant to Section 50A(1) of the Act to publish a notice in the Gazette in accordance with Section 50A(2) of the Act where the approval of the Minister has been obtained.
278022	Development Act 1993	s50A(5)(c)	27. Carparking Fund 27.3 The power pursuant to Section 50A(5)(c) of the Act to determine that a proposal does not provide for sufficient spaces for the parking of cars at the site of a development.
278023	Development Act 1993	s50A(5)(d)	27. Carparking Fund 27.4 The power pursuant to Section 50A(5)(d) of the Act to agree with an applicant that a contribution calculated in accordance with a determination of the Council or the Delegate can be made by the applicant to a car parking fund in lieu of providing a certain number of spaces for the parking of cars at the site of a development.





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278024	Development Act 1993	s50A(5)	27. Carparking Fund 27.5 The power pursuant to Section 50A(5) of the Act to make a determination for the purpose of calculating amounts to be paid into a carparking fund.
278025	Development Act 1993	s50A(6)	27. Carparking Fund 27.6 The duty pursuant to and in accordance with Section 50A(6) of the Act to publish a determination for the purpose of calculating amounts to be paid into a carparking fund and any variations from time to time in the Gazette.
278026	Development Act 1993	s50A(7)	27. Carparking Fund 27.7 The power pursuant to and in accordance with Section 50A(7) of the Act to invest any money in a carparking fund and to pay any resultant income into the fund.
278027	Development Act 1993	s50A(8)	27. Carparking Fund 27.8 The power pursuant to and in accordance with Section 50A(8) of the Act to apply money standing to the credit of the car parking fund.
278028	Development Act 1993	s50B(1)	28. Urban Trees Fund 28.1 The power, pursuant to Section 50B(1) of the Act, with the approval of the Minister, to establish an urban trees fund for an area designated by the Delegate (a designated area).
278029	Development Act 1993	s50B(2)	28. Urban Trees Fund 28.2 The duty, pursuant to Section 50B(2) of the Act, to effect establishment of the fund by notice in the Gazette.
278030	Development Act 1993	s50B(3)	28. Urban Trees Fund 28.3 The duty, pursuant to Section 50B(3) of the Act, to define a designated area by reference to an area established by the relevant Development Plan.
278031	Development Act 1993	s50B(5)	28. Urban Trees Fund 28.4 The power, pursuant to Section 50B(5) of the Act, to invest any money in an urban trees fund that is not for the time being required for the purpose of the fund and the duty to pay any resultant income into the fund.
278032	Development Act 1993	s50B(6)	28. Urban Trees Fund 28.5 The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to: 28.5.1 maintain or plant trees which are, or will (when fully grown) constitute, significant trees under the Act; or
278269	Development Act 1993	s50B(6)	28. Urban Trees Fund 28.5 The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to: 28.5.2 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 Act.
278033	Development Act 1993	s50B(7)	28. Urban Trees Fund 28.6 The duty, pursuant to Section 50B(7) of the Act, if the Council subsequently sells land purchased under Section 50B(6)(b) of the Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 50B of the Act subject to the following qualifications as prescribed by Sections 50B(7)(a) and (b) of the Act:





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			28.6.1 if an urban trees fund is no longer maintained by the Council, the proceeds must be applied for a purpose or purpose consistent with Section 50B(6)(a) or (b) of the Act; 28.6.2 if money from an urban trees fund only constituted a proportion of the purchase price of the land (the designated proportion), the money that is subject to these requirements is the designated proportion of the proceeds of sale.
278034	Development Act 1993	s51(2)	29. Certificate in Respect of the Division of Land 29.1 The duty pursuant to Section 51(2) of the Act to provide appropriate information to the Development Assessment Commission (upon request by the Development Assessment Commission) before it issues a certificate in respect of the division of land.
278035	Development Act 1993	s52(4)	30. Saving Provisions 30.1 The power pursuant to Section 52(4) of the Act to extend the limitation period referred to in Section 52(2) of the Act in order to avoid or reduce hardship.
278036	Development Act 1993	s52A(2)(a)	31. Avoidance of Duplication of Procedures Etc 31.1 The power pursuant to Section 52A(2)(a) of the Act to accept a document under the Commonwealth Environment Protection and Biodiversity Conservation Act, 1999 (and defined in Section 52A(9) of the Act, as a 'Commonwealth Act document') as an application, notice or other document for the purposes of the Act, if (subject to the provisions of Section 52A(7)) the document complies with the requirements of the Act.
278037	Development Act 1993	s52A(2)(b)	31. Avoidance of Duplication of Procedures Etc 31.2 The power pursuant to Section 52A(2)(b) of the Act where a document has been accepted for the purposes of the Act, to direct that a procedure taken under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 in relation to the said document will be taken to have fulfilled the requirements for a procedure in relation to the relevant document under the Act, if the requirements of the Act in relation to the procedure have been complied with under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.
278038	Development Act 1993	s52A(2)(c)	31. Avoidance of Duplication of Procedures Etc 31.3 The power pursuant to Section 52A(2)(c) of the Act to adopt or accept the whole or part of a document (whether a plan, report, statement, assessment or other document of the same kind or not) used or to be used for the purposes of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 as the document required under the Act, if (subject to the provisions of Section 52A(7) of the Act) the document has been prepared in compliance with the Act, and complies with the requirements of the Act.
278039	Development Act 1993	s52A(5)	31. Avoidance of Duplication of Procedures Etc 31.4 The power pursuant to Section 52A(5) of the Act where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity or includes an activity for which a development authorisation is required under the Act to, when considering an application for a development authorisation or for the variation of a development authorisation, for the activity, use information and other material provided to the Commonwealth Minister under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 for the purposes of the Commonwealth Minister deciding to give approval to the controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.





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ID	Delegation Source	Provision	Item Delegated
278040	Development Act 1993	s52A(6)(a)	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.5 Where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity, or includes an activity, for which a development authorisation is required under the Act:</p> <p>31.5.1 in circumstances where:</p> <p>31.5.1.1 the Commonwealth Minister has given his or her approval to the controlled action; and</p> <p>31.5.1.2 the applicant for the development authorisation or the Commonwealth Minister has informed the relevant authority of that fact;</p> <p>the duty pursuant to Section 52A(6)(a) of the Act to consider whether the conditions (if any) to be attached to the development authorisation should be consistent with the conditions (if any) attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999; and</p>
278285	Development Act 1993	s52A(6)(b)	<p>31. Avoidance of Duplication of Procedures Etc</p> <p>31.5 Where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity, or includes an activity, for which a development authorisation is required under the Act:</p> <p>31.5.2 the power pursuant to Section 52A(6)(b) of the Act to attach a condition to the development authorisation that requires compliance with all or some of the conditions attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.</p>
278041	Development Act 1993	s53A(1)	<p>32. Requirement to Upgrade Building in Certain Cases</p> <p>32.1 Where an application is made for building rules consent for building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of subsection 53A(1) of the Act, the power pursuant to Section 53A(1) of the Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition and therefore require as a condition of consent 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.</p>
278042	Development Act 1993	s53A(2)	<p>32. Requirement to Upgrade Building in Certain Cases</p> <p>32.2 Where an application is made for building rules consent for building work in the nature of an alteration of a class prescribed by the Regulations the power pursuant to Section 53A(2) and subject to Section 53A(3) of the Act, to form the opinion that the affected part of the building does not comply with the performance requirements of the Building Code in relation to access to buildings and facilities and services within buildings, for people with disabilities and therefore require as a condition of consent 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.</p>
278043	Development Act 1993	s54(2)(d)	<p>33. Urgent Building Work</p> <p>33.1 The power pursuant to Section 54(2)(d) of the Act to issue any directions and specify a period of time with respect to building work performed as a matter of urgency.</p>



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ID	Delegation Source	Provision	Item Delegated
278044	Development Act 1993	s55(1)	34. Action if Development Not Substantially Completed 34.1 The power pursuant to Section 55(1) of the Act to apply to the Court for an order under Section 55(3) of the Act where the development to which an approval relates has been commenced but not substantially completed within the period prescribed by the Regulations for the lapse of the approval.
278045	Development Act 1993	s55(5)	34. Action if Development Not Substantially Completed 34.2 The power pursuant to Section 55(5) of the Act where the Court makes an order under Section 55(3)(a), (b) or (ca) of the 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 cost of that work as a debt from the person.
278046	Development Act 1993	s55(6)	34. Action if Development Not Substantially Completed 34.3 The power pursuant to Section 55(6) of the Act where an amount is recoverable from a person under Section 55(5) of the Act, 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.
278047	Development Act 1993	s56(1)	35. Completion of Work 35.1 The power pursuant to Section 56(1) of the Act to issue a notice in writing requiring an owner of land to complete a development on the land within a period specified in the notice.
278048	Development Act 1993	s56(2)	35. Completion of Work 35.2 The power pursuant to the Section 56(2) of the Act to cause the necessary work to be carried out where an owner has failed to carry out work as required by a notice under Section 56(1) of the Act.
278049	Development Act 1993	s56(3)	35. Completion of Work 35.3 The power pursuant to Section 56(3) of the Act to recover the reasonable costs and expenses incurred by the Council or any person acting on behalf of the Council under Section 56 of the Act as a debt due from the owner.
278050	Development Act 1993	s56(4)	35. Completion of Work 35.4 The power pursuant to Section 56(4) of the 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 where an amount is recoverable from the person under Section 56(3) of the Act.
278051	Development Act 1993	s56A(3)	36. Council to Establish Development Assessment Panels 36.1 The duty pursuant to Section 56A(3) of the Act to appoint a presiding member to the council development assessment panel in accordance with the requirements set out in Section 56A(3)(b) of the Act.
278052	Development Act 1993	s56A(3)	36. Council to Establish Development Assessment Panels 36.2 The duty pursuant to Section 56A(3) of the Act to appoint the remaining members of the council development assessment panel in accordance with the requirements set out in Section 56A(3)(c) of the Act.
278053	Development Act 1993	s56A(3)(d)	36. Council to Establish Development Assessment Panels 36.3 The duty pursuant to section 56A(3)(d) of the Act to ensure that, unless granted an exemption by the Minister, at least 1 member of the panel is a woman and at least 1 is a man and to ensure that insofar as is reasonably practicable, the panel consists of equal numbers of men and women.





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ID	Delegation Source	Provision	Item Delegated
278054	Development Act 1993	s56A(3)(e)	36. Council to Establish Development Assessment Panels 36.4 The duty pursuant to Section 56A(3)(e) to determine the term of office for a member of the council development assessment panel, which period cannot exceed 2 years.
278055	Development Act 1993	s56A(3)(f)	36. Council to Establish Development Assessment Panels 36.5 The duty pursuant to Section 56A(3)(f) of the Act to determine any other conditions of appointment of the members of the council development assessment panel.
278056	Development Act 1993	s56A(3)(g)	36. Council to Establish Development Assessment Panels 36.6 The power pursuant to Section 56A(3)(g) of the Act to remove a member of the council development assessment panel from office for: 36.6.1 breach of, or failure to comply with, the conditions of appointment; or 36.6.2 misconduct; or 36.6.3 neglect of duty; or 36.6.4 incapacity to carry out satisfactorily the duty of his or her office; or 36.6.5 failure to carry out satisfactorily the duty of his or her office; or 36.6.6 failure to comply with a requirement under Section 34(6) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.
278057	Development Act 1993	s56A(5)	36. Council to Establish Development Assessment Panels 36.7 The duty pursuant to and in accordance with Section 56A(5) of the Act to give notice of an appointment.
278058	Development Act 1993	s56A(15)(b)	36. Council to Establish Development Assessment Panels 36.8 The duty pursuant to Section 56A(15)(b) of the Act and in accordance with Section 56A(17) of the Act to make minutes of meetings of a council development assessment available for reasonable access by members of the public.
278059	Development Act 1993	s56A(20)	36. Council to Establish Development Assessment Panels 36.9 The duty pursuant to and in accordance with Section 56A(20) of the Act to provide information to the Minister where requested by the Minister.
278060	Development Act 1993	s56A(22)	36. Council to Establish Development Assessment Panels 36.10 The duty pursuant to Section 56A(22) of the Act to appoint a public officer (who must not be a member of the council development assessment panel).
278061	Development Act 1993	s56A(23)	36. Council to Establish Development Assessment Panels 36.11 The duty pursuant to Section 56A(23) of the Act to ensure that notice of the appointment of a public officer (including the public officer's name and contact details) is published in the Gazette.





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ID	Delegation Source	Provision	Item Delegated
278062	Development Act 1993	s56A(27)	36. Council to Establish Development Assessment Panels 36.12 The power pursuant to Section 56A(27) of the Act to make an application to the Minister to exempt the Council from the requirement to establish a council development assessment panel under Section 56A of the Act.
278063	Development Act 1993	s56A(28)	36. Council to Establish Development Assessment Panels 36.13 The power pursuant to Section 56A(28) of the Act to consult with the Minister in relation to revoking an exemption under Section 56A(27) of the Act.
278064	Development Act 1993	s56B(2)	37. Building Rules Assessment Audits 37.1 The duty pursuant to Section 56B(2) to have its building assessment auditor audit the Council's activities in relation to the undertaking of assessments of proposed developments against the provisions of the Building Rules in accordance with the requirements of Section 56B.
278065	Development Act 1993	s56B(5)	37. Building Rules Assessment Audits 37.2 The duty pursuant to Section 56B(5) to ensure that after the expiration of the periods prescribed in Section 56B(4) an audit under Section 56B is completed at least once in every prescribed period.
278066	Development Act 1993	s56B(10)	37. Building Rules Assessment Audits 37.3 The power pursuant to Section 56B(10) to respond to a report prepared by a building assessment auditor prepared in relation to the Council under Section 56B.
278067	Development Act 1993	s56B(14)	37. Building Rules Assessment Audits 37.4 The power pursuant to Section 56B(14) to make submissions to the Minister in relation to a matter concerning the possible exercise of the Minister's powers under Section 56B(12).
278068	Development Act 1993	s56B(16)	37. Building Rules Assessment Audits 37.5 The duty pursuant to Section 56B(16) to comply with a direction given to the Council under Sections 56B(12) or 56B(15).
278272	Development Act 1993	s56C(2)	37A. Development Plan Assessment Audits 37A.1 The power and duty pursuant to Section 56C(2) of the Act to have the Council's activities in relation to Development Plan assessments audited by a development assessment auditor in accordance with the requirements of Section 56C of the Act.
278273	Development Act 1993	s56C(10)	37A. Development Plan Assessment Audits 37A.2 The power pursuant to Section 56C(10) of the Act to provide a response to an auditor with a view to correcting any error or fact.
278274	Development Act 1993	s56C(14)	37A. Development Plan Assessment Audits 37A.3 The power pursuant to Section 56C(14) of the Act to make submissions in relation to the matter to the Minister.
278275	Development Act 1993	s56C(15) 56C(12)(a)	37A. Development Plan Assessment Audits 37A.4 The power pursuant to Section 56C(15) of the Act to, if 37A.4.1 the Minister makes a recommendation to the Council under Section 56C(12)(a) of the Act; and
278276	Development Act 1993	s56C(15)	37A. Development Plan Assessment Audits 37A.4 The power pursuant to Section 56C(15) of the Act to, if 37A.4.2 the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in





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ID	Delegation Source	Provision	Item Delegated
			view of the recommendation, consult with the Minister.
278069	Development Act 1993	s57(2) and 57(2a)	38. Land Management Agreements 38.1 The power pursuant to Sections 57(2) and 57(2a) of the Act to enter into an agreement relating to the development, management, preservation or conservation of land within the area of the Council with the owner of the land.
278070	Development Act 1993	s57(2c)	38. Land Management Agreements 38.2 The duty pursuant to and in accordance with Section 57(2c) of the Act and Regulation 98A of the Regulations to establish and keep a register available for public inspection (without charge).
278071	Development Act 1993	s57(2e)	38. Land Management Agreements 38.3 The duty pursuant to Section 57(2e) of the Act, in relation to the granting of development plan consent with respect to a Category 2A, Category 2 or Category 3 development, to note the existence of the agreement (or the proposal to enter the agreement), and the availability of copies of the agreement for public inspection on the notice of the relevant authority's decision.
278072	Development Act 1993	s57(3)	38. Land Management Agreements 38.4 The power pursuant to Section 57(3) of the Act to carry out on private land any work for which provision is made by agreement under Section 57 of the Act.
278073	Development Act 1993	s57(5)	38. Land Management Agreements 38.5 The power pursuant to Section 57(5) of the 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.
278074	Development Act 1993	s57(8)	38. Land Management Agreements 38.6 The power pursuant to Section 57(8) of the Act to apply to the Registrar-General where an agreement in relation to which a note has been made under Section 57 of the Act has been rescinded or amended, to enter a note of the rescission or amendment made against the instrument of title or against the land.
278075	Development Act 1993	s57(11)	38. Land Management Agreements 38.7 The power pursuant to Section 57(11) of the Act to consent to the remission of rates payable to the Council provided for in an agreement entered into by the Minister.
278076	Development Act 1993	s57A(1)	39. Land Management Agreements - Development Applications 39.1 The power pursuant to and subject to Section 57A(1) of the Act to enter into an agreement under Section 57A of the Act with a person who is applying for a development authorisation under the Act.
278077	Development Act 1993	s57A(3)	39. Land Management Agreements - Development Applications 39.2 The duty pursuant to Section 57A(3) of the Act to have regard to: 39.2.1 the provisions of the appropriate Development Plan. 39.2.2 the principle that the entering into of an agreement under Section 57A by the Council should not be used as a substitute to proceeding with an amendment to a Development Plan under the Act.



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ID	Delegation Source	Provision	Item Delegated
278078	Development Act 1993	s57A(5)	39. Land Management Agreements - Development Applications 39.3 The duty pursuant to Section 57A(5) of the Act to register agreements entered into under Section 57A in accordance with the Regulations.
278079	Development Act 1993	s57A(6)	39. Land Management Agreements - Development Applications 39.4 The duty pursuant to Section 57A(6) of the Act to keep a register available for public inspection (without charge) in accordance with the Regulations.
278080	Development Act 1993	s57A(7)	39. Land Management Agreements - Development Applications 39.5 The power pursuant to Section 57A(7) of the Act to provide a person, on payment of the prescribed fee, a copy of an agreement registered under Section 57A(5) of the Act.
278081	Development Act 1993	s57A(8)	39. Land Management Agreements - Development Applications 39.6 The duty, pursuant to Section 57A(8) of the Act, where an agreement is entered into under Section 57A of the Act, in connection with an application for a development authorisation with respect to a Category 2A, Category 2 or Category 3 development, to include a note of the existence of the agreement on the notice of the relevant authority's decision under the Act.
278082	Development Act 1993	s57A(14)	39. Land Management Agreements - Development Applications 39.7 The power pursuant to Section 57A(14) of the 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.
278083	Development Act 1993	s57A(16)	39. Land Management Agreements - Development Applications 39.8 The power pursuant to Section 57A(16) of the Act to apply to the Registrar-General where an agreement under Section 57A has been rescinded or amended to enter a note of the rescission or amendment against the instrument of title, or against the land.
278084	Development Act 1993	s57A(18)	39. Land Management Agreements - Development Applications 39.9 The power pursuant to Section 57A (18) of the Act where an agreement under Section 57A does not have effect under Section 57A within the prescribed period, to, by notice given in accordance with the regulations, lapse the relevant development approval (and the agreement will then be rescinded by force of Section 57A(18) of the Act).
278085	Development Act 1993	s59(3)	40. Notification During Building 40.1 The power pursuant to Section 59(3) of the Act to direct that building work stop when a mandatory notification stage has been reached.
278086	Development Act 1993	s66(2)	41. Classification of Buildings 41.1 The power pursuant to Section 66(2) of the Act to assign to any building a classification that conforms with the Regulations and the duty pursuant to Section 66(4) of the Act to give notice in writing to the owner of the building to which the classification has been assigned.
278087	Development Act 1993	s67(2), (3), (4), (5) (6)	42. Certificates of Occupancy 42.1 The duty pursuant to and in accordance with the requirements of Sections 67(2), (3), (4), (5) and (6) of the Act to give a certificate of occupancy.
278088	Development Act 1993	s67(3)(a)	42. Certificates of Occupancy 42.2 The power pursuant to Section 67(3)(a) of the Act to require information from an applicant for a certificate of occupancy.





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ID	Delegation Source	Provision	Item Delegated
278089	Development Act 1993	s67(10)	42. Certificates of Occupancy 42.3 The duty pursuant to Section 67(10) of the Act to give written notice to an applicant of the refusal of the certificate of occupancy.
278090	Development Act 1993	s67(13)	42. Certificates of Occupancy 42.4 The power pursuant to Section 67(13) of the Act to revoke a certificate of occupancy in prescribed circumstances.
278091	Development Act 1993	s68(1),(2)	43. Temporary Occupation 43.1 The power pursuant to Sections 68(1) and (2) of the Act to approve the occupation of a building on a temporary basis without a certificate of occupancy and subject to such conditions as the Delegate thinks fit to impose.
278092	Development Act 1993	s68(3)	43. Temporary Occupation 43.2 The duty pursuant to and in accordance with Section 68(3) of the Act to give written notice to an applicant of the refusal of approval for temporary occupation of a building.
278093	Development Act 1993	s69(1)	44. Emergency Orders 44.1 Where an owner of land fails to comply with the requirements of an emergency order issued under Section 69(1) of the Act. 44.1.1 the power pursuant to Section 69(4) of the Act to cause the required work to be carried out; and 44.1.2 the power pursuant to and in accordance with Sections 69(5) and 69(6) of the Act to recover the reasonable costs and expense of that work from the owner as a debt.
278094	Development Act 1993	s71(18), (19)	44A Fire Safety 44A.1 The power pursuant to Sections 71(18) and (19) of the Act to establish and designate a body as an appropriate authority.
278095	Development Act 1993	s71(19)(a)(i)	44A Fire Safety 44A.2 The power pursuant to Section 71(19)(a)(i) of the Act to appoint a person who holds prescribed qualifications in building surveying to the appropriate authority.
278096	Development Act 1993	s71(19)(a)(ii)	44A Fire Safety 44A.3 The power pursuant to Section 71(19)(a)(ii) of the Act to determine if a person is to be nominated to the appropriate authority by the Chief Officer of the South Australian Metropolitan Fire Service or the Chief Officer of the South Australian Country Fire Service (after taking into account the nature of the Council or Council's area(s)).
278097	Development Act 1993	s71(19)(a)(iii)	44A Fire Safety 44A.4 The power pursuant to Section 71(19)(a)(iii) of the Act to appoint a person with expertise in the area of fire safety to the appropriate authority.
278098	Development Act 1993	s71(19)(a)(iv)	44A Fire Safety 44A.5 The power pursuant to Section 71(19)(a)(iv) of the Act to determine and select a person to be appointed to the appropriate authority.





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ID	Delegation Source	Provision	Item Delegated
278099	Development Act 1993	s71(19)(b)	44A Fire Safety 44A.6 The power pursuant to Section 71(19)(b) of the Act to determine the term of the office not exceeding three years of a member of the appropriate authority.
278100	Development Act 1993	s71(19)(d)	44A Fire Safety 44A.7 The power pursuant to Section 71(19)(d) of the Act to appoint deputy members to the appropriate authority.
278101	Development Act 1993	s71(19)(e)	44A Fire Safety 44A.8 The power pursuant to Section 71(19)(e) of the Act to determine the procedures of an appropriate authority.
278102	Development Act 1993	s71A	45. Building Inspection Policies 45.1 The duty pursuant to and in accordance with Section 71A of the Act to prepare and from time to time alter a building inspection policy.
278103	Development Act 1993	s74(1)	46. Advertisements 46.1 The power pursuant to and in accordance with Section 74(1) of the Act to: 46.1.1 form the opinion that an advertisement or advertising hoarding disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality or is contrary to a character desired for a locality under the relevant Development Plan; and 46.1.2 serve notice in writing requiring the removal or obliteration of the advertisement or the removal of the advertising hoarding (or both).
278104	Development Act 1993	s74(3)	46. Advertisements 46.2 The power pursuant to Section 74(3) of the Act where a person has failed to comply with a notice under Section 74(1) of the Act, to enter on land, carry out the terms of the notice and recover the costs of doing so as a debt from the person on whom the notice was served.
278105	Development Act 1993	s84(2)	47. Enforcement Notices 47.1 The power pursuant to and in accordance with Section 84(2) of the Act to issue an enforcement notice where the Delegate has reason to believe on reasonable grounds that a person has breached the Act or a repealed Act.
278106	Development Act 1993	s84(3)	47. Enforcement Notices 47.2 The power pursuant to Section 84(3) of the Act to determine that a direction under Section 84(2) of the Act is urgently required and can be orally given by an authorised officer.
278107	Development Act 1993	s84(2)(b)	47. Enforcement Notices 47.3 Where a person has failed to comply with a direction contained in a notice issued pursuant to Section 84(2)(b) of the Act: 47.3.1 the power pursuant to Section 84(6) of the Act to cause the necessary action to be undertaken; and 47.3.2 pursuant to and in accordance with Sections 84(7) and 84(8) of the Act to recover the costs of doing so as a debt from the person whose failure gave rise to the action.





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ID	Delegation Source	Provision	Item Delegated
278108	Development Act 1993	s85(1)	48. Applications to Court 48.1 The power pursuant to Section 85(1) of the Act to apply to the Court for an order to remedy or restrain a breach of the Act, or a repealed Act.
278109	Development Act 1993	s85(6)(d)	48. Applications to Court 48.2 Where the Court has made an order under Section 85(6)(d) of the Act and a person has failed to comply with the order, the power pursuant to and in accordance with Section 85(12) and Section 85(13) of the Act, to cause any work contemplated by the order to be carried out and to recover the costs of doing so as a debt from the person.
278110	Development Act 1993	s86(1)(e)	49. General Right to Apply to Court 49.1 Where the Council is a party to a dispute referred to in Section 86(1)(e) of the Act, the power pursuant to Section 86(1)(e) of the Act to apply to the Court for determination of the dispute.
278111	Development Act 1993	s93(1)(b)(iii)	50. Authority to be Advised of Certain Matters 50.1 The power pursuant to Section 93(1)(b)(iii) of the Act to require from a private certifier who is making a decision of a prescribed kind in relation to any aspect of building work such other information or documentation as the Delegate or the Council may require.
278112	Development Act 1993	s94	51. Referrals 51.1 The power pursuant to and in accordance with Section 94 of the Act to consent to the referral by a private certifier to the Council or Delegate of any function under the Act.
278113	Development Act 1993	s101(1)	52. Professional Advice to be Obtained in Relation to Certain Matters 52.1 The power pursuant to Section 101(1) of the Act, in the exercise of a prescribed function, to rely on a certificate of a person with prescribed qualifications.
278114	Development Act 1993	s101(2)	52. Professional Advice to be Obtained in Relation to Certain Matters 52.2 The duty pursuant to Section 101(2) of the Act to seek and consider the advice of a person with prescribed qualifications or person approved by the Minister in relation to a matter prescribed by the Regulations.
278115	Development (Development Plans) Amendment Act 2006	Schedule 1	53. Transitional Provisions 53.1 The power pursuant to and in accordance with Clause 5(1) of Schedule 1 to the Development (Development Plans) Amendment Act 2006 ('the DPA Act'), if the Council or the Delegate has, before the commencement of Clause 5 of Schedule 1 to the DPA Act reached an agreement with the Minister on a Statement of Intent with respect to an amendment to a Development Plan, or taken steps to prepare a Plan Amendment Report on the basis of such a Statement of Intent subject to Clause 5(2) of Schedule 1 to the DPA Act, to continue with the process as set out in Section 25 of the Act (as in force immediately before the commencement of Clause 5 of Schedule 1 to the DPA Act) as if the DPA Act had not been enacted until the relevant amendment is approved (with or without alteration) or otherwise dealt with by the Minister under Section 25(15) of the Act, subject to the qualification that the relevant Plan Amendment Report may be referred to as a Development Plan Amendment.
278116	Development (Development Plans) Amendment Act 2006	Schedule 1	53. Transitional Provisions 53.2 The power pursuant to Clause 5(2) of Schedule 1 to the DPA Act to agree on a Statement of Intent that is to supersede a Statement of Intent agreed between the Council or the Delegate and the Minister before commencement of Clause 5 of Schedule 1 to the DPA Act.





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ID	Delegation Source	Provision	Item Delegated
278307	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.1.2 constitute a breach of any other law; or
278295	Development Regulations 2008	r8A(1)(a)	53A. Complying Development – Development Plan Consent 53A.1 The power pursuant to Regulation 8A(1)(a) of the Development Regulations 2008 ('the Regulations'), for the purposes of Sections 33(1) and 35 of the Act (subject to Regulation 8A(2)) of the Regulations to: 53A.1.1 in the case of a proposed development lodged for assessment as residential code development – assess the development as being in a form described in Schedule 4 clause 1(2) or (3), 2A, 2B or 2C (including a form specified or provided for in a relevant Development Plan referred to in Schedule 4 clause 1(2) or (3), 2A, 2B or 2C); and 53A.1.2 in any other case – to assess the development as being in a form described in Schedule 4 Part 1 (including a form specified or provided for in a relevant Development Plan referred to in Schedule 4 Part 1).
278296	Development Regulations 2008	r8A(1)(b)	53A. Complying Development – Development Plan Consent 53A.2 The power pursuant to Regulation 8A(1)(b) of the Regulations, for the purposes of Section 35(1b) of the Act, to: 53A.2.1 form the opinion that a variation from complying development (including complying development as declared under Regulation 8A(1)(a) of the Regulations) is minor; and 53A.2.2 determine that 2 or more minor variations, when taken together, constitute a 'minor variation from complying development'.
278297	Development Regulations 2008	r8B(1)	53B. Complying Building Work – Building Rules 53B.1 The power pursuant to Regulation 8B(1) of the Regulations, for the purposes of Section 36(1) of the Act to, subject to Regulation 8B(2) of the Regulations, assess building work as being in a form specified in Schedule 4 Part 2 (including a form specified or provided for in the Building Code referred to in Schedule 4 Part 2).
278117	Development Regulations 2008	r9A(1)	54. Infrastructure Planning 54.1 The power pursuant to Regulation 9A(1) to, in preparing the DPA, to the extent (if any) required by the Statement of Intent, seek, in accordance with Regulation 9A(2), the advice of a Minister and any other government agency, specified by the Minister as part of the agreement on the Statement of Intent.
278118	Development Regulations 2008	r10A(1)	55. Consultation with Government Departments or Agencies 55.1 The duty pursuant to Regulation 10A(1) of the Regulations if the Council is subject to a requirement under Section 25(7)(a) of the Act to ensure that a copy of any written report received from a Department or agency is furnished to the Minister for the purposes of considering the matter under Section 25(7)(b) of the Act.
278119	Development Regulations 2008	s25,26	56. Public Consultation - Section 25 & 26 56.1 Subject to Regulations 11A(3) and 11A(6) of the Regulations, for the purposes of Sections 25 and 26 of the Act, the duty pursuant to Regulation 11A(1) of the Regulations to give public notice of a DPA by publication in the designated manner





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			<p>of a notice:</p> <p>56.1.1 advising the time and places at which the DPA is available for inspection (without charge) and purchase by the public; and</p> <p>56.1.2 inviting any interested person to make written submissions on the amendment to the council within the relevant period specified in the notice; and</p> <p>56.1.3 stating that the submissions will be available for inspection by any interested person at a place specified in the notice from the expiration of the period specified under Regulation 11A(1)(b) of the Regulations until the conclusion of any public meeting held for the purposes of Section 25(1)(b) or 26(5c)(b) of the Act (or, if no such meeting is to be held, until the decision is made not to hold the meeting); and</p> <p>56.1.4 providing information about when and where any public meeting is proposed to be held for the purposes of Sections 25(1)(b) or 26(5c)(b) of the Act (subject to a decision being made under the relevant section not to hold a meeting).</p>
278120	Development Regulations 2008	s25,26	<p>56. Public Consultation - Section 25 & 26</p> <p>56.2 If one or more written submissions are made in response to a notice published under Regulation 11A(1) of the Regulations, the duty pursuant to Regulation 11A(3) of the Regulations to make a copy of each submission available for inspection in accordance with the statement included under Regulation 11A(1)(c).</p>
278121	Development Regulations 2008	s25,26	<p>56. Public Consultation - Section 25 & 26</p> <p>56.3 For the purposes of Sections 25(9)(c) and 26(5b)(c) of the Act, the duty pursuant to Regulation 11A(4) of the Regulations to include in the written notice the same information as required for a notice under Regulation 11A(1) of the Regulations.</p>
278122	Development Regulations 2008	s25,26	<p>56. Public Consultation - Section 25 & 26</p> <p>56.4 The duty pursuant to Regulation 11A(5) of the Regulations, to ensure that a copy of any DPA released for public consultation under Section 25 of the Act is provided to the Minister within 2 business days after that release.</p>
278123	Development Regulations 2008	r12	<p>57. Public Meeting</p> <p>57.1 The duty pursuant to and in accordance with Regulation 12 of the Regulations to hold a public meeting if an amendment has been prepared by the Council or the Delegate.</p>
278124	Development Regulations 2008	r12(4)	<p>57. Public Meeting</p> <p>57.2 The power pursuant to Regulation 12(4) of the Regulations to adjourn a public meeting from time to time, and place to place if necessary or appropriate.</p>
278125	Development Regulations 2008	r15(1)(c)	<p>58. Application to Relevant Authority</p> <p>58.1 The power pursuant to Regulation 15(1)(c) of the Regulations to require an additional or lesser number of copies of plans, drawings, specifications and other documents and information relating to a proposed development than the number prescribed in Regulation 15(1)(c) of the Regulations.</p>
278126	Development Regulations 2008	r15(4)	<p>58. Application to Relevant Authority</p> <p>58.2 The duty pursuant to and in accordance with Regulation 15(4) of the Regulations, if an application is lodged with the</p>





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			Council but a regional development assessment panel is the relevant authority, to retain a copy of the application and other accompanying information and to forward the application on to the appropriate person acting on behalf of the regional development assessment panel.
278127	Development Regulations 2008	r15(5)	58. Application to Relevant Authority 58.3 The duty pursuant to and in accordance with Regulation 15(5) of the Regulations, when an application is lodged with the Council but the Development Assessment Commission is the relevant authority, to forward all but one copy of the application and the accompanying information, as well as a written acknowledgment that the appropriate fees have been paid, including details of each fee component paid, to the Development Assessment Commission.
278128	Development Regulations 2008	r15(7)(b)	58. Application to Relevant Authority 58.4 The power pursuant to Regulation 15(7)(b) of the Regulations to indicate, in such manner as may be determined by the Development Assessment Commission, that the Delegate wishes to receive written documentation instead of electronic access to the relevant documents and information via the Internet.
278277	Development Regulations 2008	15(7b)	58.4A The power pursuant to Regulation 15(7b) of the Regulations, to within 2 business days of receipt of a copy of an application under Regulation 15(7a) of the Regulations, furnish to the private certifier: 58.4A.1 the Development Assessment number assigned to the development proposed under the application; and
278301	Development Regulations 2008	r15(7b)	58.4A The power pursuant to Regulation 15(7b) of the Regulations, to within 2 business days of receipt of a copy of an application under Regulation 15(7a) of the Regulations, furnish to the private certifier: 58.4A.2 if the private certifier, at the time of forwarding a copy of an application under Regulation 15(7a) of the Regulations, requests advice on the matters set out in subparagraphs (i) and (ii), and if such advice is relevant: 58.4A.2.1 advice about any site contamination that is believed to exist at the site where the development would be undertaken; and 58.4A.2.2 advice about the likely need for approval to alter a public road under section 221 of the Local Government Act 1999 in order to establish a new access point. 58.4A.2.3 advice about whether the relevant development plan specifies any requirements relating to finished floor levels (expressed by reference to AHD or ARI) in relation to the site where the development would be undertaken.
278129	Development Regulations 2008	r15(8)	58. Application to Relevant Authority 58.5 The power pursuant to Regulation 15(8) of the Regulations to extend the period prescribed in Regulation 15(8) for the lodging of an application for the appropriate development authorisation as required by Section 54(2)(c).
278130	Development Regulations 2008	r15(10)(c)	58. Application to Relevant Authority [City of Tea Tree Gully only] 58.6 If an application relates to a proposed development that involves the division of land in the Golden Grove Development Area which is complying development in respect of the Development Plan, the duty pursuant to Regulation 15(10)(c) to





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			forward to the Development Assessment Commission within 5 business days after receipt of the application: 58.6.1 a copy of the application; and 58.6.2 a copy of the plans, drawings, specification and other documents or information accompanying the application.
278131	Development Regulations 2008	r15(11)	58. Application to Relevant Authority 58.7 The power pursuant to Regulation 15(11) of the Regulations, to modify the requirements of Schedule 5 in relation to a particular application, subject to the following qualifications: 58.7.1 in the case of an application that is lodged with the Council for assessment as residential code development – the requirements of Schedule 5 may not be modified in any way by the delegate assessing the application (whether so as to require more or less information), except on authority of the Minister under Section 39(1)(a) of the Act; 58.7.2 in any other case, the delegate must not, when requiring plans, drawings, specifications and other documents in relation to the application, require the applicant to provide more information than that specified under Schedule 5 (subject to Section 39 of the Act).
278132	Development Regulations 2008	r15(12)	58. Application to Relevant Authority 58.8 The duty pursuant to Regulation 15(12) of the Regulations to, in exercising the discretion under Section 39(4)(b) of the Act, dispense with the requirements of Schedule 5 in relation to a particular application.
278133	Development Regulations 2008	r16(1)	59. Nature of Development 59.1 The duty pursuant to Regulation 16(1) of the Regulations, where an application requires the assessment of a proposed development against the provisions of the Development Plan, to determine the nature of the development applied for.
278134	Development Regulations 2008	r16(2)	59. Nature of Development 59.2 The power pursuant to Regulation 16(2) of the Regulations to form the opinion that a development is non-complying, and the duty if the Delegate is of the opinion that an application relates to a kind of development that is non-complying and the applicant has not identified the development as such, by notice in writing to inform the applicant of that fact.
278135	Development Regulations 2008	r16(3)	59. Nature of Development 59.3 The power pursuant to Regulation 16(3) of the Regulations to, if an application in relation to a proposed development identifies the development as residential code development or designated development, form the opinion that the development is residential code development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact.
278136	Development Regulations 2008	r16(4)	59. Nature of Development 59.4 The power pursuant to Regulation 16(4) of the Regulations to, if an application in relation to a proposed development identifies the development as residential code development or designated development, form the opinion that the development is not residential code development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact and the reasons for the Delegate's opinion.
278137	Development Regulations 2008	r17(3)	60. Non-Complying Development 60.1 The power pursuant to Regulation 17(3) of the Regulations, after receipt of an application which relates to a kind of





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			development that is described as non-complying development to:
			60.1.1 refuse the application pursuant to Section 39(4)(d) of the Act and notify the applicant accordingly; or
278300	Development Regulations 2008	r17(3)	60. Non-Complying Development
			60.1.2 resolve to proceed with an assessment of the application.
278138	Development Regulations 2008	r17(4)	60. Non-Complying Development
			60.2 The duty pursuant to Regulation 17(4) of the Regulations, in situations where the Delegate has resolved to proceed with the assessment of an application for non-complying development, to require the applicant to provide a statement of effect.
278139	Development Regulations 2008	r17	60. Non-Complying Development
			60.3 The power pursuant to Regulation 17(6) of the Regulations to determine that a proposed development is of a minor nature for the purposes of exemption from the requirements to provide a statement of effect.
278140	Development Regulations 2008	r18	61. Notification of Application for Tree-Damaging Activity to Owner of Land
			61.1 Where the owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, the duty pursuant to and in accordance with Regulation 18 of the Regulations:
			61.1.1 to give the owner of land notice of the application; and
			61.1.2 to give due consideration, in the assessment of the application, to any submission made by the owner within a reasonable time after the giving of notice of the application.
278141	Development Regulations 2008	r20(4)	62. Amended Applications
			62.1 The power pursuant to Regulation 20(4) of the Regulations to form the opinion that variations to an application are not substantial and that repeating of the referral process under Part 5 of the Regulations, or the giving of notice under Part 6 of the Regulations is not required.
278142	Development Regulations 2008	r20(5)	62. Amended Applications
			62.2 The power pursuant to Regulation 20(5) of the Regulations, where a variation to an application changes the essential nature of a proposed development to (by agreement with the applicant) proceed with the variation on the basis that the application will be treated as a new application.
278143	Development Regulations 2008	r22(1)	63. Withdrawing/Lapsing Application
			63.1 The duty pursuant to Regulation 22(1) of the Regulations, where an applicant withdraws an application, to notify any agency to which an application was referred under Part 5 of the Regulations and any person who made a representation in relation to the application under Part 6 of the Regulations of the withdrawal.
278144	Development Regulations 2008	r22(2)	63. Withdrawing/Lapsing Application
			63.2 Where at least two years have passed since the date on which an application for development authorisation under Part 4 of the Act was lodged with the Council the power, pursuant to Regulation 22(2) of the Regulations to lapse the said application.





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278145	Development Regulations 2008	r22(2)	<p>63. Withdrawing/Lapsing Application</p> <p>63.3 Before taking action to lapse a development application under Regulation 22(2) of the Regulations the duty, pursuant to and in accordance with Regulation 22(3) of the Regulations to:</p> <p>63.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>63.3.2 allow the applicant a reasonable opportunity to make submissions to the Council or the Delegate about the proposed course of action, and the power to determine the manner and form of those submissions.</p>
278146	Development Regulations 2008	r23(2)	<p>64. Contravening Development</p> <p>64.1 The power pursuant to Regulation 23(2) of the Regulations, by notice in writing to the applicant to decline to proceed with an application until proceedings under the Act have been concluded.</p>
278147	Development Regulations 2008	r24(1)	<p>65. Referrals</p> <p>65.1 The duty pursuant to Regulation 24(1) of the Regulations to refer an application of a prescribed kind together with a copy of any relevant information provided by the applicant to the relevant body prescribed by Schedule 8 of the Regulations and to not make a decision on the application until a response has been received from the referral body or the time period for receipt of a response has lapsed.</p>
278148	Development Regulations 2008	r25	<p>66. Procedure Where Concurrence Required</p> <p>66.1 The duty pursuant to Regulation 25 of the Regulations, if concurrence must be sought from another body prior to issuing a consent or approval to forward to the other body whose concurrence must be sought that information required by Regulation 25(b) of the Regulations.</p>
278149	Development Regulations 2008	r27(1)	<p>67. Additional Information or Amended Plans</p> <p>67.1 The duty pursuant to Regulation 27(1) of the Regulations, where an application has been referred to a prescribed body under Part 5 of the Regulations and additional information is received which is materially relevant to the referral, to repeat the referral process where the Delegate is of the opinion that the additional information or amendment is significant and the power to repeat the referral process in all other instances.</p>
278150	Development Regulations 2008	r28(3)	<p>68. Special Provisions - Referrals</p> <p>68.1 The duty pursuant to and in accordance with Regulation 28(3) of the Regulations to refer an application for building rules consent to the relevant fire authority for comment and report where the Delegate considers that:</p> <p>68.1.1 a proposed alternative solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for fire fighting operations of a fire authority; or</p> <p>68.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for fire fighting operations of a fire authority; or</p> <p>68.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,</p>





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			and the duty pursuant to Regulation 28(5) of the Regulations to have regard to any report received from the fire authority under Regulation 28.
278151	Development Regulations 2008	r28(4)	68. Special Provisions - Referrals 68.2 The power pursuant to Regulation 28(4) of the Regulations, when a report from a fire authority pursuant to Regulation 28(3) is not received by the Council within 20 business days, to presume that the fire authority does not desire to make a report.
278152	Development Regulations 2008	r28	68. Special Provisions - Referrals 68.3 If, in respect of an application referred to a fire authority under Regulation 28, the fire authority: 68.3.1 recommends against the granting of building rules consent; or 68.3.2 concurs in the granting of consent on conditions specified in its report, but the Delegate: 68.3.3 proposes to grant building rules consent despite a recommendation referred to in Regulation 28(5a)(a) of the Regulations; or 68.3.4 does not propose to impose the conditions referred to in Regulation 28(5a)(b) of the Regulations, or proposes to impose the conditions in varied form, on the grant of consent, the duty pursuant to Regulation 28(5a) of the Regulations to: 68.3.5 refer the application to the Building Rules Assessment Commission; and 68.3.6 not grant consent unless the Building Rules Assessment Commission concurs in the granting of consent.
278153	Development Regulations 2008	r28(6)	68. Special Provisions - Referrals 68.4 The duty pursuant to Regulation 28(6) of the Regulations to provide to the Building Rules Assessment Commission a copy of any report received from a fire authority under Regulation 28(1) that relates to an application referred to the Building Rules Assessment Commission under the Act.
278154	Development Regulations 2008	r28(7)	68. Special Provisions - Referrals 68.5 The duty pursuant to Regulation 28(7) of the Regulations, where building work comprises or includes the construction or installation of a private bushfire shelter, not to grant a building rules consent unless the Building Rules Assessment Commission concurs in the granting of the consent.
278155	Development Regulations 2008	r29(1)	69. Land Division Applications 69.1 The duty pursuant to Regulation 29(1) of the Regulations, subject to the provisions in Regulation 29(2) of the Regulations, to withhold making a decision on an application which relates to a proposed development that involves the division of land until a report has been received from the Development Assessment Commission.
278156	Development Regulations 2008	r29(1)	69. Land Division Applications 69.2 The power pursuant to Regulation 29(2) of the Regulations, when a report from the Development Assessment





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			Commission pursuant to Regulation 29(1) of the Regulations is not received by the Council within eight weeks or within such longer period as the Development Assessment Commission may require by notice in writing to the Council, to presume that the Development Assessment Commission does not desire to make a report.
278157	Development Regulations 2008	r30(1)	70. Underground Mains Area 70.1 The power pursuant to Regulation 30(1) of the Regulations to seek a report from the relevant electricity authority where the Delegate considers that an area should be declared an underground mains area.
278158	Development Regulations 2008	r30(2)	70. Underground Mains Area 70.2 The power pursuant to Regulation 30(2) of the Regulations to declare an area as an underground mains area.
278159	Development Regulations 2008	r30(4)	70. Underground Mains Area 70.3 The power pursuant to Regulation 30(4) of the Regulations, where a development includes the division of land within or partly within an underground mains area, to require, as a condition of the decision, that any electricity mains be placed underground.
278160	Development Regulations 2008	s37AA	71. Preliminary Advice and Agreement - Section 37AA 71.1 The power pursuant to Regulation 31A(6)(b) of the Regulations to determine that an application no longer accords with an agreement indicated by the prescribed body.
278161	Development Regulations 2008	s37AA	71. Preliminary Advice and Agreement - Section 37AA 71.2 The power pursuant to Regulation 31A(6) of the Regulations if: 71.2.1 a relevant authority permits an applicant to vary an application under Section 39(4) of the Act; and 71.2.2 the relevant authority determines that the application no longer accords with the agreement indicated by the prescribed body, to refer the application (unless withdrawn) to the prescribed body. 71.2.3 to obtain a variation to the agreement under Section 37AA of the Act; or 71.2.4 to obtain a response from the prescribed body for the purposes of Section 37 of the Act.
278162	Development Regulations 2008	s37AA	71. Preliminary Advice and Agreement - Section 37AA 71.3 The power pursuant to Regulation 31A(7) of the Regulations if: 71.3.1 an application is withdrawn by the Applicant; and 71.3.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application, to notify the relevant prescribed body of the withdrawal of an application.
278163	Development Regulations 2008	r31A(8)	71. Preliminary Advice and Agreement - Section 37AA 71.4 The power pursuant to Regulation 31A(8) of the Regulations if: 71.4.1 an application is lapsed by a relevant authority under Regulation 22 of the Regulations; and





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			71.4.2 the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application, to notify the relevant prescribed body of the lapsing of an application.
278164	Development Regulations 2008	r31A(9)	71. Preliminary Advice and Agreement - Section 37AA 71.5 The power pursuant to Regulation 31A(9) of the Regulations if: 71.5.1 an application seeks to rely on an agreement under Section 37AA of the Act in connection with the application; and 71.5.2 a notice of decision is issued by the relevant authority under Regulation 42 of the Regulations, to send a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 42 of the Regulations.
278294	Development Regulations 2008	r32(5)	71A. Public Notice Categories 71A.1 The power pursuant to Regulation 32(5) of the Regulations to determine that a form of development comprises 2 or more elements.
278165	Development Regulations 2008	r34(1)	72. Public Inspection of Certain Applications 72.1 The duty pursuant to and in accordance with Regulation 34(1) of the Regulations, subject to Regulation 34(4) of the Regulations to ensure that copies of documents referred to in Regulation 34(1) concerning an application are reasonably available for inspection by the public (without charge).
278166	Development Regulations 2008	r34(2)	72. Public Inspection of Certain Applications 72.2 The duty pursuant to Regulation 34(2) of the Regulations, subject to Regulation 34(4) of the Regulations, where a request is made within the time period that applies under Regulation 34(1) of the Regulations and on payment of a fee fixed by Council to provide to a member of the public a copy of any document of information available for inspection under Regulation 34(1) of the Regulations.
278167	Development Regulations 2008	r34(3)	72. Public Inspection of Certain Applications 72.3 The power pursuant to Regulation 34(3) of the Regulations to require that a person who has made a request under Regulation 34(2) of the Regulations verify his or her name, address and contact details in such manner as the Delegate thinks fit.
278168	Development Regulations 2008	r34(4)	72. Public Inspection of Certain Applications 72.4 The power pursuant to Regulation 34(4) of the Regulations to form the opinion that the present or future security of a building would be jeopardised if plans, drawings, specifications or other documents or information relating to the assessment of a proposed development against the Building Rules were to be made available for inspection.
278169	Development Regulations 2008	r36	73. Response by Applicant 73.1 The power pursuant to Regulation 36 of the Regulations to extend the time within which an applicant may respond to any representation
278170	Development Regulations 2008	s34(1)(b)	74. Determination of Commission as Relevant Authority 74.1 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b) of the Act: 74.1.1 in a case where the Minister has made a declaration under Section 34(1)(b)(iii) or 34(1)(b)(vi) of the Act, the duty





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			pursuant to and in accordance with Regulation 38(2)(a)(i) of the Regulations to forward to the Development Assessment Commission any application received by the Council under the Act and the Regulations in relation to the matter together with accompanying documentation or information and, as appropriate, fees; and
278270	Development Regulations 2008	s34(1)(b)	74. Determination of Commission as Relevant Authority 74.1 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b) of the Act: 74.1.2 in any case, the power pursuant to and in accordance with Regulation 38(2)(b) to provide a report on matters under Section 33(1) (as relevant).
278171	Development Regulations 2008	s34(1)(b)(iv)	74. Determination of Commission as Relevant Authority 74.2 Where the Development Assessment Commission is the relevant authority under Section 34(1)(b)(iv) of the Act and the proposed development is to be undertaken within one kilometre of a boundary with the Council, the power, pursuant to Regulation 38(4) of the Regulations, to provide the Development Assessment Commission with comments on the proposed development.
278172	Development Regulations 2008	r39	75. Assessment in Respect of Building Rules Referred to the Council 75.1 The duty pursuant to and in accordance with Regulation 39 of the Regulations, where the Council is the relevant authority pursuant to Section 34(2) of the Act, not to give any decision in respect of the assessment against the Building Rules until the Development Assessment Commission or the regional development assessment panel (as the case may be) has made its decision.
278173	Development Regulations 2008	r42	76. Notification of Decision to Applicant (Including Conditions) 76.1 The duty pursuant to and in accordance with Regulation 42 of the Regulations to give notice of a decision on an application under Division 1 of Part 4 of the Act including, but not limited to, the power to endorse approved plans and documentation under Regulation 42(4).
278174	Development Regulations 2008	r43	77. Notification of Decision to a Prescribed Body 77.1 The duty pursuant to and in accordance with Regulation 43 of the Development Regulations, to send a copy of the notice of decision issued under Regulation 42 of the Regulations to any prescribed body to which the application had been referred.
278175	Development Regulations 2008	r43(3)	77. Notification of Decision to a Prescribed Body 77.2 The duty pursuant to and in accordance with Regulation 43(3) of the Regulations to send a copy of a notice of a decision on an application, if or when a development authorisation is issued in relation to a proposed division of land, to the Development Assessment Commission.
278176	Development Regulations 2008	r44	78. Notification of Decision to Owner of Land 78.1 The duty pursuant to and in accordance with Regulation 44 of the Regulations to send a copy of any notice issued under Regulation 42 of the Regulations to the owner of land to which a decision on the application relates where the owner is not a party to the application.
278177	Development Regulations 2008	r45(2)	79. Scheme Description - Community Titles 79.1 The duty pursuant to Regulation 45(2) of the Regulations to endorse a scheme description under Section 3 of the Community Titles Act 1996 in the following terms:





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			<p>79.1.1 All the consents or approvals required under the Development Act 1993 in relation to the division of the land (and a change in the use of the land (if any)) in accordance with the scheme description and the relevant plan of community division under the Community Titles Act 1996 have been granted.</p> <p>OR</p> <p>No consent or approval is required under the Development Act 1993 in relation to the division of land (or a change in the use of the land) in accordance with this scheme description.</p> <p>This endorsement does not limit a relevant authority's right to refuse, or to place conditions on, development authorisation under the Development Act 1993 in relation to any other development envisaged by this scheme description.</p> <p>Signed:</p> <p>Dated:</p>
278178	Development Regulations 2008	r45(2)	<p>79. Scheme Description - Community Titles</p> <p>79.2 The power pursuant to Regulation 45(2) of the Regulations to include in an endorsement of a scheme description under Section 3 of the Community Titles Act 1996, notes concerning conditions on any consent or approval, and notes concerning additional approvals that may be required in the future and to sign and date the endorsement.</p>
278179	Development Regulations 2008	r46(1)	<p>80. Special Provisions Relating to Staged Consents</p> <p>80.1 The duty pursuant to and in accordance with Regulation 46(1) of the Regulations, and in a case where the development is within the ambit of Schedule 1A, subject to, in accordance with Regulations 46(4) and (5) of the Regulations, any step that the Delegate, as the relevant authority considers it needs to take under Section 42 of the Act, to issue a Notice of Approval in the circumstances prescribed by Regulation 46 of the Regulations.</p>
278180	Development Regulations 2008	r47	<p>81. Endorsed Plans</p> <p>81.1 The duty pursuant to Regulation 47 of the Regulations to return to a successful applicant, a copy of the plans, drawings, specifications and other documents and information lodged by the applicant duly endorsed with the building rules consent.</p>
278282	Development Regulations 2008	r47A	<p>81A. Minor Variation of Development Authorisation</p> <p>81A.1 The power pursuant to Regulation 47A(1) of the Regulations, 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 that the variation is minor in nature and, if the delegate is satisfied that the variation is minor in nature, to approve the variation.</p>
278181	Development Regulations 2008	r48(2)	<p>82. Lapse of Consent or Approval</p> <p>82.1 The power pursuant to Regulation 48(2) of the Regulations to extend the time when any consent or approval under Part 4 of the Act will lapse.</p>
278182	Development Regulations 2008	r51(4)	<p>83. Width of Roads and Thoroughfares</p> <p>83.1 The power pursuant to Regulation 51(4) of the Regulations to dispense with the requirements of Regulation 51(1) and (3) dealing with the width of any proposed road or thoroughfare where the Delegate is of the opinion that the prescribed width is not necessary for the safe and convenient movement of vehicles or pedestrians or for underground services.</p>
278183	Development Regulations 2008	r51(6)	<p>83. Width of Roads and Thoroughfares</p> <p>83.2 The power pursuant to Regulation 51(6) of the Regulations to dispense with the requirements of Regulation 51(5) dealing with the width of a road at the head of every cul-de-sac where it appears that the cul-de-sac is likely to become a through road.</p>





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278184	Development Regulations 2008	r52(1)	84. Road Widening 84.1 The power pursuant to Regulation 52(1) of the Regulations to require a road widening if land to be divided abuts an existing road.
278185	Development Regulations 2008	r53(1), (2)	85. Requirement as to Forming of Roads 85.1 The power pursuant to Regulation 53(1) and (2) of the Regulations to specify the width of roads.
278186	Development Regulations 2008	r53(4)	85. Requirement as to Forming of Roads 85.2 The power pursuant to Regulation 53(4) of the Regulations to dispense with the requirements of Regulation 53(3) of the Regulations that adequate provision be made for the turning of vehicles at the head of a cul-de-sac where the Delegate is of the opinion that the cul-de-sac is likely to become a through road.
278187	Development Regulations 2008	r53(6)	85. Requirement as to Forming of Roads 85.3 The power pursuant to Regulation 53(6) of the Regulations to dispense with the requirements of Regulation 53(5) dealing with the forming of footpaths, water-tables, kerbing, culverts and drains on proposed roads.
278188	Development Regulations 2008	r54(1)	86. Construction of Roads, Bridges, Drains and Services 86.1 The power pursuant to Regulation 54(1) of the Regulations to require the paving and sealing of the roadway of proposed roads.
278189	Development Regulations 2008	r55(1)	87. Supplementary Provisions 87.1 The duty pursuant to Regulation 55(1) of the Regulations to consider and if appropriate approve a road location and grading plan for the forming of any proposed road, including every footpath, water-table, kerbing, culvert and drain.
278190	Development Regulations 2008	r55(2)	87. Supplementary Provisions 87.2 The duty pursuant to Regulation 55(2) of the Regulations to consider, and if appropriate approve, detailed construction plans and specifications signed by a professional engineer or licensed surveyor for all work referred to in Regulations 53 and 54 of the Regulations.
278191	Development Regulations 2008	r55(4)	87. Supplementary Provisions 87.3 The duty pursuant to Regulation 55(4) of the Regulations to consider, and if appropriate accept, that all connections for water supply and sewerage services to any allotment delineated on a plan of division have been laid under the surface of a proposed road before the roadway is sealed.
278192	Development Regulations 2008	r58(1)	88. General Land Division 88.1 The power pursuant to and in accordance with Regulation 58(1) of the Regulations to enter into a binding arrangement with an applicant for land division for the satisfaction of outstanding requirements.
278193	Development Regulations 2008	r58(2)	88. General Land Division 88.2 The power pursuant to and in accordance with Regulation 58(2) of the Regulations to advise the Development Assessment Commission that an applicant has entered into appropriate binding arrangements pursuant to Section 51(1) of the Act.
278194	Development Regulations 2008	r59(1)	89. Division of Land by Strata Title 89.1 The power pursuant to Regulation 59(1) of the Regulations to advise the Development Assessment Commission that an applicant has entered into a binding arrangement with the Council for the satisfaction of the requirements of Section 33(1)(d) of the Act and that the arrangement is supported by adequate security.





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278195	Development Regulations 2008	r60(1)	90. General Provisions 90.1 The power pursuant to and in accordance with Regulation 60(1) of the Regulations to enter into a form of arrangement with an applicant to the satisfaction of the Development Assessment Commission for the purposes of Section 51(1) of the Act.
278196	Development Regulations 2008	r60(7)	90. General Provisions 90.2 The power pursuant to Regulation 60(7) of the Regulations, for the purposes of Section 51(4) of the Act, to request (in such a manner as may be determined by the Development Assessment Commission) that a copy of a certificate or plan (or certificates and plans) referred to in Regulation 60(4) of the Regulations be furnished to the Council by sending a written copy to the Council.
278197	Development Regulations 2008	r60(9)	90. General Provisions 90.3 The power pursuant to Regulation 60(9) of the Regulations to consult with the Development Assessment Commission before it grants an extension of the period prescribed by Regulation 60(8) of the Regulations.
278198	Development Regulations 2008	s46	91. Declaration by The Minister - Section 46 91.1 The duty pursuant to and in accordance with Regulation 61(2) of the Regulations, to transmit to the Minister any relevant documentation (including the application and any accompanying documentation or information lodged by the proponent with the Council under Division 1 of Part 4 of the Act) within 10 business days after the receipt of a copy of a notice required by Regulation 61(1) of the Regulations.
278199	Development Regulations 2008	s46	91. Declaration by The Minister - Section 46 91.2 At the same time that documents are transmitted to the Minister under Regulation 61(2) of the Regulations, the duty pursuant to Regulation 61(3) of the Regulations to also transmit to the Minister any fees that have been paid by the proponent under Schedule 6 (less any amount that the Minister determines should be retained by the Council).
278200	Development Regulations 2008	s46	91. Declaration by The Minister - Section 46 91.3 Where an application lodged with the Minister under Section 46 of the Act requires an assessment against the Building Rules and the assessment against the Building Rules is to be referred to the Council, the power pursuant to Regulation 61(5)(d) of the Regulations, to require from the applicant additional copies of the plans, drawings, specifications and other documents and information required by Regulation 61(4) of the Regulations.
278201	Development Regulations 2008	s48	92. Referral of Assessment of Building Work 92.1 Where a development application which is subject to the operation of Section 48 of the Act is referred to the Council for assessment in respect of the Building Rules the duty pursuant to and in accordance with Regulation 64(2) of the Regulations, to ensure that the assessment is consistent with any development plan consent previously given under Section 48 of the Act.
278202	Development Regulations 2008	r64(1)	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to:
278302	Development Regulations 2008	r64(1)	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a





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			certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.1 provide the certification in the form set out in Schedule 12A; and
278303	Development Regulations 2008	r64(1)	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.2 to the extent that may be relevant and appropriate:
278312	Development Regulations 2008	r64(1)	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.2.1 issue a schedule of essential safety provisions under Division 4 of Part 12 of the Act; and
278305	Development Regulations 2008	r64(1)	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.2.2 assign a classification to the building under the Regulations; and
278304	Development Regulations 2008	r64(1)	92. Referral of Assessment of Building Work 92.2 Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to: 92.2.2.3 ensure that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993.
278203	Development Regulations 2008	r64(3)(a)	92. Referral of Assessment of Building Work 92.3 Where the Council issues a certificate in the form set out in Schedule 12A of the Regulations as required by Regulation 64(3)(a) of the Regulations, the duty pursuant to Regulation 64(4) of the Regulations to furnish to the Minister a copy of the certificate together with a copy of any schedule of essential safety provisions.
278204	Development Regulations 2008	r74(1)(b)	93. Notifications During Building Work 93.1 The power pursuant to Regulation 74(1)(b) to specify by notice in writing to the building owner, on or before





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			development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.
278205	Development Regulations 2008	r74(1)(c)	93. Notifications During Building Work 93.2 The power pursuant to Regulation 74(1)(c) to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.
278206	Development Regulations 2008	r74(4)	93. Notifications During Building Work 93.3 The duty pursuant to Regulation 74(4) of the Regulations to make a note on the relevant building file of any notice given in accordance with Regulation 74(3)(d) by a person by telephone.
278207	Development Regulations 2008	r76(4)	94. Essential Safety Provisions 94.1 The duty pursuant to Regulation 76(4) of the Regulations, on either the granting of a building rules consent or on application by the owner of a building, to issue a schedule in the form set out in Schedule 16 specifying the essential safety provisions for buildings and the standards and requirements for maintenance and testing in respect of those provisions.
278208	Development Regulations 2008	r76(10)	94. Essential Safety Provisions 94.2 The power pursuant to Regulation 76(10) of the Regulations to require compliance with Regulation 76(7) despite Regulation 76(9) of the Regulations if the essential safety provisions were installed under a modification of the Building Rules under Section 36(2) of the Act or the building has been the subject of a notice under Section 71 of the Act.
278281	Development Regulations 2008	r76D(4a)	94A Swimming Pool Safety 94A.1 The power pursuant to Regulation 76D(4a) of the Regulations to, for the purposes of Section 71AA(7) of the Act, subject to Regulation 76(D)(4b) of the Regulations, establish a swimming pool inspection policy.
278209	Development Regulations 2008	r78(1)	95. Building Rules: Bushfire Prone Areas 95.1 Where: 95.1.1 application is made for building rules consent for building work in the nature of an alteration to a class 1, 2 or 3 building under the Building Code; and 95.1.2 the building is in a bushfire prone area under Regulation 78(1) of the Regulations; and 95.1.3 the total floor area of the building would, after the completion of the proposed building work, have increased by at least 50% when compared to the total floor area of the building as it existed 3 years before the date of the application (or, in the case of a building constructed since that time, as it existed at the date of completion of original construction), the power, pursuant to Regulation 78(2) of the Regulations, to require, as a condition of consent, that the entire building be brought into conformity with the relevant requirements of the Building Rules for bushfire protection.
278210	Development Regulations 2008	r79(2)	96. Construction Industry Training Fund 96.1 The duty pursuant to Regulation 79(2) of the Regulations to withhold issuing a building rules consent until satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or that no such levy is payable.





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278211	Development Regulations 2008	r79(4)	96. Construction Industry Training Fund 96.2 The power pursuant to Regulation 79(4) of the Regulations to form an opinion whether the appropriate levy under the Construction Industry Training Fund Act 1993 has or has not been paid, or is or is not payable, and notify the applicant that a building rules consent cannot be issued until the Delegate is satisfied that the levy has been paid or is not payable.
278212	Development Regulations 2008	r79(5)(b)	96. Construction Industry Training Fund 96.3 The power pursuant to and in accordance with Regulation 79(5)(b) of the Regulations to determine that the application has lapsed.
278298	Development Regulations 2008	r80(1a)	96A Requirement to Up-grade Building in Certain Cases 96A.1 The power pursuant to Regulation 80(1a) of the Regulations, if an application for a building rules consent relates to building work in the nature of an alteration to a class 2 to class 9 building constructed before 1 January 2002, to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition, and to require, as a condition of consent: 96A.1.1 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; or 96A.1.2 that the building work comply with Minister's Specification SA: Upgrading health and safety in existing buildings (to the extent reasonably applicable to the building and its condition).
278213	Development Regulations 2008	r82(3)(b)(i)	97. Classification of Buildings 97.1 The power pursuant to Regulation 82(3)(b)(i) of the Regulations to require such details, particulars, plans, drawings, specifications, certificates and other documents as may reasonably be required to determine a building's classification upon application by an owner of a building under Regulation 82(1) or (2) of the Regulations.
278214	Development Regulations 2008	r82(4)	97. Classification of Buildings 97.2 The power pursuant to Regulation 82(4) of the Regulations and subject to Regulation 82(4a) of the Regulations, to assign the appropriate classification under the Building Code to a building upon being satisfied on the basis of the owner's application and accompanying documents that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.
278299	Development Regulations 2008	r82(4a)	97. Classification of Buildings 97.2A The power pursuant to Regulation 82(4a) of the Regulations, if an application under Regulation 82 of the Regulations is made in respect of an existing class 2 to class 9 building, to require the applicant to satisfy the delegate that Minister's Specification SA: 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).
278283	Development Regulations 2008	r82(5)	97. Classification of Buildings 97.3 The power pursuant to Regulation 82(5) of the 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 66(4) of the Act –





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			97.3.1 the maximum number of persons who may occupy the building (or part of the building); and 97.3.2 If the building has more than one classification – the part or parts of the building to which each classification relates and the classification currently assigned to the other parts of the building.
278215	Development Regulations 2008	r83(2)(c)	98. Certificates of Occupancy 98.1 The power pursuant to Regulation 83(2)(c) of the Regulations to require from an applicant for a certificate of occupancy reasonable evidence that conditions attached to a development approval have been satisfied.
278216	Development Regulations 2008	r83(2)(d)	98. Certificates of Occupancy 98.2 The power pursuant to Regulation 83(2)(d) of the Regulations where an 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, to require from an applicant for a certificate of occupancy reasonable evidence that in the case of a building of more than 1 storey, the requirements of Minister's Specification SA 83 have been complied with, or in any other case the building is suitable for occupation.
278217	Development Regulations 2008	r83(3)	98. Certificates of Occupancy 98.3 The power pursuant to Regulation 83(3) of the 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 the commencement of the Development (Building Cladding) Variation Regulations 2018, dispense with the requirement to provide a Statement of Compliance under Regulation 83(2)(a) if 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(s) and it appears to the Delegate that the relevant building is suitable for occupation.
278218	Development Regulations 2008	r83(4)	98. Certificates of Occupancy 98.4 Where: 98.4.1 a building is required by the Building Rules: 98.4.1.1 to be equipped with a booster assembly for use by a fire authority; or 98.4.1.2 to have installed a fire alarm that transmits a signal to a fire station; and 98.4.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act, the duty pursuant to Regulation 83(4) of the Regulations to not grant a certificate of occupancy unless or until a report has been sought from the fire authority as to whether those facilities have been installed and operate satisfactorily.
278219	Development Regulations 2008	r83(5)	98. Certificates of Occupancy 98.5 The power pursuant to Regulation 83(5) of the Regulations, when a report from the fire authority pursuant to Regulation 83(4) is not received within 15 business days, to presume that the fire authority does not desire to make a report.





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278220	Development Regulations 2008	r83(6)	98. Certificates of Occupancy 98.6 The duty pursuant to Regulation 83(6) of the Regulations to have regard to any report received from a fire authority under Regulation 83(4) before issuing a certificate of occupancy.
278221	Development Regulations 2008	r83(9)	98. Certificates of Occupancy 98.7 The power pursuant to Regulation 83(9) of the Regulations to revoke a certificate of occupancy.
278222	Development Regulations 2008	r88(3)	99. Certificate of Independent Technical Expert in Certain Case 99.1 The power pursuant to Regulation 88(3) of the Regulations, in circumstances where Regulation 88 of the Regulations applies, to rely on the certificate of an independent technical expert.
278223	Development Regulations 2008	r95(2)	100. Fees 100.1 The power pursuant to Regulation 95(2) of the Regulations to require an applicant to provide such information as the Delegate may reasonably require to calculate any fee payable under Schedule 6 and the power to make any other determination for the purposes of Schedule 6.
278224	Development Regulations 2008	r95(3)	100. Fees 100.2 The power pursuant to the provisions of Regulation 95(3) of the Regulations to calculate any fee on the basis of estimates made by the Delegate where the Delegate believes that any information provided by an applicant is incomplete or inaccurate.
278225	Development Regulations 2008	r95(4)	100. Fees 100.3 The power pursuant to Regulation 95(4) of the Regulations to, at any time, and despite any earlier acceptance of an amount in respect of the fee, reassess a fee payable under the Regulations.
278226	Development Regulations 2008	r95(5)	100. Fees 100.4 The duty pursuant to Regulation 95(5) of the Regulations, on a reassessment under Regulation 95(4) of the Regulations: 100.4.1 if it appears that an overpayment has occurred, to refund any amount due in accordance with the reassessment, and 100.4.2 if it appears that an underpayment has occurred, to charge any further amount payable in accordance with the reassessment.
278227	Development Regulations 2008	r98	101. Register Of Applications 101.1 The duty pursuant to Regulation 98 of the Regulations to keep available for public inspection a register of applications for consent, approval, or the assignment of building classifications under the Act.
278228	Development Regulations 2008	r98(3)	101. Register Of Applications 101.2 The power pursuant to Regulation 98(3) to fix a fee and upon payment of that fee, make available to a member of the public a copy of any part of a register or document kept for the purposes of Regulation 98(1).
278229	Development Regulations 2008	r99(2)	102. Registration of Land Management Agreements 102.1 The duty pursuant to and in accordance with Regulation 99(2) of the Regulations to establish a register of agreements entered into by the Council under Section 57(2) of the Act.





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278230	Development Regulations 2008	r99(3)	102. Registration of Land Management Agreements 102.2 The power pursuant to Regulation 99(3) of the Regulations to determine what other information may be contained in the Register.
278231	Development Regulations 2008	r100(2)	103. Land Management Agreements - Development Applications 103.1 The duty pursuant to Regulation 100(2) of the Regulations to establish a register of agreements entered into by the Council under Section 57A of the Act.
278232	Development Regulations 2008	r100(3)	103. Land Management Agreements - Development Applications 103.2 The duty pursuant to Regulation 100(3) of the Regulations to include in the register a copy of each agreement entered into by the Council under Section 57A of the Act and other information the Delegate considers appropriate.
278233	Development Regulations 2008	r100(5)	103. Land Management Agreements - Development Applications 103.3 The duty pursuant to Regulation 100(5) of the Regulations to keep the register at the principal office of the Council.
278234	Development Regulations 2008	r100(6)	103. Land Management Agreements - Development Applications 103.4 The duty pursuant to Regulation 100(6) of the Regulations to keep the register available for public inspection during normal office hours for the office where the register is situated.
278235	Development Regulations 2008	r100(9)	103. Land Management Agreements - Development Applications 103.5 The duty pursuant to Regulation 100(9) to give a copy of a notice under Regulation 100(8) to any owner of the land who is not a party to the agreement.
278278	Development Regulations 2008	r101(a1)	104. Documents to be Preserved by a Council 104.0 The power and duty pursuant to Regulation 101(a1) of the Regulations to retain a copy of each document provided to the Council by a private certifier in relation to any application for a development plan consent assessed by the private certifier.
278236	Development Regulations 2008	r101(1)	104. Documents to be Preserved by a Council 104.1 The duty pursuant to Regulation 101(1) of the Regulations to retain a copy of the documents listed in Regulation 101 of the Regulations in relation to any building work approved under the Act.
278279	Development Regulations 2008	r101(1a)	104. Documents to be Preserved by a Council 104.1A The power and duty pursuant to Regulation 101(1a) of the Regulations to preserve any document referred to in Regulation 101(a1) for a period of at least 10 years.
278237	Development Regulations 2008	r101(2)	104. Documents to be Preserved by a Council 104.2 The duty pursuant to Regulation 101(2) of the Regulations to preserve any document referred to in Regulation 101(1) of the Regulations until the building to which the document relates is demolished or removed.
278238	Development Regulations 2008	r101(3)	104. Documents to be Preserved by a Council 104.3 The power pursuant to and in accordance with Regulation 101(3) of the Regulations to offer to give plans and specifications in the Council's possession to a building owner and if the building owner declines the offer, the power to destroy the documents.
278239	Development Regulations 2008	r101(4)	104. Documents to be Preserved by a Council 104.4 The power pursuant to and in accordance with Regulation 101(4) of the Regulations to make available for inspection at the offices of the Council during normal office hours any document retained by the Council under Regulation 101(a1) or





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			(1) of the Regulations (without charge) and to fix a reasonable fee for a copy of any document retained by the Council under Regulation 101(a1) or (1) of the Regulations.
278240	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.1 for inspection under Regulation 101(4)(a) if to do so would:
278306	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.1.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or
278313	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.1.2 constitute a breach of any other law; or
278308	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.2 for copying under Regulation 101(4)(b) if to do so would:
278309	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.2.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or
278310	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.2.2 involve an infringement of copyright in matter contained in a document; or
278311	Development Regulations 2008	r101(5)	104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information: 104.5.2.3 constitute a breach of any other law.
278280	Development Regulations 2008	r102(2)	104A Documents to be Provided by Private Certifier 104A.1 The power pursuant to Regulation 102(2) of the Regulations to request a private certifier to produce to the Council within a reasonable period, a copy of any document that has been submitted to the private certifier for the purposes of an





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			application for development plan consent (and that it is not already held by the Council under the Regulations) so that the Council can respond to a request from a member of the public for access to such document.
278241	Development Regulations 2008	r104	105. Transfer of Development Potential 105.1 The duty pursuant to Regulation 104 of the Regulations, wherever the provisions of the Development Plan provide for the transfer of development potential, to maintain a register of development rights containing the information prescribed in Regulation 104(1) and to make the said register available for public inspection on payment of the appropriate fee.
278242	Development Regulations 2008	Section 115(1)(a)	106. System Indicators 106.1 The duty pursuant to Section 115(1)(a) of the Regulations to keep and collate the information specified in the system indicators document on a quarterly basis.
278243	Development Regulations 2008	115(1)(b)	106. System Indicators 106.2 The duty pursuant to Section 115(1)(b) of the Regulations to provide the information for each quarter to the Minister in a manner and form determined by the Minister, within 21 days after the end of the quarter.
278244	Development Regulations 2008	r115(2)	106. System Indicators 106.3 The power pursuant to Regulation 115(2) of the Regulations to apply to the Minister to exempt the Council from a requirement in the system indicators document.
278245	Development Regulations 2008	Schedule 1A	107. Schedule 1A - Demolition 107.1 The power, pursuant to Clause 12(3) of Schedule 1A of the Regulations, to make an application to the Minister for an area to be declared by the Minister to be a designated area.
278246	Development Regulations 2008	Schedule 1A	107. Schedule 1A - Demolition 107.2 The power pursuant to Clause 12(9) of Schedule 1A of the Regulations, before the Minister takes action to vary or revoke a declaration under Clause 12(3) of Schedule 1A of the Regulations or a condition under Clause 12(7) of Schedule 1A of the Regulations, to in response to a notice in writing from the Minister, show, within the specified time, why the proposed course of action should not be taken.
278247	Development Regulations 2008	cl 2B(4)(b)Schedule 4	108. Schedule 4 - New Dwellings 108.1 The power pursuant to Clause 2B(4)(b) of Schedule 4 of the Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land other than a previous use or activity for residential purposes.
278248	Development Regulations 2008	Schedule 6	109. Schedule 6 - Fees 109.1 The power pursuant to Clause 1(7) of Schedule 6 to the Regulations to determine the amount of the fee to be charged to an applicant to cover the Council's reasonable costs in giving public notice of the application under Section 38(5) of the Act.
278249	Development Regulations 2008	Schedule 8	110. Schedule 8 - Development Near The Coast 110.1 The power pursuant to Item 1(b) of Clause 2 of Schedule 8 of the Regulations, where development is on coastal land, to form the opinion that the development is of a minor nature only, and comprises the alteration of an existing building or the construction of a building to facilitate the use of an existing building.
278250	Development Regulations 2008	Schedule 8	111. Schedule 8 - Development Adjacent To Main Roads 111.1 The power pursuant to Item 3 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is





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			likely to: 111.1.1 alter an existing access; or 111.1.2 change the nature of movement through an existing access; or 111.1.3 create a new access; or 111.1.4 encroach within a road widening setback under the Metropolitan Adelaide Road Widening Plan Act 1972, in relation to an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road, or within 25 metres of a junction with an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road (as delineated in the relevant Development Plan).
278251	Development Regulations 2008	Schedule 8	112. Schedule 8 - State Heritage Places 112.1 The power pursuant to Item 5(1) of Clause 2 of Schedule 8 of the Regulations to form the opinion that a development materially affects the context within which a State Heritage place is situated
278252	Development Regulations 2008	Schedule 8	113. Schedule 8 - Mining - General 113.1 The power pursuant to and in accordance with Item 7 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is of a minor nature only.
278253	Development Regulations 2008	Schedule 8	114. Schedule 8 - Activity of Environmental Significance 114.1 The power pursuant to Item 10(b) of Clause 2 of Schedule 8 of the Regulations, where development involves, or is for the purposes of an activity specified in Schedule 21 of the Regulations (including, where an activity is only relevant when a threshold level of capacity is reached, development with the capacity or potential to operate above the threshold level, and an alteration or expansion of an existing development (or existing use) where the alteration or expansion will have the effect of producing a total capacity exceeding the relevant threshold level), other than development which comprises the alteration of, or addition to, an existing building, to form the opinion that the development does not change the use of the building, and is of a minor nature only, and does not have any adverse effect on the environment.
278254	Development Regulations 2008	Schedule 8	115. Schedule 8 - Aquaculture Development 115.1 The power pursuant to and in accordance with Item 15 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development involves a minor alteration to an existing or approved development.
278255	Development Regulations 2008	Schedule 8	116. Schedule 8 - Development Within the River Murray Floodplain Area 116.1 The power pursuant to and in accordance with Item 19(b) of Clause 2 of Schedule 8 of the Regulations to form the opinion that development materially affects the context within which a State Heritage place is situated.
278256	Development Regulations 2008	Schedule 8	117. Schedule 8 - Development Within the River Murray Tributaries Area 117.1 The power pursuant to and in accordance with Item 20(a) of Clause 2 of Schedule 8 of the Regulations to form the opinion that development materially affects the context within which a State Heritage place is situated.
278257	Development Regulations 2008	Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.1 The power pursuant to Clause 1 of Part 1 to Schedule 9 of the Regulations in circumstances where a development would be a complying development under the Regulations or the relevant Development Plan but for the fact that it fails to





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			meet the conditions associated with the classification, to form the opinion that the failure to meet those conditions is of a minor nature only.
278258	Development Regulations 2008	Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.2 The power pursuant to Clause 2(1)(g) of Part 1 to Schedule 9 of the Regulations to form the opinion that a development is of a kind which is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.
278259	Development Regulations 2008	Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.3 The power pursuant to the following designated sub-paragraphs of Clause 3 of Part 1 to Schedule 9 of the Regulations, where a development is classified as non complying under the relevant Development Plan, to form the opinion that: 118.3.1 the alteration of, or addition to, a building is of a minor nature only, pursuant to sub-paragraph (a); 118.3.2 the construction of a building to be used as ancillary to or in association with an existing building and which will facilitate the better enjoyment of the purpose for which the existing building is being used constitutes development of a minor nature only pursuant to sub-paragraph (b).
278260	Development Regulations 2008	Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.4 The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion: 118.4.1 that the division of land (including for the construction of a road or thoroughfare) is for a proposed use which is consistent with the objective of the zone or area under the Development Plan; and
278290	Development Regulations 2008	Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.4 The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion: 118.4.2 whether the division will change the nature or function of an existing road.
278261	Development Regulations 2008	Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.5 The power pursuant to Clause 11 of Part 1 to Schedule 9 of the Regulations, in circumstances where development comprises a special event and the special event will not be held over more than 3 consecutive days, to form the opinion that an event of a similar or greater size or of a similar or greater impact on surrounding areas, has not been held on the same site (or substantially the same site) within 6 months immediately preceding the day or days on which the special event is proposed to occur.
278262	Development Regulations 2008	Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only: 118.6.1 the duty to not take into account what is included within Schedule 3 of the Regulations; and
278291	Development Regulations 2008	Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a





Development Act 1993 and Development Regulations 2008

ID	Delegation Source	Provision	Item Delegated
			development should be considered to be of a minor nature only: 118.6.2 the power to take into account the size of the site of the development, the location of the development within that site, and the manner in which the development relates to the locality of the site; and
278292	Development Regulations 2008	Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only: 118.6.3 the power to conclude, if relevant, that the development is of a minor nature only despite the fact that it satisfies some, but not all, of the criteria set out in item 2(d) of Part 1 of Schedule 9 to the Regulations.
278263	Development Regulations 2008	Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non complying development under the relevant Development Plan, to form the opinion: 118.7.1 that in respect of a proposed division of land that the applicant's proposed use of the land, is for a purpose which is consistent with the zone or area under the Development Plan; and
278293	Development Regulations 2008	Schedule 9	118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development 118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non complying development under the relevant Development Plan, to form the opinion: 118.7.2 whether the proposed division will change the nature or function of an existing road.
278314	Development (Waste Reform) Variation Regulations 2019	Clause 2(2) Schedule 1	120. Development Authorisations to Continue 120.1 The power pursuant to clause 2(2) of Schedule 1 of the Development (Waste Reform) Variation Regulations 2019 ('the Waste Reform Regulations'), to, on the Delegate's own initiative or on application by an existing authorisee: 120.1.1 grant a new development authorisation to the person; or 120.1.2 revoke an existing development authorisation; or 120.1.3 by notice in writing to the authorisee given within 2 years after the commencement of clause 2 of Schedule 1 of the Waste Reform Regulations: 120.1.3.1 vary the terminology or numbering in the existing development authorisation; or 120.1.3.2 impose or vary a condition of the existing development authorisation, if, in the opinion of the Delegate, it is necessary or desirable to do so as a consequence of the variation of Schedule 21 or 22 of the principal regulations by the Waste Reform Regulations.
278315	Development (Waste Reform) Variation Regulations 2019	Clause 2(3) Schedule 1	120. Development Authorisations to Continue 120.2 The power pursuant to clause 2(3) of Schedule 1 of the Waste Reform Regulations, if the relevant authority takes





Development Act 1993 and Development Regulations 2008

ID	Delegation Source	Provision	Item Delegated
			action under clause 2(2) of Schedule 1 of the Waste Reform Regulations, to, dispense with the requirement for applications and payment of fees as the Delegate considers appropriate.





Disability Inclusion Act 2018

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409485	Disability Inclusion Act 2018	section 16(2)	Prepare a disability access and inclusion plan	State authority
409486	Disability Inclusion Act 2018	section 16(4)(b)	Consult with people with disability and person or bodies representing the interests of people with disability and other persons or bodies in preparing a disability access and inclusion plan	State authority
409487	Disability Inclusion Act 2018	16(4)(c)	Call for submissions from members of the public	State authority section
409488	Disability Inclusion Act 2018	section 16(5)	Seek the approval of the Minister to prepare a single disability access and inclusion plan for the council and one or more other councils	council
409489	Disability Inclusion Act 2018	section 16(6)	Vary a disability access and inclusion plan	State authority
409490	Disability Inclusion Act 2018	section 16(7)	Publish a disability access and inclusion plan, and any variation to a plan, on a website	State authority
409491	Disability Inclusion Act 2018	section 17(1)	Report annually to the Chief Executive Officer on the operation of the disability access and inclusion plan	State authority
409492	Disability Inclusion Act 2018	section 18(1)	Review the disability access and inclusion plan at least once in every 4 year period and prepare a report of the review	State authority
409493	Disability Inclusion Act 2018	section 18(2)	Provide a copy of the report prepared under section 18(1) of the Disability Inclusion Act to the Minister	State authority
409494	Disability Inclusion Act 2018	section 26(1)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	State authority
409495	Disability Inclusion Act 2018	section 26(2)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	State authority





Disability Inclusion Act 2018

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409496	Disability Inclusion Act 2018	section 27(2)	Provide information or documents prescribed by section 27 of the Disability Inclusion Act to another person or body	State authority





Disability Inclusion Regulations 2019

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409497	Disability Inclusion Regulations 2019	regulation 9(2)	Determine the manner and form and time period for the calling of public submissions under section 16(4)(c) of the Disability Inclusion Act	State authority
409498	Disability Inclusion Regulations 2019	regulation 9(3)	Publish the disability access and inclusion plan on a website	State authority
409499	Disability Inclusion Regulations 2019	regulation 9(4)	Prepare and provide a report to the Chief Executive Officer of the administrative unit of the public service that is responsible for assisting a Minister in the administration of this Act	State authority
409500	Disability Inclusion Regulations 2019	regulation 10	Keep residents informed of the preparation by the council of a single disability access and inclusion plan which is for more than one council	council
409501	Disability Inclusion Regulations 2019	regulation 11(1)	Comply with the steps under regulation 9 in regard to the variation of a disability access and inclusion plan as if the variation were the plan	State authority
409502	Disability Inclusion Regulations 2019	regulation 11(2)	Vary a disability access and inclusion plan	State authority
409503	Disability Inclusion Regulations 2019	regulation 11(3)	Provide public notice of a variation to a disability access and inclusion plan	State authority





Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409504	Dog and Cat Management Act 1995	section 25A(1)	Appoint authorised persons	council
409505	Dog and Cat Management Act 1995	section 25A(2)	Impose conditions on appointment of an authorised person	council
409506	Dog and Cat Management Act 1995	section 25A(3)	Revoke appointment or revoke or vary conditions of an authorised person	council
409507	Dog and Cat Management Act 1995	section 25B(1)	Issue identity card to an authorised person	council
409508	Dog and Cat Management Act 1995	section 25C(c)	Enter into an arrangement with another council in relation to the exercise of authorised officer powers	council
409509	Dog and Cat Management Act 1995	section 26(1)(a)	Maintain a register of dogs	council
409510	Dog and Cat Management Act 1995	section 26(1)(ab)	Provide information to the Dog and Cat Management Board	council
409511	Dog and Cat Management Act 1995	section 26(1)(ac)	Maintain other registers	council
409512	Dog and Cat Management Act 1995	section 26(1)(ad)	Make registers publicly available	council
409513	Dog and Cat Management Act 1995	section 26(1)(ae)	Limit inspection of register	council
409514	Dog and Cat Management Act 1995	section 26(1)(b)	Appoint a Registrar	council
409515	Dog and Cat Management Act 1995	section 26(1)(c)	Make arrangements for the issue and replace certificates of registration and registration discs	council
409516	Dog and Cat Management Act 1995	section 26(1)(d)	Make arrangements for the exercise of functions and powers of an authorised person	council
409517	Dog and Cat Management Act 1995	section 26(1)(e)	Make arrangements for the detention of dogs and cats	council
409518	Dog and Cat Management Act 1995	section 26(1)(f)	Make arrangements for fulfilling other obligations under the Dog and Cat Management Act	council
409519	Dog and Cat Management Act 1995	section 26(3)	Expend money in the administration or enforcement of the Dog and Cat Management Act	council
409520	Dog and Cat Management Act 1995	section 26(4)	Keep separate account of moneys received and expended under the Dog and Cat Management Act	council





Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409521	Dog and Cat Management Act 1995	section 26(5)	Pay moneys into the Dog and Cat Management Fund	council
409522	Dog and Cat Management Act 1995	section 26(6)(a)	Charge fees for the provision of register extracts	council
409523	Dog and Cat Management Act 1995	section 26(6)(ab)	Charge fees for receipt and management of information	council
409524	Dog and Cat Management Act 1995	section 26(b)(i)	Charge fees for registration of dogs or businesses	council
409525	Dog and Cat Management Act 1995	section 26(b)(ii)	Charge fees for late payment of registration	council
409526	Dog and Cat Management Act 1995	section 26(b)(iii)	Charge fees for meeting requirements under the Dog and Cat Management Act	council
409527	Dog and Cat Management Act 1995	section 26(7)	Provide a percentage rebate as provided for by the Dog and Cat Management Act	council
409528	Dog and Cat Management Act 1995	section 26A(1)	Prepare a dog and cat management plan	council
409529	Dog and Cat Management Act 1995	section 26A(3)	Present dog and cat management plan to Dog and Cat Management Board	council
409530	Dog and Cat Management Act 1995	section 26A(5)	Amend dog and cat management plan	council
409531	Dog and Cat Management Act 1995	section 33(4)(c)	Approve boarding kennel	council
409532	Dog and Cat Management Act 1995	section 39	Rectify the register	council
409533	Dog and Cat Management Act 1995	section 41(1)(c)	Fix fee for application under Part 4, Dog and Cat Management Act	council
409534	Dog and Cat Management Act 1995	section 47(5)	Recover cost of giving effect to order if an order has been contravened and authorised person takes steps to effect the order	council
409535	Dog and Cat Management Act 1995	section 50(1)(a)	Make a Destruction Order	council
409536	Dog and Cat Management Act 1995	section 50(1)(b)	Make a Control (Dangerous Dog) Order	council
409537	Dog and Cat Management Act 1995	section 50(1)(c)	Make a Control (Menacing Dog) Order	council





Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409538	Dog and Cat Management Act 1995	section 50(1)(d)	Make a Control (Nuisance Dog) Order	council
409539	Dog and Cat Management Act 1995	section 50(1)(e)	Make a Control (Barking Dog) Order	council
409540	Dog and Cat Management Act 1995	section 50(2)(b)	Approve a place to detain dogs	council
409541	Dog and Cat Management Act 1995	section 52(a1)	Determine manner and form of application for the council to make an order under Division 3, Part 5, Dog and Cat Management Act	council
409542	Dog and Cat Management Act 1995	section 52(1)(a)	Ascertain owners or persons responsible for a dog	council
409543	Dog and Cat Management Act 1995	section 52(1)(b)	Provide notice of proposed order to each owner or person responsible for a dog	council
409544	Dog and Cat Management Act 1995	section 52(2)(b)	Note order in register	council
409545	Dog and Cat Management Act 1995	section 52(3)	Provide notice of order to each owner or person responsible for a dog	council
409546	Dog and Cat Management Act 1995	section 52(4)	Revoke order	council
409547	Dog and Cat Management Act 1995	section 52(5)	Note revocation of order in register	council
409548	Dog and Cat Management Act 1995	section 52(6)	Note order made by Dog and Cat Management Board in register	council
409549	Dog and Cat Management Act 1995	section 53(1)	Issue directions to each owner or person responsible for a dog regarding complying with order	council
409550	Dog and Cat Management Act 1995	section 56(1)	Receive prescribed information from an owner or person responsible for a dog subject to an order	council
409551	Dog and Cat Management Act 1995	section 56(2)	Receive information from an owner or person responsible for a dog subject to an order regarding moving the dog into or out of the council area	council
409552	Dog and Cat Management Act 1995	section 59A(1)	Make a Prohibition Order	council
409553	Dog and Cat Management Act 1995	section 59A(2)	Approve place to detain dog	council
409554	Dog and Cat Management Act 1995	section 59A(5)(b)	Record a Prohibition Order	council





Dog and Cat Management Act 1995

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409555	Dog and Cat Management Act 1995	section 59A(6)	Revoke a Prohibition Order	council
409556	Dog and Cat Management Act 1995	section 59A(7)	Note revocation of a Prohibition Order in register	council
409557	Dog and Cat Management Act 1995	section 59A(8)(c)	Note order made by Dog and Cat Management Board in register	council
409558	Dog and Cat Management Act 1995	section 61(4)	Consider making an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	council
409559	Dog and Cat Management Act 1995	section 61(4)	Consider applying to Magistrates Court for an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	council
409560	Dog and Cat Management Act 1995	section 61(6)	Recover cost of microchipping or desexing dog	council
409561	Dog and Cat Management Act 1995	section 64(2)(c)	Nominate facility for the detention of cats	council
409562	Dog and Cat Management Act 1995	section 64B(1)	Cause a detained dog or cat to be microchipped or desexed	council
409563	Dog and Cat Management Act 1995	section 64B(2)	Recover cost of microchipping or desexing a dog or cat	council
409564	Dog and Cat Management Act 1995	section 64D(1)(b)(ii)	Receive notice of destruction, injury, seizure or detention of dog or identified cat	council
409565	Dog and Cat Management Act 1995	section 72	Responding to South Australian Civil and Administrative Tribunal review of council decision	council
409566	Dog and Cat Management Act 1995	section 88A(4)	Receive a statutory declaration from the owner of a vehicle who has received an expiation notice or an expiation reminder given under the Expiration of Offences Act 1996	council
409567	Dog and Cat Management Act 1995	section 89	Lay a complaint regarding offence under Dog and Cat Management Act	council





Dog and Cat Management Regulations 2017

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409568	Dog and Cat Management Regulations 2017	regulation 6(3)(b)	Apply payment received under regulation 6(2) to furthering the objects of the Dog and Cat Management Act	council
409569	Dog and Cat Management Regulations 2017	regulation 20(1)(a)	Receive notification of prescribed information regarding the keeping of guard dogs on premises	council





Electricity Act 1996

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409579	Electricity Act 1996	section 4(1)	Authorise a person to exercise powers conferred on a council officer under the Electricity Act	council
409580	Electricity Act 1996	section 47(3)	Agree with an electricity entity to the carrying out of work on public land	council
409581	Electricity Act 1996	section 47(7)	Refer a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister	council
409582	Electricity Act 1996	section 47(9)(a)	Make representations to the Minister in relation to a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work to the Minister	council
409583	Electricity Act 1996	section 47(9)(b)	Agree to settle a dispute with an electricity entity regarding whether work should be permitted on public land or the conditions applying to such work	council
409584	Electricity Act 1996	section 55(1a)	Comply with the requirements of a vegetation clearance scheme	council
409585	Electricity Act 1996	section 55(3)	Carry out vegetation clearance work in relation to vegetation planted or nurtured contrary to the principles of vegetation clearance.	council
409586	Electricity Act 1996	section 55(3)	Recover the cost of carrying out vegetation clearance work under section 55(3) from a person who planted or nurtured the vegetation	council
409587	Electricity Act 1996	section 55A(1)	Agree a vegetation clearance scheme with an electricity entity	council
409588	Electricity Act 1996	section 55A(4)	Modify a vegetation clearance scheme by written agreement with the electricity entity	council
409589	Electricity Act 1996	section 55B(2)	Ask the Technical Regulator to determine a vegetation clearance scheme dispute under Division 2, Part 5	council
409590	Electricity Act 1996	section 55C(2)(c)	Apply to the Technical Regulator for a decision not to determine a vegetation clearance scheme dispute under Division 2, Part 5	council
409591	Electricity Act 1996	section 55D(2)(a)	Consent to the Technical Regulator conferring on the council the duty to keep vegetation clear of public powerlines	council
409592	Electricity Act 1996	section 55M	Enforce a vegetation clearance scheme with an electricity entity as a contract	council
409593	Electricity Act 1996	section 56(1)	Make an arrangement with an electricity entity conferring on the council a specified role in relation to vegetation clearance around public powerlines outside of prescribed areas	council
409594	Electricity Act 1996	section 58A(2)	Agree to contribute to the cost of undergrounding powerlines in the council area on the basis determined by the Minister	council





Electricity Act 1996

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409595	Electricity Act 1996	section 58A(5)	Participate in consultation with, and provide proposals to, the Minister in respect of the undergrounding of powerlines	council
409596	Electricity Act 1996	section 58A(8)	Participate in consultation with the Minister in respect of a variation of the program for undergrounding of powerlines	council





Electricity (Principles of Vegetation Clearance) Regulations 2010

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409570	Electricity (Principles of Vegetation Clearance) Regulations 2010	regulation 4(1)	Take reasonable steps to keep vegetation clear of powerlines	council
409571	Electricity (Principles of Vegetation Clearance) Regulations 2010	regulation 4(2)	Inspect overhead powerlines and clear vegetation	council
409572	Electricity (Principles of Vegetation Clearance) Regulations 2010	regulation 4(4)	Seek approval of the technical Regulator to keep vegetation clear of powerlines in accordance with the principles set out in regulation 4(2)(b)(ii)	council
409573	Electricity (Principles of Vegetation Clearance) Regulations 2010	regulation 7(3)	Make submissions to the Technical Regulator regarding an exemption application	council
409574	Electricity (Principles of Vegetation Clearance) Regulations 2010	regulation 8(2)	Agree a vegetation scheme with an electricity entity governing the way in which the entity will carry out its duty to clear vegetation in the council area or part of the council area	council
409575	Electricity (Principles of Vegetation Clearance) Regulations 2010	regulation 8(5)(b)	Agree with the electricity entity to vary or revoke a vegetation scheme	council
409576	Electricity (Principles of Vegetation Clearance) Regulations 2010	regulation 8(6)	Enforce a vegetation clearance scheme with an electricity entity as a contract	council
409577	Electricity (Principles of Vegetation Clearance) Regulations 2010	regulation 10(5)(c)	Agree with an objector as to how an objection regarding the council's intention to enter land is to be resolved	council
409578	Electricity (Principles of Vegetation Clearance) Regulations 2010	regulation 10(8)	Give notice of intention to enter private land to carry out work under Part 5 of the Act, including a statement of rights of the owner or occupier to lodge an objection under regulation 10	council





Instrument of Delegation under the Electronic Conveyancing National Law (SA) Act 2013

ID	Delegation Source	Provision	Item Delegated
278586	Electronic Conveyancing National Law (South Australia) Act 2013	s10(1)	<p>1. Client Authorisation</p> <p>1.1 The power pursuant to Section 10(1) of the Electronic Conveyancing National Law (South Australia) Act 2013 (the Act) to:</p> <p>1.1.1 complete a client authorisation:</p> <p>1.1.1.1 that is in the form required by the participation rules; and</p> <p>1.1.1.2 by which the Delegate authorises a subscriber to do one or more things on the Council's behalf in connection with a conveyancing transaction so that the transaction, or part of the transaction, can be completed electronically.</p>





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409609	Environment Protection Act 1993	section 14(c)	Approve the use by the Environment Protection Authority of the services of council officers or employees	council
409610	Environment Protection Act 1993	section 18A(2)	Request the Minister to declare the council as an administering agency under the Environment Protection Act	council
409611	Environment Protection Act 1993	section 18A(3)	Participate in consultation with the Minister as to whether the council will cease to be an administering agency under the Environment Protection Act	council
409612	Environment Protection Act 1993	section 18A(3)	Request the Minister to declare that the council will cease to be an administering agency under the Environment Protection Act	council
409613	Environment Protection Act 1993	section 18B(1)	Administering and enforcing the Environment Protection Act in the council area	administering agency
409614	Environment Protection Act 1993	section 18C(1)	Delegate a function conferred on the administering agency under Division 1A, Part 3	administering agency
409615	Environment Protection Act 1993	section 18D	Report to the Environment Protection Authority on performance of functions under Division 1A, Part 3	administering agency
409616	Environment Protection Act 1993	section 59(1)	Enter into an environment performance agreement with the Minister	public authority
409617	Environment Protection Act 1993	section 59(4)	Approve provision for the remission of rates or taxed payable to the council in an environment performance agreement	council
409618	Environment Protection Act 1993	section 85(3)	Appoint authorised officers	council
409619	Environment Protection Act 1993	section 85(4)	Impose conditions on the appointment of an authorised officer	council
409620	Environment Protection Act 1993	section 85(5)	Revoke the appointment of an authorised officer	council
409621	Environment Protection Act 1993	section 85(5)	Vary or revoke the conditions applying to the appointment of an authorised officer	council
409622	Environment Protection Act 1993	section 87(8)(b)	Agree with another council that an authorised officer may exercise power in the other council's area	council
409623	Environment Protection Act 1993	section 87(9)	Make good any damage caused by an authorised officer exercising powers under section 87	council
409624	Environment Protection Act 1993	section 93(1)	Issue an environment protection order	administering agency
409625	Environment Protection Act 1993	section 93(2a)	Provide notice to the authority under the Natural Resource Management Act 2004	administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409626	Environment Protection Act 1993	section 93(5)	Confirm an emergency environment protection order by issuing and serving a written environment protection order	administering agency
409627	Environment Protection Act 1993	section 93(7)	Revoke or vary an environment protection order	administering agency
409628	Environment Protection Act 1993	section 94(1)	Apply to the Registrar General for registration of an environment protection order as a charge on land	administering agency
409629	Environment Protection Act 1993	section 94(4a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	administering agency
409630	Environment Protection Act 1993	section 94(6)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	administering agency
409631	Environment Protection Act 1993	section 95(1)	Take action required by an environment protection order which has not been undertaken by the recipient of that order	administering agency
409632	Environment Protection Act 1993	section 95(2)	Authorise a person to take action on behalf of the council under section 95(1)	administering agency
409633	Environment Protection Act 1993	section 95(3)(a)	Issue an instrument of authority to a person authorised under section 95(2) who is not an authorised officer	administering agency
409634	Environment Protection Act 1993	section 95(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 95 as a debt from the person who failed to comply with the environment protection order	administering agency
409635	Environment Protection Act 1993	section 95(4a)	Recover from the person to whom an environment protection order was issued an amount prescribed by regulation as being recoverable in respect to the registration of an order as a charge on land or the cancellation of such registration	administering agency
409636	Environment Protection Act 1993	section 95(5)(a)	Fix a period by notice within which an amount recoverable by the council under section 95 must be paid	administering agency
409637	Environment Protection Act 1993	section 96(1)	Issue an information discovery order	administering agency
409638	Environment Protection Act 1993	section 96(4)	Vary or revoke an information discovery order	administering agency
409639	Environment Protection Act 1993	section 97(1)	Take action to obtain information required by an information discovery order or a condition of an environment authorisation if person to whom order was issued or condition applies fails to do so	administering agency
409640	Environment Protection Act 1993	section 97(2)	Authorise a person to take action on behalf of the council under section 97(1)	administering agency
409641	Environment Protection Act 1993	section 97(3)(a)	Issue an instrument of authority to a person authorised under section 97(2) who is not an authorised officer	administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409642	Environment Protection Act 1993	section 97(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 97 as a debt from the person who failed to provide the information	administering agency
409643	Environment Protection Act 1993	section 99(1)	Issue a clean-up order	administering agency
409644	Environment Protection Act 1993	section 99(2a)	Give notice to the relevant authority under the Natural Resources Management Act 2004 of proposed issuing or variation of a clean-up order	administering agency
409645	Environment Protection Act 1993	section 99(5)	Confirm an emergency clean-up order by issuing a written clean-up order	administering agency
409646	Environment Protection Act 1993	section 99(7)	Vary or revoke a clean-up order	administering agency
409647	Environment Protection Act 1993	section 101(1)	Apply to the Registrar General for registration of a clean-up order as a charge on land	administering agency
409648	Environment Protection Act 1993	section 101(5a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	administering agency
409649	Environment Protection Act 1993	section 101(8)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	administering agency
409650	Environment Protection Act 1993	section 102(1)	Take action required by a clean-up order if the person to whom the order was issued fails to do so	administering agency
409651	Environment Protection Act 1993	section 102(2)	Authorise a person to take action on behalf of the council under section 102(1)	administering agency
409652	Environment Protection Act 1993	section 102(3)(a)	Issue an instrument of authority to a person authorised under section 102(2)	administering agency
409653	Environment Protection Act 1993	section 103(1)	Recover reasonable costs and expenses incurred in council taking action on non-compliance with a clean-up order	administering agency
409654	Environment Protection Act 1993	section 103(2a)	Recover an amount prescribed by regulation in respect of a registration of a clean-up order on land or the cancellation of that registration	administering agency
409655	Environment Protection Act 1993	section 103(3)(a)	Fix a period by notice within which an amount recoverable by the council under section 103 must be paid	administering agency
409656	Environment Protection Act 1993	section 104(1)(d)	Application for an order from the Environment, Resources and Development Court against a person who committed a contravention of the Environment Protection Act or a repealed environment law for payment of the reasonable costs and expenses of the council in taking action to prevent or mitigate environmental harm	public authority
409657	Environment Protection Act 1993	section 104(7)(a)	Apply for an order under section 104	administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409658	Environment Protection Act 1993	section 104(7)(b)	Apply for an order under section 104	council
409659	Environment Protection Act 1993	section 109(3a)	Provide details of actions taken by the council which must be included in the register to the Authority	administering agency
409660	Environment Protection Act 1993	section 116(a)	Waive the payment of the whole or part of a fee or levy or refund the whole or part of a fee or levy	administering agency
409661	Environment Protection Act 1993	section 116(b)	Allow the payment a fee or levy by instalments	administering agency
409662	Environment Protection Act 1993	section 120	Require the verification of information by statutory declaration	administering agency
409663	Environment Protection Act 1993	section 120A	Apply to the court for an order that a convicted person pay to the council the reasonable costs and expenses incurred in carrying out an investigation or taking action as a result of a false or misleading report	administering agency
409664	Environment Protection Act 1993	section 130	Advise a person who submits a report to the council of the action which the council has taken or proposes to take in respect of the allegation	administering agency
409665	Environment Protection Act 1993	section 135(1)	Issue a notice requiring a person who has contravened the Environment Protection Act to pay a fee fixed by, or calculated in accordance with, the regulations or the reasonable costs and expenses incurred by the council in taking action to ensure that the person has complied with requirements imposed as a consequence of the contravention or in taking sample or conducting tests, examination or analyses	administering agency
409666	Environment Protection Act 1993	section 135(2)	Fix the period for payment of an amount under section 135	administering agency
409667	Environment Protection Act 1993	section 135(3)(a)	Extend the period for payment of an amount under section 135	administering agency
409668	Environment Protection Act 1993	section 135(3)(b)	Waive or reduce the amount for payment of an amount under section 135	administering agency
409669	Environment Protection Act 1993	section 135(8)	Recover an unpaid amount under section 135 as a debt	administering agency
409670	Environment Protection Act 1993	section 138(1)	Exercise the powers of a mortgagee under the Real Property Act 1886 in regard to a default on the payment of money secured by the mortgage in the event that there is a default in the payment of an amount subject to a charge on land in favour of the council	administering agency
409671	Environment Protection Act 1993	section 139(1)(a)	Execute a certificate certifying as to a matter relating to an environmental authorisation of other authorisation under the Environment Protection Act	administering agency
409672	Environment Protection Act 1993	section 139(1)(b)	Execute a certificate certifying as to a matter relating to the appointment of non-appointment of a person as an authorised officer or analyst or otherwise under the Environment Protection Act	administering agency





Environment Protection Act 1993

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409673	Environment Protection Act 1993	section 139(1)(c)	Execute a certificate certifying as to a matter relating to a delegation or authority under the Environment Protection Act	administering agency
409674	Environment Protection Act 1993	section 139(1)(d)	Execute a certificate certifying as to a matter relating to a notice, order, requirement or direction under the Environment Protection Act	administering agency
409675	Environment Protection Act 1993	section 139(1)(e)	Execute a certificate certifying as to a matter relating to any other decision of the council	administering agency
409676	Environment Protection Act 1993	section 139(1)(f)	Execute a certificate certifying as to a matter relating to the receipt or non-receipt of a notification or information required to be given to the Environment Protection Authority or Minister under the Environment Protection Act	administering agency
409677	Environment Protection Act 1993	section 139(2)	Execute a certificate detailing the costs and expenses incurred by the council and the purpose for which the costs and expenses were incurred	public authority
409678	Environment Protection Act 1993	section 140(3a)(b)	Certify a code, standard or other document for the purposes of legal proceedings	administering agency





Environment Protection Regulations 2009

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409679	Environment Protection Regulations 2009	regulation 75(2)	Elect by written notice to the Environment Protection Authority not to comply with regulation 71 in respect of solid waste and to take the solid mass of waste to be as calculated in accordance with the formula in regulations 75(2)(b)	council





Environment Protection (Air Quality) Policy 2016

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409599	Aboriginal Cultural Heritage Act 2003	clause 16(1)	Fix a testing point in remises to evaluate emissions from the premises	administering agency
409597	Environment Protection (Air Quality) Policy 2016	clause 6(1)	Issue a burning permit	administering agency (as the relevant council delegate)
409598	Environment Protection (Air Quality) Policy 2016	clause 6(2)	Determine the manner and form for applying for a burning permit	administering agency (as the relevant council delegate)





Environment Protection (Noise) Policy 2008

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409600	Environment Protection (Noise) Policy 2008	clause 4(2)	Participate in consultation with the Environment Protection Authority regarding what land uses are principally promoted by relevant development Plan provisions	council
409601	Environment Protection (Noise) Policy 2008	clause 4(4)	Participate in consultation with the Environment Protection Authority regarding in what land use category a land use principally promoted by relevant Development Plan provisions falls	council





Environment Protection (Used Packaging Materials) Policy 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409602	Environment Protection (Used Packaging Materials) Policy 2012	clause 9	Provide prescribed information to the Environment Protection Authority	council





Environment Protection (Waste to Resources) Policy 2010

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409603	Environment Protection (Waste to Resources) Policy 2010	clause 10(1)(b)	Provide a receptacle or waste collection service for the kerbside collection of waste	council
409604	Environment Protection (Waste to Resources) Policy 2010	clause 10(2)	Provide a weekly general kerbside waste collection service (other than for recyclable waste or vegetative matter) to residential premises in the council area	council
409605	Environment Protection (Waste to Resources) Policy 2010	clause 15(2)(a)	Provide a receptacle or waste collection service for the kerbside collection of listed waste	council
409606	Environment Protection (Waste to Resources) Policy 2010	clause 16(1)(a)	Collect medical waste produced in the course of prescribed activity	council
409607	Environment Protection (Waste to Resources) Policy 2010	clause 17(2)	Comply with prescribed requirements in respect of medical waste received by the council	council
409608	Environment Protection (Waste to Resources) Policy 2010	clause 18(1)(a)	Provide a receptacle or service for the collection of sharps by a kerbside waste collection service	council





Expiation of Offences Act 1996

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409680	Expiation of Offences Act 1996	section 5(1)	Give an expiation notice to an alleged offender	issuing authority
409681	Expiation of Offences Act 1996	section 5(3)(a)	Provide that an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	issuing authority
409682	Expiation of Offences Act 1996	section 5(3)(b)	Fix an expiation fee for an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	issuing authority
409683	Expiation of Offences Act 1996	section 8(1)	Receive notice from alleged offender electing to be prosecuted for an offence	issuing authority
409684	Expiation of Offences Act 1996	section 8A(1)	Receive application from person in receipt of an expiation notice seeking review on grounds that offence is trifling	issuing authority
409685	Expiation of Offences Act 1996	section 8A(2)	Require applicant to provide further information	issuing authority
409686	Expiation of Offences Act 1996	section 8A(3)	Require application to be verified by a statutory declaration	issuing authority
409687	Expiation of Offences Act 1996	section 8A(4)	Determine application	issuing authority
409688	Expiation of Offences Act 1996	section 8A(5)	Withdraw expiation notice if satisfied that the offence is trifling	issuing authority
409689	Expiation of Offences Act 1996	section 11(1)	Issue an expiation reminder notice to alleged offender	issuing authority
409690	Expiation of Offences Act 1996	section 11A(1)	Assess acceptability of statutory declaration or other document provided by alleged offender	issuing authority
409691	Expiation of Offences Act 1996	section 12	Accept a later payment of amount due under an expiation notice	issuing authority
409692	Expiation of Offences Act 1996	section 16(1)	Withdraw an expiation notice in prescribed circumstances	issuing authority
409693	Expiation of Offences Act 1996	section 16(2)	Refund expiation fee or instalment paid if expiation notice is withdrawn	issuing authority
409694	Expiation of Offences Act 1996	section 16(5)	Prosecute offence following withdrawal of expiation notice	issuing authority
409695	Expiation of Offences Act 1996	section 16(6)	Withdraw expiation notice if alleged offender has not received notice during expiation period due to error of issuing authority, postal service or email	issuing authority
409696	Expiation of Offences Act 1996	section 16(11)	Inform Chief Recovery Officer of the withdrawal of an expiation notice	issuing authority





Expiation of Offences Act 1996

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409697	Expiation of Offences Act 1996	section 17(3)	Pay half of expiation fee for offence reported by the police or another officer of the Crown into the Consolidated Account	issuing authority
409698	Expiation of Offences Act 1996	section 18(1)	Enter an agreement with the Chief Recovery Officer in relation to the exchange of information	issuing authority





Fences Act 1975

ID	Delegation Source	Provision	Item Delegated
278402	Fences Act 1975	s5(1)	1. Notice of Intention to Perform Fencing Work 1.1 The power pursuant to Section 5(1) of the Fences Act 1975 ("the Act") to serve notice, in accordance with Section 5(2) of the Act, on an adjoining land owner of a proposal to erect a fence to divide the Council's land (being land of less than one hectare) from the land of the adjoining land owner.
278403	Fences Act 1975	s 5(3)	1. Notice of Intention to Perform Fencing Work 1.2 The power pursuant to Section 5(3) of the Act to serve notice in accordance with Section 5(4) of the Act on an adjoining land owner of a proposal to perform any replacement, repair or maintenance work in relation to a fence dividing the Council's land (being land of less than one hectare) and the adjoining owner's land.
278404	Fences Act 1975	s6(1)	2. Cross-notice 2.1 The power pursuant to Section 6(1) of the Act to serve in the prescribed form and to determine the criteria under Section 6(2) of the Act, a cross-notice on an adjoining land owner, objecting to and/or putting forward counter-proposals in relation to fencing work to divide the Council's land (being land of less than one hectare) from the land of the adjoining land owner.
278405	Fences Act 1975	s6(3)	2. Cross-notice 2.2 The power pursuant to Section 6(3) of the Act to object and serve notice on the adjoining owner to any counter-proposal contained in any cross-notice under Section 6(2) of the Act.
278406	Fences Act 1975	s 7	3. Agreement upon Basis of Proposals and Counter proposals 3.1 The power pursuant to Section 7 of the Act to authorise payment of part or all of the cost of constructing or maintaining a fence adjacent to Council land, (being land which is less than one hectare in area).
278407	Fences Act 1975	s8	4. Performance of Fencing Work 4.1 The power pursuant to Section 8 of the Act to authorise the commencement and completion of fencing work to divide the Council's land (being land of less than one hectare) from the land of the adjoining land-owner.





Fines Enforcement and Debt Recovery Act 2017

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409699	Fines Enforcement and Debt Recovery Act 2017	section 9(2)	Pay prescribed fee to Chief Recovery officer for a determination under section 9	issuing authority
409700	Fines Enforcement and Debt Recovery Act 2017	section 20(4)	Receive notice of an arrangement between the Chief Recovery Officer and an alleged offender	issuing authority
409701	Fines Enforcement and Debt Recovery Act 2017	section 20(18)	Receive notice from the Chief Recovery Officer of the termination or an arrangement with an alleged offender	issuing authority
409702	Fines Enforcement and Debt Recovery Act 2017	section 20(20)(c)	Receive notice from the Chief Recovery Officer of the reinstatement of an arrangement with an alleged offender	issuing authority
409703	Fines Enforcement and Debt Recovery Act 2017	section 22(1)	Provide to the Chief Recovery Officer prescribed particulars to enable enforcement of an expiation notice against an alleged offender	issuing authority
409704	Fines Enforcement and Debt Recovery Act 2017	section 22(2)	Pay prescribed fee to Chief Recovery Officer for enforcement of an expiation notice	issuing authority
409705	Fines Enforcement and Debt Recovery Act 2017	section 22(16)	Receive notice from the Chief Recovery Officer of an enforcement determination	issuing authority
409706	Fines Enforcement and Debt Recovery Act 2017	section 23(3)	Participate in proceedings reviewing an enforcement determination of the Chief Recovery Officer	issuing authority





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
485333	Fire and Emergency Services Act 2005	section 81(13a)	Appoint a person to be an authorised officer to issue permits under section 81 of the Fire and Emergency Services Act 2005	rural council councils with a designated urban bushfire risk area
409707	Fire and Emergency Services 2005	section 4A(3)	Participate in consultation with the South Australian Fires and Emergency Services Commission (SAFES Commission) regarding designation of an area of urban bushfire risk within council area	council
409708	Fire and Emergency Services 2005	section 71C	Enter an arrangement with the State Bushfire Coordination Committee for the use of council staff, equipment or facilities	council
409709	Fire and Emergency Services 2005	section 72D	Enter an arrangement with a bushfire management committee for the use of council staff, equipment or facilities	council
409710	Fire and Emergency Services 2005	section 73A(7)(b)(iv)	Participate in consultation with a bushfire management committee regarding creation or amendment of a bushfire management area plan which includes the council area	council
485334	Fire and Emergency Services 2005	section 81(13b)	Apply to the Chief Officer of the South Australian Country Fire Service (SACFS Chief Officer) for an exemption from the requirement to appoint a person to be an authorised officer to issue permits under section 81 of the Fire and Emergency Services Act 2005	rural council councils with a designated urban bushfire risk area
409712	Fire and Emergency Services 2005	section 87(1)	Require a person to remove flammable debris on or in the vicinity of, a road as a result of work carried on by that person	rural council councils with a designated urban bushfire risk area
409713	Fire and Emergency Services 2005	section 87(2)(a)	Burn or remove flammable debris left on road in contravention of a requirement under section 87(1)	rural council councils with a designated urban bushfire risk area
409714	Fire and Emergency Services 2005	section 87(2)(b)	Recover costs of burning or removing flammable debris left on road in contravention of a requirement under section 87(1)	rural council councils with a designated urban bushfire risk area
409715	Fire and Emergency Services 2005	section 94(3)	Participate in consultation with the (SACFS Chief Officer) SACFS Chief Officer with respect to a proposed withdrawal of council functions and powers	rural council councils with a designated urban bushfire risk area
409716	Fire and Emergency Services 2005	section 94(4)(a)	Make a written submission to the Minister in relation to a recommendation of the SASES Chief Officer to withdraw council function and powers	rural council councils with a designated urban bushfire risk area





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409717	Fire and Emergency Services 2005	section 94(4)(b)	Request and undertake a delegation to the Minister to discuss a recommendation of the SASES Chief Officer to withdraw council function and powers	rural council councils with a designated urban bushfire risk area
409718	Fire and Emergency Services 2005	section 94(6)	Receive written reasons for a decision of the Minister to withdraw the powers and functions of the council	rural council councils with a designated urban bushfire risk area
409719	Fire and Emergency Services 2005	section 103(1)	Request the SASES Chief Officer to appoint a person as a fire control officer	council
409720	Fire and Emergency Services 2005	section 103(2)	Participate in consultation with the SASES Chief Officer regarding proposed appointment of a fire control officer for a designated area of the State which includes the council area	council
409721	Fire and Emergency Services 2005	section 105	Pay any fine recovered for a summary offence under Part 4A committed in the council area where the complaint has been laid by the council into the general revenue of the council	council
409722	Fire and Emergency Services 2005	section 105A	Appoint an authorised person for the purposed of Part 4A of the Fire and Emergency Services Act	council
409723	Fire and Emergency Services 2005	section 105B(1)	Appoint a fire prevention officer by a rural council with a designated urban bushfire risk area	council
409724	Fire and Emergency Services 2005	section 105B(4)	Apply to SASES Chief Officer for an exemption from requirement to appoint a fire prevention officer	council
409725	Fire and Emergency Services 2005	section 105D(1)(c)	Approve the delegation by a fire prevention officer of a power or function under the Act to another person or body	council
409726	Fire and Emergency Services 2005	section 105D(4)	Receive report from a fire prevention officer regarding delegation of a power or function under the Act to another person or body	council
409727	Fire and Emergency Services 2005	section 105E	Provide report regarding the exercise or discharge of the functions, power or responsibilities of a fire prevention officer for the council area to the SAFES Commission, the State Bushfire Coordination Committee or a bushfire management committee for the council area	council





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409728	Fire and Emergency Services 2005	section 105F(5)	Issue notice to owner of land who has failed to take reasonable steps to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land to remedy the default or protect the land or property	authorised person
409729	Fire and Emergency Services 2005	section 105F(9)(c)	Publish notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property on website or a newspaper and leaving a copy of notice on land	authorised person
409730	Fire and Emergency Services 2005	section 105F(10)	Vary or revoke a notice to owner of land who has failed to comply with section 105F(1) to remedy the default or protect the land or property	authorised person
409731	Fire and Emergency Services 2005	section 105G(1)	Take reasonable steps in regard to land under the care, control or management of the council which is situated in the country or in a designated urban bushfire risk area to prevent or inhibit the outbreak or spread of fire, protect property on the land from fire and minimise the threat to human life from fire on the land	council
409732	Fire and Emergency Services 2005	section 105G(5)	Participate in consultation with the Minister regarding a referral from the SASES Chief Officer alleging a failure of the council to comply with section 105G(1)	council
409733	Fire and Emergency Services 2005	section 105G(6)	Receive notice of requirements from the Minister	council
409734	Fire and Emergency Services 2005	section 105G(7)	Comply with requirements of a notice issued to the council by the Minister under section 105G(6)	council
409735	Fire and Emergency Services 2005	section 105J(1)(a)	Give notice of intended entry of land to the owner of land	authorised person
409736	Fire and Emergency Services 2005	section 105J(1)(b)	Use reasonable force to break into or open any part of, or anything on, the land with the authority of a warrant issued by a magistrate or if immediate action is required	authorised person
409737	Fire and Emergency Services 2005	section 105J(3)	Apply to a magistrate for a warrant to use reasonable force to break into or open any part of, or anything on, the land	authorised person
409738	Fire and Emergency Services 2005	section 105J(4)(a)	Give directions with respect to stopping, securing or movement of a vehicle, plant, equipment or other thing	authorised person





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409739	Fire and Emergency Services 2005	section 105J(4)(b)	Take photographs, films, audio, video or other recordings	authorised person
409740	Fire and Emergency Services 2005	section 105J(4)(a)	Give directions reasonably required in connection with the exercise of a power under Part 4A	authorised person
409741	Fire and Emergency Services 2005	section 105J(5)	Select assistants to accompany authorised person in exercise of power under Part 4A	authorised person
409742	Fire and Emergency Services 2005	section 105J(6)	Carry out requirements of a notice under section 105F(5) if the owner of land fails to comply	authorised person
409743	Fire and Emergency Services 2005	section 105J(7)	Carry out requirements of a notice under section 105F(5) on behalf of an authorised person if the owner of land fails to comply	council
409744	Fire and Emergency Services 2005	section 105J(8)	Recover the reasonable costs and expenses incurred in taking action under section 105J(6)	authorised person
409745	Fire and Emergency Services 2005	section 129	Erect a siren for the purpose of giving warning of the outbreak or threat of fire or an emergency	council





Fire and Emergency Services Regulations 2021

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
485037	Fire and Emergency Services Regulations 2021	regulation 30(4)	Participate in consultation with the South Australian Country Fire Service Chief Officer in regard to a notice prohibiting or restricting the lighting or maintaining of a fire	council
485038	Fire and Emergency Services Regulations 2021	regulation 32(3)	Declare by notice in the Gazette that part of the council area is an area in which a person may operate a gas or electric element for cooking purposes in the open air contrary to the terms of a total fire ban	council
485039	Fire and Emergency Services Regulations 2021	regulation 32(4)(d)	Determine conditions to apply to a notice published under regulation 32(3)	council
485040	Fire and Emergency Services Regulations 2021	regulation 32(5)	Provide a copy of a notice published under regulation 32 to the South Australian Country Fire Service Chief Officer	council
485041	Fire and Emergency Services Regulations 2021	regulation 48(2)	Issue a certificate of identity to a fire prevention officer or assistant fire prevention officer	council
485042	Fire and Emergency Services Regulations 2021	regulation 48(4)	Accept the surrender of a certificate of identity on person ceasing to be a fire prevention officer or assistant fire prevention officer	council
485043	Fire and Emergency Services Regulations 2021	regulation 49(1)(a)	Light a fire on a road or on the verge of a road	responsible authority
485044	Fire and Emergency Services Regulations 2021	regulation 49(1)(b)	Direct or regulate the movement of persons, vehicles or animals along a road where a fire lit by the council under regulation 49(1)(a) is burning	responsible authority
485045	Fire and Emergency Services Regulations 2021	regulation 64(b)	Make representations in relation to a fire or other emergency to the South Australian Fire and Emergency Services Commission or an emergency services organisation	council





Food Act 2001

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409760	Food Act 2001	section 29	Elect to charge a person with a summary offence	council
409761	Food Act 2001	section 42(2)	Approve the removal or interference with a thing to which a seizure order relates	enforcement agency
409762	Food Act 2001	section 42(3)(a)(i)	Authorise the release of a thing seized under a seizure order	enforcement agency
409763	Food Act 2001	section 42(3)(a)(ii)	Order that food or any other perishable thing be forfeited to the enforcement agency	enforcement agency
409764	Food Act 2001	section 42(3)(a)(iii)	Receive food or any other perishable thing being forfeited to the enforcement agency by order of the enforcement agency	enforcement agency
409765	Food Act 2001	section 42(3)(b)(i)	Receive food or any other perishable thing being forfeited to the enforcement agency by court order	enforcement agency
409766	Food Act 2001	section 42(3)(d)	Deal with food or any other perishable thing in accordance with a determination of the Minister	enforcement agency
409767	Food Act 2001	section 42(3)(e)	Dispose of a thing forfeited to the enforcement agency under pursuant to section 42	enforcement agency
409768	Food Act 2001	section 52(2)	Pay compensation if there were no grounds for the council's Chief Executive Officer to make a prohibition order under section 46	enforcement agency
409769	Food Act 2001	section 52(3)	Send written notification of determination as to the payment of compensation to each applicant for compensation	enforcement agency
409770	Food Act 2001	section 79(1)(a)	Determine the priority classification of individual food businesses in its council area for the application of any requirements of the regulations relating to food safety programs	enforcement agency
409771	Food Act 2001	section 79(1)(b)	Determine the frequency of auditing of any food safety programs required by the regulations in relation to food businesses in the council area	enforcement agency
409772	Food Act 2001	section 79(3)	Provide written notification to the proprietor of a food business in the council area of the priority classification of its business, the food safety audit frequency and the date by which a food safety program required by the regulations must be implemented	enforcement agency
409773	Food Act 2001	section 79(4)	Change the priority classification of a food business in the council area	enforcement agency
409774	Food Act 2001	section 79(5)	Provide written notification to the proprietor of a change to the priority classification of the proprietor's food business	enforcement agency
409775	Food Act 2001	section 81(1)	Receive a report from a food safety auditor of the results of any audit or assessment carried out by the food auditor for the purposes of the Act	enforcement agency
409776	Food Act 2001	section 81(6)	Receive a report from a food safety auditor recommending that the priority classification of a food business be changed	enforcement agency
409777	Food Act 2001	section 81(7)	Provide a copy of any report received from a food safety auditor of the results of any audit or assessment carried out by the food auditor to the proprietor of the food business audited or assessed	enforcement agency





Food Act 2001

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409778	Food Act 2001	section 86(1)	Receive written notice of information specified in the Food Safety Standards from a food business proposed to be conducted in the council area	enforcement agency
409779	Food Act 2001	section 86(2)	Receive written notice of information specified in the Food Safety Standards from a food business conducted in the council area	enforcement agency
409780	Food Act 2001	section 86(3)	Receive written notice of transferred ownership or a change in name or address of a food business conducted in the council area	enforcement agency
409781	Food Act 2001	section 88(5)	Consent in writing to the delegation of a power of the relevant authority to the enforcement agency	enforcement agency
409782	Food Act 2001	section 89	Undertake the functions in relation to the administration of the Act conferred or imposed upon the enforcement agency by the Act or by delegation	enforcement agency
409783	Food Act 2001	section 90	Participate in consultation with the relevant authority in regard to proposed conditions or limitation on the exercise of functions of the enforcement agency under the Act	enforcement agency
409784	Food Act 2001	section 94(1)	Appoint persons with appropriate qualification or experience to be authorised officers	enforcement agency
409785	Food Act 2001	section 94(2)	Prepare and maintain a list of authorised officers	enforcement agency
409786	Food Act 2001	section 95(1)	Provide each authorised officer with a certificate of authority	enforcement agency
409787	Food Act 2001	section 95(2)	Limit the authority of an authorised officer	enforcement agency
409788	Food Act 2001	section 104(1)	Send samples retained under the Act to an independent analyst in accordance with court order	enforcement agency





Food Regulations 2017

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409789	Food Regulations 2017	regulation 13(a)	Impose a fee for the carrying out of an inspection of food premises or food transport vehicles	enforcement agency
409790	Food Regulations 2017	regulation 13(b)	Recover a fee imposed under regulation 13(a) from the occupier of the premises or owner or operator of the vehicle	enforcement agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409792	Freedom of Information Act 1991	section 9(1a)	Publish an up-to-date information statement containing the information listed in section 9(2) in the manner prescribed by the regulations	agency
409793	Freedom of Information Act 1991	section 10(1)	Cause copies of the most recent information statement and each policy document to be available for inspection and purchase by members of the public	agency
409794	Freedom of Information Act 1991	section 15	Take reasonably practicable steps to assist the applicant to provide information to enable the document to which the application related be identified	agency
409795	Freedom of Information Act 1991	section 16(1)	Transfer an application for access to a document to another agency	agency
409796	Freedom of Information Act 1991	section 16(3)	Notify the applicant of the transfer of the application for access to a document to another agency	agency
409797	Freedom of Information Act 1991	section 17(1)	Request the applicant to pay a reasonable amount by way of advance deposit if the cost of dealing with an application is likely to exceed the application fee	agency
409798	Freedom of Information Act 1991	section 17(2)	Request the applicant to pay a reasonable amount by way of further advance deposit if the cost of dealing with an application is likely to exceed the application fee and advance deposit already paid	agency
409799	Freedom of Information Act 1991	section 18(1)	Refuse to deal with an application if the work involved in dealing with the application would substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	agency
409800	Freedom of Information Act 1991	section 18(2)	Assist an applicant to amend the application so that the work involved in dealing with the application would not substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	agency
409801	Freedom of Information Act 1991	section 18(2a)	Refuse to deal with an application if the application is part of a pattern of conduct that amounts to an abuse of the right of access or is made for a purpose other than to obtain access to information	agency
409802	Freedom of Information Act 1991	section 18(3)	Refuse to deal with an application if the council has requested payment of an advance deposit and payment of the deposit has not been made within the period specified in the request	agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409803	Freedom of Information Act 1991	section 18(4)	Refund any amount of advance deposit which exceeds the council's costs of dealing with the application, if the council refuses to deal with the application	agency
409804	Freedom of Information Act 1991	section 18(5)	Provide notice to the applicant that the council is refusing to deal with the application	agency
409805	Freedom of Information Act 1991	section 19(1)	Determine: (a) whether access to a document is to be given, deferred or refused; (b) any charge payable in respect of giving access; and (c) any charge payable for dealing with the application	agency
409806	Freedom of Information Act 1991	section 20(1)	Refuse access to a document	agency
409807	Freedom of Information Act 1991	section 21(1)	Defer access to a document	agency
409808	Freedom of Information Act 1991	section 22(1)	Determine the form of access to a document	agency
409809	Freedom of Information Act 1991	section 22(2)	Determine to provide access to a document in a form other than that requested by the applicant	agency
409810	Freedom of Information Act 1991	section 22(4)	Agreeing with an applicant the form of access to a document	agency
409811	Freedom of Information Act 1991	section 22(5)	Refuse to give access to a document if a charge payable in respect of the application, or giving access to the document, has not been paid	agency
409812	Freedom of Information Act 1991	section 23(1)	Notify an applicant to the agency's determination or, if relevant, that the agency does not hold the document	agency
409813	Freedom of Information Act 1991	section 25(2)	Obtain the views of the government of the Commonwealth or of another State or a council (including a council constituted under the law of another State) as to whether a document is an exempt document	agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409814	Freedom of Information Act 1991	section 25(2)	Provide view as to whether a document is an exempt document	council
409815	Freedom of Information Act 1991	section 25(3)	Notify the relevant government or council (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	agency
409816	Freedom of Information Act 1991	section 25(3)(d)	Apply for a review of a decision to provide access to a document under section 25(3)	council
409817	Freedom of Information Act 1991	section 26(2)	Notify a person that access to a document containing information concerning his or her personal affairs is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	agency
409818	Freedom of Information Act 1991	section 26(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	agency
409819	Freedom of Information Act 1991	section 26(4)(c)	Form the opinion that disclosure of information may have an adverse effect on the physical or mental health, or emotional state, of the applicant	agency
409820	Freedom of Information Act 1991	section 27(2)	Notify a person that access to a document concerning trade secrets, of a commercial value or concerning the business, professional, commercial or financial affairs of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	agency
409821	Freedom of Information Act 1991	section 27(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	agency
409822	Freedom of Information Act 1991	section 28(2)	Notify a person that access to a document containing information concerning research that is being, or is intended to be, carried out by or on behalf of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409823	Freedom of Information Act 1991	section 28(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	agency
409824	Freedom of Information Act 1991	section 29(3)	Confirm, vary or reverse a determination under Part 3 following an application for an internal review	agency
409825	Freedom of Information Act 1991	section 29(4)	Refund any application fee paid in respect of the internal review if the agency varies or reverses a determination so that access to a document is given	agency
409826	Freedom of Information Act 1991	section 33	Take reasonably practicable steps to assist an applicant to provide information to enable the identification of an agency's document to which access has been given	agency
409827	Freedom of Information Act 1991	section 34(a)	Amend records in accordance with an application under section 30	agency
409828	Freedom of Information Act 1991	section 34(a)	Refuse to amend records in accordance with an application under section 30	agency
409829	Freedom of Information Act 1991	section 35	Refuse an application to amend records	agency
409830	Freedom of Information Act 1991	section 36(1)	Notify applicant of determination regarding an application to amend records or that the agency does not hold the record	agency
409831	Freedom of Information Act 1991	section 37(2)	Add to the agency's record a notation specifying that the applicant claims that the record is incomplete, incorrect, out-of-date or misleading and including any information which the applicant claims is required to bring the record up-to-date	agency
409832	Freedom of Information Act 1991	section 37(2)	Notify the applicant of the nature of the notation	agency
409833	Freedom of Information Act 1991	section 37(3)(a)	Provide a statement to a person to whom the agency discloses information stating that the person to whom the information relates claims that the information is incomplete, incorrect, out-of-date or misleading and setting out the particulars of the notation added to its records in compliance with section 37(2)	agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409834	Freedom of Information Act 1991	section 37(3)(b)	Provide a statement as to the reasons for the agency's refusal to amend the records in accordance with the notation	agency
409835	Freedom of Information Act 1991	section 38(3)	Confirm, vary or reverse a determination under Division 1, Part 4 following an internal review	agency
409836	Freedom of Information Act 1991	section 39(5)(c)(i)	Participate in a settlement between the participants to a review	agency
409837	Freedom of Information Act 1991	section 39(5)(c)(ii)	Request a suspension of the proceedings under section 39 to allow an opportunity for a settlement to be negotiated	agency
409838	Freedom of Information Act 1991	section 39(7)	Cooperate in a process proposed by a relevant review authority for the purposes of the conduct of an external review	agency
409839	Freedom of Information Act 1991	section 39(9)(a)	Advise a relevant review authority for the purposes of the conduct of an external review that a determination of the agency was made on grounds of the public interest	agency
409840	Freedom of Information Act 1991	section 40(1)	Apply to South Australian Civil and Administrative Tribunal for a review of a determination by the relevant review authority on an external review on a question of law	agency
409841	Freedom of Information Act 1991	section 40(7)	Advise South Australian Civil and Administrative Tribunal that a determination of the agency was made on grounds of the public interest	agency
409842	Freedom of Information Act 1991	section 41(1)	Apply to South Australian Civil and Administrative Tribunal to receive evidence and hear argument in the absence of the public, the other party to the review and the party's representative in respect of a restricted document	agency
409843	Freedom of Information Act 1991	section 53(2a)	Waive, reduce or remit a fee or charge	agency
409844	Freedom of Information Act 1991	section 53(3)	Review a fee or charge on application of the person required to pay the fee or charge and if appropriate reduce the fee or charge	agency
409845	Freedom of Information Act 1991	section 53(5)	Recover a fee or charge as a debt	agency





Freedom of Information Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409846	Freedom of Information Act 1991	section 54AA(a)	Furnish information to the Minister as required by notice in the Gazette	agency
409847	Freedom of Information Act 1991	section 54AA(b)	Comply with requirement of the Minister regarding furnishing and keeping records	agency
409848	Freedom of Information Act 1991	clause 3(b), Schedule 1	Provide notice that information would be protected from disclosure under a corresponding law of the Commonwealth or another State	council
409849	Freedom of Information Act 1991	clause 13(2)(b)(iii), Schedule 1	Approve a term of a contract which contains matter the disclosure of which would constitute a breach of contract or found an action for breach of confidence	agency
409850	Freedom of Information Act 1991	clause 13(6), Schedule 1	Notify the Minister of the approval of a term of a contract in accordance with clause 13(2)(b)(iii)	agency





Freedom of Information (Fees and Charges) Regulations 2018

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409791	Freedom of Information (Fees and Charges) Regulations 2018	regulation 5	Waive or remit fee or charge	agency





Gas Act 1997

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409851	Gas Act 1997	section 47(3)(b)	Agree to a gas entity carrying out work on public land owned by the council	council
409852	Gas Act 1997	section 47(7)	Refer a dispute between the council and a gas entity regarding whether work should be permitted on public land of the conditions on which work should be permitted to the Minister	council
409853	Gas Act 1997	section 47(9)(a)	Make representations to the Minister on questions at issue in the dispute	council
409854	Gas Act 1997	section 47(9)(b)	Settle a dispute with a gas entity by agreement	council





Graffiti Control Act 2001

ID	Delegation Source	Provision	Item Delegated
291247	Graffiti Control Act 2001	s12(1)	<p>1. Council may remove or obliterate graffiti</p> <p>1.1 The power pursuant to Section 12(1) of the Graffiti Act 2001 ("the Act") to enter private property, in accordance with Section 12(1) of the Act, and take any action necessary to remove or obliterate graffiti on the property that is visible from a public place if:</p> <p>(a) a notice under this section was served on the owner or occupier of the property at least ten days prior to the action being taken; and</p> <p>(b) the owner or occupier on whom the notice was served has not objected, in accordance with the notice, to the action being taken.</p>
291248	Graffiti Control Act 2001	s12(2)	<p>1. Council may remove or obliterate graffiti</p> <p>1.2 The power pursuant to Section 12(2) of the Act to remove or obliterate in accordance with Section 12(2) of the Act, a Council must:</p> <p>(a) take reasonable steps to consult with the owner or occupier of the property in relation to the manner in which the action is to be taken; and</p> <p>(b) ensure, as far as is practicable, that the work is carried out -</p> <p>(i) expeditiously and in such a way as to avoid unnecessary inconvenience or disruption to the owner or occupier of the property; and</p> <p>(ii) with reasonable care and to a reasonable standard.</p>





Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409865	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 118(1)(b)	Consent to a mass or dimension exemption (notice) for a category of heavy vehicle	road manager
409866	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 124(1)(b)	Consent to a mass or dimension exemption (permit) for a heavy vehicle	road manager
409867	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 139(1)(b)	Consent to the grant of a class 2 heavy vehicle authorisation (notice)	road manager
409868	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 145(1)(b)	Consent to the grant of a class 2 heavy vehicle authorisation (permit)	road manager
409869	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 156(2)	Request an extension to the time periods in section 156(1)	road manager
409870	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 156A(4)	Provide a written statement to the Regulator explaining the road manager's decision not to consent to the grant of a mass or dimension authority	road manager
409871	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 159(2)	Notify the regulator that a route assessment is required for the road manager determining whether to give consent and the fee payable under law (if any) for the route assessment	road manager
409872	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 159(4)(a)	Cease considering whether or not to provide consent pending the payment of a fee	road manager
409873	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 160(1)	Require a condition on the mass or dimension authority that: (a) except in the case of a class 2 heavy vehicle authorisation (notice)—the condition that a stated road condition is imposed on the authority; or	road manager





Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
	National Law (South Australia) Act 2013)		(b) in the case of a class 2 heavy vehicle authorisation (notice)—the condition that a stated road condition of a type prescribed by the national regulations is imposed on the authority	
409874	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 160(2)(a)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to the condition	road manager
409875	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 161(1)	Require a condition on the mass or dimension authority that a stated travel condition is imposed on the authority	road manager
409876	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 161(2)	Provide a written statement to the Regulator explaining the road manager's decision to give consent to the grant of a mass or dimension authority subject to the condition	road manager
409877	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 162(1)	Request the Regulator to impose a stated vehicle conditions on a mass or dimension authority	road manager
409878	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 167(2)(b)	Provide notice of objection to the Regulator in relation to a proposed replacement authority	road manager
409879	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 167(2)(b)	Seek an extension of time in which to lodge a notice of objection to a proposed replacement authority	road manager
409880	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 167(2)(b)	Provide notice to Regulator that the road manager gives or refuses consent to a proposed replacement authority	road manager
409881	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 169(1)	Consent to the grant of a mass or dimension authority for a trial period	road manager





Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409882	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 170(3)	Lodge an objection with the Regulator in respect of the renewal of a mass or dimension authority for a further trial period	road manager
409883	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 174(2)	Request the Regulator to amend the mass or dimension authority or cancel the authority	road manager
409884	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 176(4)(c)	Consent to an amendment of a mass or dimension authority requested by the holder of the permit	road manager
409885	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 178(2)	Request the Regulator to amend or cancel a mass or dimension authority	road manager
409886	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 611(2)	Apply for a compensation order	road manager
409887	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 612(2)(c)	Issue a certificate for the purposes of the assessment of a compensation order	road manager
409888	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 613(1)	Provide a copy of a certificate to be submitted under section 612(2)(c) in a proceeding for a compensation order to the defendant at least 28 days prior to the date fixed for the hearing or the proceeding	public authority
409889	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 643(2)	Undertake an internal review of a reviewable decision	road manager
409890	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 645(5)	Provide notice of internal review decision and reasons for decision to the Regulator	road manager





Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409891	Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	section 646(a)(ii)	Agree with the Regulator a longer period for undertaking an internal review	road manager





Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409855	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 13(1)(b)	Consent to the Regulator making an HML declaration	road manager
409856	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 14(3)	Require a condition on an HML declaration that stated intelligent access conditions are imposed on the use of a stated type of HML heavy vehicle under the higher mass limits in an area or on a route to which the declaration applies	road manager
409857	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 14(4)(a)	Provide to the regulator written reasons for the road manager's decision to give consent to the making of the declaration subject to the condition	road manager
409858	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 14(4)(a)	Provide to the regulator written reasons for the road manager's decision to give consent to the making of the declaration subject to the condition	road manager
409859	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 15(4)(b)	Consent to the amendment of a map or list	road manager
409860	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 18(2)	Request the Regulator to amend or cancel an HML declaration	road manager
409861	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 22(1)(b)	Consent to the Regulator granting an HML permit for an HML heavy vehicle	road manager
409862	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 29(4)(c)	Consent to an amendment to an HML permit sought by the holder of the permit	road manager
409863	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 31(2)	Request the Regulator to amend or cancel an HML permit	road manager
409864	Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	regulation 41(1)	Consent to the declaration by the regulator of areas, roads and routes and major roads under regulation 40	road manager





Independent Commissioner Against Corruption Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409892	Independent Commissioner Against Corruption Act 2012	section 20(3)(a)	Report to the Office for Public Integrity in accordance with the directions issued under section 20(1) of the Independent Commissioner Against Corruption Act	public authority
409893	Independent Commissioner Against Corruption Act 2012	section 20(3)(b)	Report to the Office for Public Integrity any matter the council reasonably suspects involves corruption misconduct or maladministration in public administration	public authority
409894	Independent Commissioner Against Corruption Act 2012	section 23(3)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the Office for Public Integrity requires, verify the statement by statutory declaration	public authority
409895	Independent Commissioner Against Corruption Act 2012	section 24(2)	Act on a referral from the Independent Commissioner Against Corruption	public authority
409896	Independent Commissioner Against Corruption Act 2012	section 28	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the person heading the investigation requires, verify the statement by statutory declaration	public authority
409897	Independent Commissioner Against Corruption Act 2012	section 34(1)	Undertake a joint investigation with the Independent Commissioner Against Corruption	public authority
409898	Independent Commissioner Against Corruption Act 2012	section 34(3)	Provide comments to the Independent Commissioner Against Corruption with respect to the terms of a notice issued under section 34(1) of the Independent Commissioner Against Corruption Act	public authority
409899	Independent Commissioner Against Corruption Act 2012	section 36(1)(b)	Act on a referral from the Independent Commissioner Against Corruption	public authority
409900	Independent Commissioner Against Corruption Act 2012	section 36(4)	Comply with direction or guidance given by the Independent Commissioner Against Corruption	public authority
409901	Independent Commissioner Against Corruption Act 2012	section 36(8)	Provide comments to the Independent Commissioner Against Corruption	public authority
409902	Independent Commissioner Against Corruption Act 2012	section 38(1)	Provide views to the Independent Commissioner Against Corruption or Office for Public Integrity on proposed referral of a matter raising a potential issue of misconduct or maladministration in public administration	public authority
409903	Independent Commissioner Against Corruption Act 2012	section 38(2)	Comply with direction or guidance given by the Independent Commissioner Against Corruption of office for Public Integrity	public authority





Independent Commissioner Against Corruption Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409904	Independent Commissioner Against Corruption Act 2012	section 38(7a)	Provide comments to the Independent Commissioner Against Corruption	public authority
409905	Independent Commissioner Against Corruption Act 2012	section 40(2)	Assist the Independent Commissioner Against Corruption in an evaluation of the practices, policies and procedures of the council	public authority
409906	Independent Commissioner Against Corruption Act 2012	section 41(1)	Comply with recommendations of the Independent Commissioner Against Corruption	public authority
409907	Independent Commissioner Against Corruption Act 2012	section 40(4)	Provide comments to the Independent Commissioner Against Corruption	public authority
409908	Independent Commissioner Against Corruption Act 2012	section 44(1)	Assist public officers of the council to comply with requirements and directions issued under the Independent Commissioner Against Corruption Act	public authority
409909	Independent Commissioner Against Corruption Act 2012	clause 3(3), Schedule 4	Act on a referral of a reviewer	public authority





Labour Hire Licensing Act 2017

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409910	Labour Hire Licensing Act 2017	section 16(1)	Lodge an objection with the Commissioner of Consumer Affairs to an application for a licence under section 15 of the Labour Hire Licensing Act 2017	designated entity
409911	Labour Hire Licensing Act 2017	section 32(2)	Lodge an objection with the Commissioner of Consumer Affairs to an application for a licence to which section 31 of the Labour Hire Licensing Act 2017 applies	designated entity
409912	Labour Hire Licensing Act 2017	section 42(2)	Appeal against the grant of a licence to the District Court	designated entity
409913	Labour Hire Licensing Act 2017	section 42(4)	Require the Commissioner for Consumer Affairs to provide reasons for the Commissioner's decision of grant a licence	designated entity





Land and Business (Sale and Conveyancing) Act 1994

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409914	Land and Business (Sale and Conveyancing) Act 1994	section 7	Respond to inquiries regarding prescribed matters by a vendor of land	council
409915	Land and Business (Sale and Conveyancing) Act 1994	section 8	Respond to inquiries regarding prescribed matters by a vendor of a small business	council
409916	Land and Business (Sale and Conveyancing) Act 1994	section 12	Provide information regarding any charge or prescribed encumbrance over land within the council's area of which the council has the benefit or insurance under Division 3 of Part 5 of the Building Work Contractors Act 1995 in relation to a building on land within the council's area	council





Landscape South Australia Act 2019

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409923	Landscape South Australia Act 2019	section 17(4)(a)	Provide an up-to-date copy of the voters roll for the area of the council to the person conducting an election for the members of the regional landscape board	council
409924	Landscape South Australia Act 2019	section 25(4)	Work collaboratively with the regional landscape board	council
409925	Landscape South Australia Act 2019	section 32(7)	Consent to the Governor making a proclamation under sections 32(1), 32(2) or 32(6) in relation to infrastructure or land vested in or under the care, control or management of the council	council
409926	Landscape South Australia Act 2019	section 37(1)(c)	Approve the delegation by a regional landscape board of a function or power vested in the regional landscape board under any Act to the council or an officer of the council	council
409927	Landscape South Australia Act 2019	section 41(b)	Enter an arrangement with the regional landscape board to make use of the services of staff, equipment or facilities of the council	public authority
409928	Landscape South Australia Act 2019	section 47(7)	Consider any regional landscape plan in the performing of functions or the exercise of powers under any Act	council
409929	Landscape South Australia Act 2019	section 51(5)(b)	Participate in consultation with the regional landscape board in regard to a prescribed levy proposal to the extent required by regulations	council
409930	Landscape South Australia Act 2019	section 66(1)	Contribute to the costs of the regional landscape board performing its functions	council
409931	Landscape South Australia Act 2019	section 67(1)	Pay contribution to the costs of the regional landscape board performing its functions	council
409932	Landscape South Australia Act 2019	section 67(2)	Pay contribution to the costs of the regional landscape board performing its functions	council
409933	Landscape South Australia Act 2019	section 69(10)	Apply to the regional landscape board for a refund of an amount of the regional landscape levy	council





Landscape South Australia Act 2019

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409934	Landscape South Australia Act 2019	section 72(6)(a)	Enter an arrangement with the regional landscape board for service of a notice to be effected as part of any other notice serviced by the council	public authority
409935	Landscape South Australia Act 2019	section 72(6)(b)	Enter an arrangement with the regional landscape board for the collection of a levy to be effected by the council	public authority
409936	Landscape South Australia Act 2019	section 101(6)	Make a submission to the Minister regarding proposed declaration of a prescribed water resource	relevant authority
409937	Landscape South Australia Act 2019	section 103(3)	Appoint the Minister, a regional landscape board, a designated entity, a council or a council subsidiary in place of the council as the 'relevant authority'	relevant authority
409938	Landscape South Australia Act 2019	section 104(3)	Grant a person a water management authorisation or permit to undertake an activity prescribed in sections 104(3)(e) or 104(3)(f) of the Landscape South Australia Act (except in the case of the discharge of water into a watercourse for the purpose of running the water down the watercourse for storage in a reservoir or other facility)	relevant authority
409939	Landscape South Australia Act 2019	section 107(1)	Issue a notice to the owner of land in respect of an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	relevant authority
409940	Landscape South Australia Act 2019	section 107(2)(b)	Enter land and take action specified in a notice issued under section 107(1) of the Landscape South Australia Act	relevant authority
409941	Landscape South Australia Act 2019	section 112(1)	Approve a form of application in respect of a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	relevant authority
409942	Landscape South Australia Act 2019	section 112(6)	Specify conditions on a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	relevant authority
409943	Landscape South Australia Act 2019	section 112(9)	Vary, suspend or revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	relevant authority
409944	Landscape South Australia Act 2019	section 112(10)	Vary a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	relevant authority
409945	Landscape South Australia Act 2019	section 112(11)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	relevant authority





Landscape South Australia Act 2019

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409946	Landscape South Australia Act 2019	section 112(12)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	relevant authority
409947	Landscape South Australia Act 2019	section 112(13)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	relevant authority
409948	Landscape South Australia Act 2019	section 112(14)	Serve notice of the variation or revocation of a permit	relevant authority
409949	Landscape South Australia Act 2019	section 113(2)	Give notice of an application for a permit in accordance with the regulations	relevant authority
409950	Landscape South Australia Act 2019	section 113(3)	Receive representations in relation to the granting or refusal of a permit	relevant authority
409951	Landscape South Australia Act 2019	section 113(4)	Forward a copy of representations in relation to the granting or refusal of a permit to the applicant and allow the applicant an opportunity to respond in writing	relevant authority
409952	Landscape South Australia Act 2019	section 113(6)	Allow a person who made a representation regarding the granting or refusal of a permit the opportunity to appear personally or by representative before the authority	relevant authority
409953	Landscape South Australia Act 2019	section 113(7)	Allow an applicant to appear personally or by representative before the authority	relevant authority
409954	Landscape South Australia Act 2019	section 113(8)(a)	Give notice to each person who made a representation to the authority of the authority's decision and the person's appeal rights under the Landscape South Australia Act	relevant authority
409955	Landscape South Australia Act 2019	section 113(8)(b)	Give notice to the Environment, Resources and Development Court of the authority's decision and the names and addresses of persons who made representations under section 113 of the Landscape south Australia Act	relevant authority
409956	Landscape South Australia Act 2019	section 113(13)	Provide for inspection and purchase written representations made under section 113 of the Landscape south Australia Act and the written response of the applicant	relevant authority
409957	Landscape South Australia Act 2019	section 202(4)	Agree with the Minister that an officer of the council may be appointed as an authorised officer	council





Landscape South Australia Act 2019

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409958	Landscape South Australia Act 2019	section 219(3)	Receive notice from the Minister of a proposed management agreement that provides for the remission of council rates and provide submissions to the Minister on the proposed agreement	council





Landscape South Australia (General) Regulations 2020

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409917	Landscape South Australia (General) Regulations 2020	regulation 10(1)(b)	Make submissions to the regional landscape board	council
409918	Landscape South Australia (General) Regulations 2020	regulation 13(3)	Pay monies to the regional landscape board	council
409919	Landscape South Australia (General) Regulations 2020	regulation 14(9)	Furnish a regional landscape board with a reasonable estimate of the costs that the council expects to claim under regulation 14 of the Landscape South Australia (General) Regulations 2019	council
409920	Landscape South Australia (General) Regulations 2020	regulation 14(13)	Furnish a regional landscape board with an invoice setting out the amount the council is claiming and the calculations used by the council to determine the amount	council





Landscape South Australia (Water Management) Regulations 2020

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409921	Landscape South Australia (Water Management) Regulations 2020	regulation 22(2)	Determine the form of notice to be provided for the purpose of section 113(2)(c) of the Landscape South Australia Act	relevant authority
409922	Landscape South Australia (Water Management) Regulations 2020	regulation 24(2)	Increase the period of time for the purposes of section 113(5) of the Landscape South Australia Act from the period prescribed in regulation 24(1) of the Landscape South Australia (Water Management) Regulations	relevant authority





Liquor Licensing Act 1997

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409959	Liquor Licensing Act 1997	section 22(1)	Apply to the Court for a review of a decision of the Commissioner in relation to an application for or in relation to a licence	council
409960	Liquor Licensing Act 1997	section 37(5)	Participate in consultation with the Minister in relation to any proposed regulations declaring an area to be a prescribed area for the purposes of section 37 of the Liquor Licensing Act	prescribed body
409961	Liquor Licensing Act 1997	section 69(3)(e)	Approval of an application for the extension of a trading area where the relevant area is under the control of the council	council
409962	Liquor Licensing Act 1997	section 106(2)(b)	Lodge a complaint under section 106(1) regarding unduly offensive, annoying, disturbing or inconvenient activity, noise or behaviour relating to licensed premises	council
409963	Liquor Licensing Act 1997	section 106(4)	Request that the matter proceed direct to a hearing	council
409964	Liquor Licensing Act 1997	section 106(5)	Request that the Commissioner determine the matter	council
409965	Liquor Licensing Act 1997	section 106(6)(a)	Make submissions in regard to the matter to the Commissioner or Court	council
409966	Liquor Licensing Act 1997	section 120(2)(c)	Lodge a complaint under section 120(1) alleging that proper grounds for disciplinary action exist against a specified person	council
409967	Liquor Licensing Act 1997	section 128E(1)	Prepare a draft local liquor accord	council
409968	Liquor Licensing Act 1997	section 128E(3)	Request a variation of a local liquor accord	council
409969	Liquor Licensing Act 1997	section 128E(5)	Request the Commissioner to add or remove the council as a party to a local liquor accord	council
409970	Liquor Licensing Act 1997	section 128E(6)	Request the Commissioner to terminate a local liquor accord	council
409971	Liquor Licensing Act 1997	section 128E(7)	Seek the consent of the other parties to a local liquor accord prior to request the Commissioner to terminate the local liquor accord	council
409972	Liquor Licensing Act 1997	section 131(1ab)	Prohibit the consumption or possess or both of liquor in a public place within the council area during a specified period by notice published in the Gazette	council
409973	Liquor Licensing Act 1997	section 131(1ad)	Provide a copy of notice published under section 131(1ab) to the Commissioner of Police	council
409974	Liquor Licensing Act 1997	section 131(1c)	Vary or revoke a notice published under section 131(1ab)	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410021	Local Government Act 1999	section 7(a)	Plan at the local and regional level for the development and future requirements of the council area	council
410022	Local Government Act 1999	section 7(b)	Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to the council area	council
410023	Local Government Act 1999	section 7(c)	Provide for the welfare, well-being and interests of individuals and groups within the council's community	council
410024	Local Government Act 1999	section 7(d)	Take measures to protect the council area from natural and other hazards and to mitigate the effects of such hazards	council
410025	Local Government Act 1999	section 7(e)	Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity	council
410026	Local Government Act 1999	section 7(f)	Provide infrastructure for the council's community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area)	council
410027	Local Government Act 1999	section 7(g)	Promote the council area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism	council
410028	Local Government Act 1999	section 7(h)	Establish or support organisations or programs that benefit people in the council area or local government generally	council
410029	Local Government Act 1999	section 7(i)	Manage and, if appropriate, develop, public areas vested in, or occupied by, the council	council
410030	Local Government Act 1999	section 7(j)	Manage, improve and develop resources available to the council	council
410031	Local Government Act 1999	section 7(k)	Undertake other functions and activities conferred by or under an Act	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410032	Local Government Act 1999	section 12(1)	Publish a notice in the Gazette altering the composition of the council or dividing, or redividing, the area of the council into wards, altering the division of the area of the council into wards or abolishing the division of the area of the council into wards	council
410033	Local Government Act 1999	section 12(2)	Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or giving a name to, or altering the name of, a ward	council
410034	Local Government Act 1999	section 12(3)	Undertake a review under section 12 of the Local Government Act	council
410035	Local Government Act 1999	section 12(4)	Undertake a review under section 12 of the Local Government Act at least once in each relevant period prescribed by the regulations	council
410036	Local Government Act 1999	section 12(5)	Initiate the preparation of a paper	council
410037	Local Government Act 1999	section 12(7)(a)	Inform the public by public notice of the preparation of the representation options paper and inviting written submissions within a period of not less than 6 weeks specified by the council	council
410038	Local Government Act 1999	section 12(7)(a)	Publish a copy of the public notice in a newspaper circulating in the council area	council
410039	Local Government Act 1999	section 12(8)	Make copies of the representation options paper available for inspection and purchase at the principal office of the council during the period for making written submissions	council
410040	Local Government Act 1999	section 12(8a)	Prepare a report addressing the prescribed matters	council
410041	Local Government Act 1999	section 12(9)(a)	Make copies of the council report available for inspection at the principal office of the council	council
410042	Local Government Act 1999	section 12(9)(b)	Inform the public by public notice of the preparation of the report and its availability and invite written submissions	council
410043	Local Government Act 1999	section 12(9)(c)	Publish a copy of the public notice in a newspaper circulating in the council area	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410044	Local Government Act 1999	section 12(10)	Provide an opportunity to any person who makes a written submission an opportunity to appear personally or by representative to be heard on the submission	council
410045	Local Government Act 1999	section 12(11)	Finalise the council report	council
410046	Local Government Act 1999	section 12(11b)(a)	Separate a proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa from any other proposal in the council's report	council
410047	Local Government Act 1999	section 12(11b)(b)	Determine to conduct a poll on the proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa either at the next general election or some other time	council
410048	Local Government Act 1999	section 12(11c)(b)(i)	Prepare a summary of the issues surrounding a proposal to alter the composition of the council so that the council will have a chairperson rather than a mayor or vice versa to assist persons who may vote at the poll	council
410049	Local Government Act 1999	section 12(11c)(b)(ii)	Obtain a certificate from the Electoral Commissioner that he or she is satisfied that the council has taken reasonable steps to ensure that the summary presents the arguments for and against the proposal in a fair and comprehensive manner	council
410050	Local Government Act 1999	section 12(11c)(b)(iii)	Make copies of the summary available for public inspection at the principal office of the council and on a website determined by the chief executive officer, and publish or distribute copies of the summary as directed by the Electoral Commissioner	council
410051	Local Government Act 1999	section 12(12)	Refer report finalised under section 12(11) to the Electoral Commissioner	council
410052	Local Government Act 1999	section 12(15)(b)	Provide for the operation of any proposal recommended in the council's report by notice in the Gazette	council
410053	Local Government Act 1999	section 12(16)(a)	Take action on a report referred back to the council by the Electoral Commissioner	council
410054	Local Government Act 1999	section 12(16)(b)	Refer report back to the Electoral Commissioner	council
410055	Local Government Act 1999	section 12(17)	Comply with requirements of sections 12(9) and 12(1) (unless alteration of report is of a minor nature only)	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410056	Local Government Act 1999	section 12(24)	Undertake a review within period specified by the Electoral Commissioner	council
410057	Local Government Act 1999	section 13(1)	Publish a notice in the Gazette changing the council from a municipal council to a district council or vice versa, altering the name of the council or the name of the area of the council, or altering the name of a ward	council
410058	Local Government Act 1999	section 13(2)(a)	Give public notice of the proposal to change the council from a municipal council to a district council or vice versa, alter the name of the council or the name of the area of the council, or alter the name of a ward	council
410059	Local Government Act 1999	section 13(2)(b)	Invite written submissions	council
410060	Local Government Act 1999	section 13(2)(ba)	Publish a copy of the public notice in a newspaper circulating within the council area	council
410061	Local Government Act 1999	section 13(2)(c)	Give any person who makes a written submission in response to an invitation an opportunity to appear personally or by representative before the council or a council committee to be heard on the submission	council
410062	Local Government Act 1999	section 28(1)(c)	Refer a proposal for the making of a proclamation under Chapter 3 of the Local Government Act to the South Australian Local Government Grants Commission	council
410063	Local Government Act 1999	section 31(2)(b)	Participate in consultation with the South Australian Local Government Grants Commission on the appointment of an investigator	council
410064	Local Government Act 1999	section 31(10)(c)	Participate in consultation with the South Australian Local Government Grants Commission on a recommendation that a proposal referred to the Commission not proceed	council
410065	Local Government Act 1999	section 36(1)(a)	Exercise the legal capacity of a natural person, including entering into contracts or arrangements, suing and being sued and acting in conjunction with another council or authority or person	council
410066	Local Government Act 1999	section 36(1)(c)	Do anything necessary, expedient or incidental to performing or discharging the council's functions or duties or achieving the council's objectives	council
410067	Local Government Act 1999	section 36(2)	Act outside the council area to the extent necessary or expedient to the performance of the council's functions or in order to provide services to an unincorporated area of the State	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410068	Local Government Act 1999	section 37(b)	Authorise an officer, employee or agent to enter into a contract on behalf of the council	council
410069	Local Government Act 1999	section 41(1)	Establish a committee	council
410070	Local Government Act 1999	section 41(2)	Determine the role of the committee	council
410071	Local Government Act 1999	section 41(3)	Determine the membership of the committee	council
410072	Local Government Act 1999	section 41(4)	Appoint a presiding member or make provision for the appointment of a presiding member	council
410073	Local Government Act 1999	section 41(6)	Appoint the principal member as an ex officio member of the committee	council
410074	Local Government Act 1999	section 41(8)	Determine the reporting and other accountability requirements applying to a committee	council
410075	Local Government Act 1999	section 42(3)	Obtain the approval of the Minister to the conferral of corporate status on a council subsidiary	council
410076	Local Government Act 1999	section 43(3)	Obtain the approval of the Minister to the conferral of corporate status on a regional subsidiary	council
410077	Local Government Act 1999	section 44(6)	Cause a separate record to be kept of all delegations under section 44 of the Local Government Act	council
410078	Local Government Act 1999	section 44(6a)	Review the delegation in force under section 44 of the Local Government Act	council
410079	Local Government Act 1999	section 44(7)	Enable a person to inspect the record of delegations at the principal office of the councils during ordinary office hours	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410080	Local Government Act 1999	section 44(8)	Enable a person to purchase an extract from the record of delegations	council
410081	Local Government Act 1999	section 45(1)	Nominate a place as the council's principal office	council
410082	Local Government Act 1999	section 45(2)	Determine the hours during which the principal office of the council will be open for the transaction of business	council
410083	Local Government Act 1999	section 45(3)	Consult with the local community regarding the manner, places and times at which the council's offices will be open to the public and any significant changes to these arrangements	council
410084	Local Government Act 1999	section 46(1)	Engage in a commercial enterprise or activity in the performance of the council's functions	council
410085	Local Government Act 1999	section 46(2)(a)	Establish a business in connection with a commercial project	council
410086	Local Government Act 1999	section 46(2)(b)	Participate in a joint venture, trust, partnership or other similar body in connection with a commercial project	council
410087	Local Government Act 1999	section 47(2)(b)	Participate in the formation of, or become a member of, a company limited by guarantee established as a national association to promote and advance the interests of an industry in which local government has an interest	council
410088	Local Government Act 1999	section 48(aa1)	Develop and maintain prudential management policies, practices and procedures for the assessment of projects	council
410089	Local Government Act 1999	section 48(1)	Obtain a report addressing the prudential issues set out in section 48(2)	council
410090	Local Government Act 1999	section 48(5)	Make available for public inspection at the principal office of the council	council
410091	Local Government Act 1999	section 48(6)	Take steps to prevent the disclosure of specific information in order to protect its commercial value or to avoid disclosing the financial affairs of a person (other than the council)	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410092	Local Government Act 1999	section 49(a1)	Maintain procurement policies, practices and procedures directed towards: (a) obtaining value in the expenditure of public money; (b) providing for ethical and fair treatment of participants; and (c) ensuring probity, accountability and transparency in procurement operations	council
410093	Local Government Act 1999	section 49(1)	Prepare and adopt policies on contracts and tenders, including policies on the following: (a) the contracting out of services; (b) competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; (c) the use of local goods and services; and (d) the sale or disposal of land or other assets.	council
410094	Local Government Act 1999	section 49(3)	Alter or substitute a policy under section 49 of the Local Government Act	council
410095	Local Government Act 1999	section 49(4)	Provide a copy of a policy of the council under section 49 of the Local Government Act for inspection at the principal office of the council	council
410096	Local Government Act 1999	section 49(5)	Provide for the purchase of a copy of a policy of the council under section 49 of the Local Government Act	council
410097	Local Government Act 1999	section 50(1)	Prepare and adopt a public consultation policy	council
410098	Local Government Act 1999	section 50(5)	Alter or substitute the public consultation policy	council
410099	Local Government Act 1999	section 50(6)(c)	Prepare a document setting out the council's proposal to adopt a public consultation policy or to alter or substitute a public consultation policy	council
410100	Local Government Act 1999	section 50(6)(d)	Publish in a newspaper circulating within the area of the council a notice of the proposal inviting interested persons to make submissions	council
410101	Local Government Act 1999	section 50(6)(d)	Consider submissions	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410102	Local Government Act 1999	section 50(7)	Determine that the alteration of a public consultation policy is of minor significance that would attract little (or no) community interest	council
410103	Local Government Act 1999	section 50(8)	Provide a copy of a policy of the council under section 50 of the Local Government Act for inspection at the principal office of the council	council
410104	Local Government Act 1999	section 50(9)	Provide for the purchase of a copy of a policy of the council under section 50 of the Local Government Act	council
410105	Local Government Act 1999	section 54(1)(d)	Grant a leave of absence from council	council
410106	Local Government Act 1999	section 54(1)(d)	Remove from office on the ground that the member has been absent from three or more consecutive ordinary meetings of the council	council
410107	Local Government Act 1999	section 57(6)	Recover amount of a liability incurred in contravention of section 57 of the Local Government Act as a debt from the members of the councils at the time the contract was made or lease was entered	council
410108	Local Government Act 1999	section 70(a1)	Publish prescribed details contained in the Register	council
410109	Local Government Act 1999	section 70(1))	Provide a copy of the Register for inspection at the principal office of the council	council
410110	Local Government Act 1999	section 70(2)	Provide for the purchase of a copy of the Register	council
410111	Local Government Act 1999	section 77(1)	Provide reimbursement of prescribed expenses of a member of council	council
410112	Local Government Act 1999	section 77(3)	Provide a copy of a policy for the purposes of section 77(1)(b) for inspection at the principal office of the council	council
410113	Local Government Act 1999	section 77(4)	Provide for the purchase of a copy of the Register	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410114	Local Government Act 1999	section 79(3)	Provide access to the Register of Benefits and Allowances for inspection at the principal office of the council	council
410115	Local Government Act 1999	section 79(4)	Provide for the purchase of an extract of the Register of Benefits and Allowances	council
410116	Local Government Act 1999	section 80	Take out a policy of insurance insuring every member of the council and a spouse or domestic partner or another person who may be accompanying a member of the councils against the risks associated with the performance or discharge of official functions or duties by members	council
410117	Local Government Act 1999	section 80A(1)	Prepare a training and development policy for members	council
410118	Local Government Act 1999	section 80A(3)	Alter or substitute a training and development policy for members	council
410119	Local Government Act 1999	section 80A(4)	Provide a copy of the policy under section 80A(1) for inspection at the principal office of the council	council
410120	Local Government Act 1999	section 80A(5)	Provide for the purchase of a copy of the policy under section 80A(1)	council
410121	Local Government Act 1999	section 84(3)	Provide for the purchase of a copy of the notice and agenda for a council committee meeting	council
410122	Local Government Act 1999	section 87(1)	Determine the times and places at which ordinary meetings of a council committee will be held	council
410123	Local Government Act 1999	section 88(3)	Provide for the purchase of a copy of the notice and agenda for a council meeting	council
410124	Local Government Act 1999	section 89(1)(b)	Determine procedures to apply to a meeting of a council committee	council
410125	Local Government Act 1999	section 90(8a)(a)	Adopt a policy on the holding of informal gatherings	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410126	Local Government Act 1999	section 90(8c)	Alter or substitute a new policy	council
410127	Local Government Act 1999	section 90(8d)	Provide for inspection at the principal office of the council a copy of the policy under section 90(8a)	council
410128	Local Government Act 1999	section 90(8e)	Provide for the purchase of a copy of the policy under section 90(8a)	council
410129	Local Government Act 1999	section 91(3)	Supply each member of the council with a copy of council or council committee minutes within 5 days of the meeting	council
410130	Local Government Act 1999	section 91(4)	Display a copy of the minutes of meeting of council in the principal office of council	council
410131	Local Government Act 1999	section 91(5)	Provide for inspection at the principal office of the council: (a) minutes kept under this 91 of the Local Government Act; (b) reports to the council or a council committee received at a meeting of the council or committee; (c) recommendations presented to the council in writing and adopted by resolution of the council; and (d) budgetary or other financial statements adopted by the council	council
410132	Local Government Act 1999	section 91(6)	Provide for the purchase of a copy of the document subject to inspection under section 91(5) of the Local Government Act	council
410133	Local Government Act 1999	section 91(9)(c)	Revoke an order made under section 91(7) of the Local Government Act	council
410134	Local Government Act 1999	section 92(1)	Prepare a code of practice relating to the principles, policies, procedures and practices that the council will apply for the purposes of the operation of Parts 3 and 4 the Local Government Act	council
410135	Local Government Act 1999	section 92(2)	Review code of practice	council
410136	Local Government Act 1999	section 92(3)	Alter or substitute a new code of practice	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410137	Local Government Act 1999	section 92(5)(a)	Make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection or purchase at the council's principal office and available for inspection on a website determined by the chief executive officer	council
410138	Local Government Act 1999	section 92(5)(b)	Apply relevant steps in the council's public consultation policy to the proposed adoption, alteration or substitution of a code of practice	council
410139	Local Government Act 1999	section 92(6)	Provide for inspection of a copy of the code of practice at the principal office of the council	council
410140	Local Government Act 1999	section 92(7)	Provide for purchase of a copy of the code of practice at the principal office of the council	council
410141	Local Government Act 1999	section 93(1)	Convene a meeting of electors of the council area or part of the council area	council
410142	Local Government Act 1999	section 93(11)	Supply each member of the council with a copy of the minutes of proceedings within 5 days of a meeting of electors	council
410143	Local Government Act 1999	section 93(14)	Determine the procedure to be observed to make a nomination for the purposes of sections 93(3)(a)(ii) or 93(3)(b)(ii) of the Local Government Act	council
410144	Local Government Act 1999	section 94(6)	Make submissions to the Minister	council
410145	Local Government Act 1999	section 94(7)	Comply with a direction of the Minister under section 94(5) of the Local Government Act	council
410146	Local Government Act 1999	section 98(3)	Invite applications including by advertising in a newspaper circulating throughout the State	council
410147	Local Government Act 1999	section 105(3)	Provide for inspection of a copy of the Register of Salaries at the principal office of the council	council
410148	Local Government Act 1999	section 105(4)	Provide for purchase of a copy of the Register of salaries at the principal office of the council	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410149	Local Government Act 1999	section 106(2)	Pay contribution to another council	council
410150	Local Government Act 1999	section 106(3)	Recover a contribution from another council as a debt	council
410151	Local Government Act 1999	section 106(4)	Provide details of the service of an employees or former employee to another council	council
410152	Local Government Act 1999	section 106(5)	Hold and apply a contribution under section 106 of the Local Government Act as prescribed by regulation	council
410153	Local Government Act 1999	section 111(b)	Declare that an officer or an officer of a class is subject to Division 2, Part 4, Chapter 7 of the Local Government Act	council
410154	Local Government Act 1999	section 122(1)	Develop a strategic management plan	council
410155	Local Government Act 1999	section 122(1a)(a)	Develop a long-term financial plan	council
410156	Local Government Act 1999	section 122(1a)(b)	Develop an infrastructure and asset management plan	council
410157	Local Government Act 1999	section 122(4)	Review strategic management plans	council
410158	Local Government Act 1999	section 122(6)	Adopt a process to ensure that members of the public are given reasonable opportunity to be involved in the development and review of the council's strategic management plans	council
410159	Local Government Act 1999	section 122(7)	Provide copies of the strategic management plans for inspection and purchase at the principal office of the council	council
410160	Local Government Act 1999	section 123(3)(a)	Prepare a draft annual business plan	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410161	Local Government Act 1999	section 123(3)(b)	Follow relevant steps in the public consultation policy in regard to the draft annual business plan	council
410162	Local Government Act 1999	section 123(5)	Ensure that copies of the draft annual business plan are available at the meeting under section 123(4)(a)(i) of the Local Government Act, and for inspection and purchase (at the principal office of the council and on the council's website	council
410163	Local Government Act 1999	section 123(5a)	Provide a facility for asking and answering questions and the receipt of submissions on the council's website	council
410164	Local Government Act 1999	section 123(9)(a)(i)	Prepare a summary of the annual business plan	council
410165	Local Government Act 1999	section 123(9)(a)(ii)	Provide a copy of the summary of the annual business plan to ratepayers	council
410166	Local Government Act 1999	section 123(9)(b)(i)	Provide copies of the annual business plan and budget for inspections or purchase at the principal offices of the council	council
410167	Local Government Act 1999	section 123(9)(b)(ii)	Provide copies of the annual business plan for collection at the principal offices of the council	council
410168	Local Government Act 1999	section 123(9)(c)	Provide copies of the annual business plan and budget on a website determined by the chief executive officer	council
410169	Local Government Act 1999	section 124(1)(a)	Keep accounting records	council
410170	Local Government Act 1999	section 125	Implement and maintain appropriate policies, practices and procedures of internal control	council
410171	Local Government Act 1999	section 127(1)	Prepare financial statements, notes and other statement or documents as required by the regulations	council
410172	Local Government Act 1999	section 127(3)	Provide statements to auditor	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410173	Local Government Act 1999	section 127(4)	Submit a copy of audited statements to persons or bodies prescribed by the regulations	council
410174	Local Government Act 1999	section 127(5)	Provide a copy of audited statements for inspection or purchase at the principal offices of the council	council
410175	Local Government Act 1999	section 127(5)	Provide a copy of audited statements for inspection or purchase at the principal offices of the council	council
410176	Local Government Act 1999	section 128(2)	Appoint an auditor on the recommendation of the council's audit committee	council
410177	Local Government Act 1999	section 128(9)	Provide information prescribed in section 128(9) of the Local Government Act in the council's annual report	council
410178	Local Government Act 1999	section 130A(1)	Request auditor or other suitably qualified person to examine a report on any matter relating to financial management, or the efficient and economy with which the council manages or uses its resources to achieve its objectives	council
410179	Local Government Act 1999	section 131(1)	Prepare annual report	council
410180	Local Government Act 1999	section 131(4)	Provide a copy of the annual report to each council member	council
410181	Local Government Act 1999	section 131(5)	Submit a copy of the annual report to each Presiding member of a House of Parliament and any person prescribed by regulation	council
410182	Local Government Act 1999	section 131(7)	Provide an abridged or summary version of the annual report to electors in the council area.	council
410183	Local Government Act 1999	section 131(8)	Provide copies of the annual report for inspection or purchase at the principal offices of the council	council
410184	Local Government Act 1999	section 132(1)	Provide copies of a document referred to in Schedule 5 of the Local Government Act for inspection or purchase at the principal offices of the council	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410185	Local Government Act 1999	section 132(2)	Make copies of a document referred to in Schedule 5 of the Local Government Act available in electronic form	council
410186	Local Government Act 1999	section 132(3)	Make documents listed in section 132(3) of the Local Government Act available on the council's website	council
410187	Local Government Act 1999	section 132A	Implement and maintain appropriate policies, practices and procedures to ensure compliance with statutory requirements and achievement and maintenance of good public administration	council
410188	Local Government Act 1999	section 133	Obtain funds as permitted by the Local Government Act or other Act	council
410189	Local Government Act 1999	section 135(1)	Provide security	council
410190	Local Government Act 1999	section 135(2)(a)	Assign a distinguishing classification to a debenture	council
410191	Local Government Act 1999	section 135(2)(b)	Appoint a trustee for the debenture holders	council
410192	Local Government Act 1999	section 137	Expend funds in the performance or discharge of the council's powers, functions or duties in accordance	council
410193	Local Government Act 1999	section 139(1)	Invest money under the council's control	council
410194	Local Government Act 1999	section 139(5)	Obtain and consider independent and impartial advice regarding the investment of funds	council
410195	Local Government Act 1999	section 140	Review performance of investments at least annually	council
410196	Local Government Act 1999	section 141(1)	Accept a gift	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410197	Local Government Act 1999	section 141(2)	Carry out the terms of a trust applying to a gift	council
410198	Local Government Act 1999	section 141(3)	Apply to the Supreme court for an order varying the terms of a trust for which the council is the trustee	council
410199	Local Government Act 1999	section 141(4)	Give notice of an application to the Supreme Court by public notice and in such other manner as directed by the Supreme Court	council
410200	Local Government Act 1999	section 141(6)	Publish an order of the made by the Supreme Court under section 141(5) of the Local Government Act in the Gazette	council
410201	Local Government Act 1999	section 142(1)	Take out and maintain insurance to cover the council's civil liabilities at least to the extent prescribed by the regulations	council
410202	Local Government Act 1999	section 142(3)	Take out membership of the Local Government Association Mutual Liability Scheme	council
410203	Local Government Act 1999	section 143(1)	Write off bad debts	council
410204	Local Government Act 1999	section 144(1)	Recovery of fees, charges, expenses or other amounts as a debt by action in a court of competent jurisdiction	council
410205	Local Government Act 1999	section 144(2)	Provide notice of a fee, charge, expense or other amount relating to something done in respect of a rateable property to the owner or occupier of the property	council
410206	Local Government Act 1999	section 144(2)	Recovery of a fee, charge, expense or other amount relating to something done in respect of a rateable property as if the fee, charge, expense or other amount was a rate on the property	council
410207	Local Government Act 1999	section 151(5)(d)	Prepare a report on a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land	council
410208	Local Government Act 1999	section 151(5)(e)	Follow the relevant steps in the public consultation policy with respect to a proposed change to the basis of the rating any land, the valuation of land for the purpose of rating or imposition of rates on land	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410209	Local Government Act 1999	section 151(8)	Provide copies of the report required by section 151(5)(d) of the Local Government Act at the meeting held under section 151(7)(a)(i) of the Local Government Act	council
410210	Local Government Act 1999	section 156(10)	Extend the time period for lodging an objection	council
410211	Local Government Act 1999	section 156(11)	Decide an objection to attribution of a particular use to land	council
410212	Local Government Act 1999	section 156(12)	Participate in a review of an attribution of a particular use to land by South Australian Civil and Administrative Tribunal	council
410213	Local Government Act 1999	section 156(14a)(a)	Prepare a report on a proposed change to the differentiating factor in relation to land	council
410214	Local Government Act 1999	section 156(14a)(b)	Follow the relevant steps in the public consultation policy with respect to a on a proposed change to the differentiating factor in relation to land	council
410215	Local Government Act 1999	section 156(14e)	Provide copies of the report required by section 156(14a)(a) of the Local Government Act at the meeting held under section 156(14d)(a)(i) of the Local Government Act	council
410216	Local Government Act 1999	section 159(1)	Determine the manner and form of an application for a rebate of rates	council
410217	Local Government Act 1999	section 159(3)	Grant a rebate of rates	council
410218	Local Government Act 1999	section 159(4)	Increase a rebate of rates	council
410219	Local Government Act 1999	section 159(10)	Determine that proper cause for a rebate of rates no longer applies	council
410220	Local Government Act 1999	section 159(11)	Recover rates, or rates at an increased level, proportionate to the remaining part of the financial year if an entitlement to a rebate of rates no longer applies	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410221	Local Government Act 1999	section 161(1)	Grant a rebate of rates greater than 75% on land used for service delivery or administration by a community service organisation	council
410222	Local Government Act 1999	section 165(1)	Grant a rebate of rates greater than 75% on land occupied by a school and being used for educational purposes	council
410223	Local Government Act 1999	section 165(2)	Grant a rebate of rates greater than 75% on land being used by a university or university college to provide accommodation and other forms of support on a not-for-profit basis	council
410224	Local Government Act 1999	section 166(1)	Grant a rebate of rates or service charges in prescribed circumstances	council
410225	Local Government Act 1999	section 166(2)	Attach conditions to the granting of a rebate of rates or service charges under section 166(1) of the Local Government Act	council
410226	Local Government Act 1999	section 167(1)	Adopt valuations	council
410227	Local Government Act 1999	section 167(6)	Publish a notice of the adoption of valuations in the Gazette	council
410228	Local Government Act 1999	section 168(1)	Request the Valuer-General to value land in the council area	council
410229	Local Government Act 1999	section 168(2)	Furnish information to the Valuer-General requested information	council
410230	Local Government Act 1999	section 168(3)(b)	Enter valuation into the assessment record	council
410231	Local Government Act 1999	section 168(3)(c)	Provide notice to the principal ratepayer in respect of land of the valuation of that land	council
410232	Local Government Act 1999	section 169(3)(b)	Allow an extension of time in which to object to the valuation of land	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410233	Local Government Act 1999	section 169(5)	Refer an objection to the valuation of land to the valuer who made the valuation with a request to reconsider the valuation	council
410234	Local Government Act 1999	section 169(7)	Provide written notice to an objector of the outcome of the objection	council
410235	Local Government Act 1999	section 169(10)	Refer request for a review of the valuation of land to the Valuer-General	council
410236	Local Government Act 1999	section 169(11)	Make representations to the valuer in regard to the valuation of land which is the subject of the objection	council
410237	Local Government Act 1999	section 169(15)	Participate in a review of a valuation of land by South Australian Civil and Administrative Tribunal	council
410238	Local Government Act 1999	section 169(16)	Pay the prescribed fee to the Valuer-General	council
410239	Local Government Act 1999	section 170	Publish a notice of the declaration of a rate or service charge in the Gazette and a newspaper circulating in the council area	council
410240	Local Government Act 1999	section 173(5)	Determine a review of the outcome of a request to alter the assessment record	council
410241	Local Government Act 1999	section 173(6)	Provide written notice of decision on review	council
410242	Local Government Act 1999	section 173(7)	Participate in a review of decision of council	council
410243	Local Government Act 1999	section 174(1)	Provide the assessment record for inspection at the principal offices of the council	council
410244	Local Government Act 1999	section 174(2)	Provide for the purchase of an entry in the assessment record	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410245	Local Government Act 1999	section 178(3)	Recover rates as a debt	council
410246	Local Government Act 1999	section 178(4)	Provide written notice requiring a lessee or licensee of land to pay rent or other consideration to the council under the lease or licence in satisfaction of the liability for rates	council
410247	Local Government Act 1999	section 178(6)	Remit a charge payable under section 178(5) of the Local Government Act in whole or in part	council
410248	Local Government Act 1999	section 179(2)	Adopt a valuation of land	council
410249	Local Government Act 1999	section 179(5)	Refund rates that have been paid to a principal ratepayer if land ceases to be rateable land	council
410250	Local Government Act 1999	section 180(1)	Provide a rates notice to the principal ratepayer	council
410251	Local Government Act 1999	section 181(2)	Determine the day on which an instalment of rates falls due	council
410252	Local Government Act 1999	section 181(3)	Adjust the months in which instalments of rates are payable	council
410253	Local Government Act 1999	section 181(4)(b)	Agree with a principal ratepayer the dates on which instalments of rates are payable	council
410254	Local Government Act 1999	section 181(5)	Provide rates notice to principal ratepayer	council
410255	Local Government Act 1999	section 181(7a)	Agree with a principal ratepayer to vary the period for the provision of a rates notice	council
410256	Local Government Act 1999	section 181(9)	Remit the whole or any part of an amount payable under section 181(8) of the Local Government Act	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410257	Local Government Act 1999	section 181(11)	Grant discounts or other incentives in relation to the payment of rates	council
410258	Local Government Act 1999	section 181(12)(b)	Impose a surcharge or administrative levy not exceeding 1 per cent of the rates payable in a particular financial year with respect to the payment of rates by instalments	council
410259	Local Government Act 1999	section 181(13)	Impose different requirements than those under section 181 of the Local Government Act in relation to the payment of separate rates or service rates	council
410260	Local Government Act 1999	section 181(15)	Determine that rates of a particular kind will be payable in more than four instalments in a particular financial year	council
410261	Local Government Act 1999	section 182(1)(a)	Postpone payment of rates	council
410262	Local Government Act 1999	section 182(1)(b)	Remit the whole or part payment of rates	council
410263	Local Government Act 1999	section 182(2)(a)	Impose a condition that the ratepayer pay interest on postponed rates	council
410264	Local Government Act 1999	section 182(2)(b)	Impose other conditions on the postponement of rates	council
410265	Local Government Act 1999	section 182(2)(c)	Revoke a postponement of rates	council
410266	Local Government Act 1999	section 182(3)	Postpone the payment of rates	council
410267	Local Government Act 1999	section 182(4)	Grant a remission of rates	council
410268	Local Government Act 1999	section 182(5)	Require a ratepayer to verify an entitlement to the remission of rates	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410269	Local Government Act 1999	section 182(6)	Revoke a determination under section 182(4) of the Local Government Act to remit rates	council
410270	Local Government Act 1999	section 182A(1)	Receive an application for a postponement of the payment of the prescribed proportion of rates for the current or a future financial year	council
410271	Local Government Act 1999	section 182A(2)	Determine the manner and form of an application under section 182A(1) of the Local Government Act	council
410272	Local Government Act 1999	section 182A(3)(a)	Reject an application under section 182A(1) of the Local Government Act in accordance with the regulations	council
410273	Local Government Act 1999	section 182A(3)(b)	Impose conditions on the postponement of rates in accordance with the regulations	council
410274	Local Government Act 1999	section 183	Apply amount received in respect of rates in manner prescribed by section 183 of the Local Government Act	council
410275	Local Government Act 1999	section 184(1)	Sell land where an amount of rates in respect of the land has been in arrears for more than three years	council
410276	Local Government Act 1999	section 184(2)	Send a notice to the principal ratepayer	council
410277	Local Government Act 1999	section 184(3)	Send a copy of the notice sent to the principal ratepayer to any other owner of the land, any registered mortgagee and, if the land is held from the Crown under a lease, licence or agreement to purchase, to the Minister who is responsible for the administration of the Crown Lands Act 1929.	council
410278	Local Government Act 1999	section 184(4)(a)	Place a copy of the notice sent to the principal ratepayer in a newspaper circulating throughout the State	council
410279	Local Government Act 1999	section 184(4)(b)	Leave a copy of the notice sent to the principal ratepayer at a conspicuous place on the land	council
410280	Local Government Act 1999	section 184(6)	Set a reserve price for the auction	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410281	Local Government Act 1999	section 184(7)	Seek the consent of the Minister who is responsible for the administration of the Crown Lands Act 1929 to have the land sold by public auction	council
410282	Local Government Act 1999	section 184(8)	Advertise an auction to sell land under section 184 of the Local Government Act in a newspaper circulating throughout the State	council
410283	Local Government Act 1999	section 184(9)	Call off an auction	council
410284	Local Government Act 1999	section 184(10)	Sell land by private contract	council
410285	Local Government Act 1999	section 184(11)	Apply money receive in respect of the sale of land under section 184 of the Local Government Act as prescribed in section 184(11)	council
410286	Local Government Act 1999	section 184(12)	Deal with money under the Unclaimed Money Act 1891	council
410287	Local Government Act 1999	section 185(1)	Apply to the Minister who is responsible for the administration of the Crown Lands Act 1929 for an order under section 185 of the Local Government Act	council
410288	Local Government Act 1999	section 186(2)(a)	Repay an amount of overpaid rates	council
410289	Local Government Act 1999	section 186(2)(a)	Credit an amount of overpaid rates against future liabilities for rates on the land subject to the overpaid rates	council
410290	Local Government Act 1999	section 186(2)(b)	Take action to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	council
410291	Local Government Act 1999	section 186(2)(b)	Give notice to recover an additional amount in arrears payable on account of an alteration of the valuation or decision	council
410292	Local Government Act 1999	section 186(5)	Refund an amount to a person ceasing to be a ratepayer	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410293	Local Government Act 1999	section 187(1)	Issue a certificate stating the amount of any liability for rates or charges on the land and any amount received on account of rates or charges that is held in credit against future liabilities for rates or charges on the land	council
410294	Local Government Act 1999	section 187A(5)(b)	Receive a report from the Ombudsman	council
410295	Local Government Act 1999	section 187B(5)	Receive a report from the Ombudsman	council
410296	Local Government Act 1999	section 187B(6)	Provide a written response to the Ombudsman and complainant	council
410297	Local Government Act 1999	section 187B(7)	Grant a rebate or remission of any rate or service charge, or of any charge, fine or interest	council
410298	Local Government Act 1999	section 188(1)(a)	Impose fees and charges for the use of any property or facility owned, controlled, managed or maintained by the council	council
410299	Local Government Act 1999	section 188(1)(b)	Impose fees and charges for services supplied to a person at his or her request	council
410300	Local Government Act 1999	section 188(1)(c)	Impose fees and charges for carrying out work at a person's request	council
410301	Local Government Act 1999	section 188(3)	Provide for: (a) specific fees and charges; (b) maximum fees and charges and minimum fees and charges; (c) annual fees and charges; (d) the imposition of fees or charges according to specified conditions or circumstances; (e) the variation of fees or charges according to specified factors; (f) the reduction, waiver or refund, in whole or in part, of fees or charges.	council
410302	Local Government Act 1999	section 188(5)(b)	Fix, vary or revoke fees and charges for the purposes of section 188(1)(a), 188(1)(b) and 188(1)(c) of the Local Government Act	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410303	Local Government Act 1999	section 188(6)	Keep a list of fees and charges imposed under section 188 of the Local Government Act on public display at the principal offices of the council	council
410304	Local Government Act 1999	section 188(7)	Update the list of fees and charges and take reasonable steps to bring a variation of a fee or charge to the notice of a person who may be affected	council
410305	Local Government Act 1999	section 190	Agree to acquire land	council
410306	Local Government Act 1999	section 191(1)	Seek the Minister's consent to acquire land compulsorily	council
410307	Local Government Act 1999	section 191(1)	Acquire land compulsorily	council
410308	Local Government Act 1999	section 191(2)	Acquire land compulsorily	council
410309	Local Government Act 1999	section 192(4)	Publish a copy of a resolution under section 192(1) of the Local Government Act in the Gazette	council
410310	Local Government Act 1999	section 193(2)	Follow steps on public consultation policy in respect of a proposal to exclude land from classification as community land	council
410311	Local Government Act 1999	section 193(3)	Obtain approval of owner of land to exclude land from classification as community land	council
410312	Local Government Act 1999	section 193(6)	Give notice in the Gazette of a resolution to exclude land from classification as community land or to classify land as community land	council
410313	Local Government Act 1999	section 194(2)(a)	Prepare and make publicly available a report on a proposal to revoke the classification of community land	council
410314	Local Government Act 1999	section 194(2)(b)	Follow steps on public consultation policy in respect of a proposal to revoke the classification of land as community land	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410315	Local Government Act 1999	section 194(3)(a)	Submit the proposal to revoke the classification of land as community land with a report on all submissions made in respect of the proposal to the Minister	council
410316	Local Government Act 1999	section 194(4)	Participate in consultation with the Minister	council
410317	Local Government Act 1999	section 195(2)	Give notice of the revocation of the classification of land as community land to the Registrar-General	council
410318	Local Government Act 1999	section 196(1)	Prepare and adopt a management plan for community land	council
410319	Local Government Act 1999	section 196(1a)	Prepare and adopt a management plan for the Adelaide Park Lands	Adelaide City Council
410320	Local Government Act 1999	section 196(4)	Consult with the owner of land at an appropriate stage in the preparation of a management plan	council
410321	Local Government Act 1999	section 197(1)(a)	Make copies of a proposed management plan available for inspection of purchase at the council's principal office	council
410322	Local Government Act 1999	section 197(1)(b)	Follow the relevant steps in the council's public consultation policy	council
410323	Local Government Act 1999	section 197(3)	Give public notice of the adoption of the management plan	council
410324	Local Government Act 1999	section 198(1)	Amend or revoke a management plan	council
410325	Local Government Act 1999	section 198(2)	Undertake public consultation of a proposal to amend or revoke a management plan	council
410326	Local Government Act 1999	section 198(4)	Give public notice of the adoption of a proposal to amend or revoke a management plan	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410327	Local Government Act 1999	section 199	Manage community land in accordance with any relevant management plan	council
410328	Local Government Act 1999	section 200(1)	Approve the use of community land for a business purpose	council
410329	Local Government Act 1999	section 200(3)	Impose conditions on an approval to use community land for a business purpose	council
410330	Local Government Act 1999	section 201(1)	Sell or otherwise dispose of an interest in land	council
410331	Local Government Act 1999	section 202(1)	Grant a lease or licence over community land	council
410332	Local Government Act 1999	section 202(2)	Follow the relevant steps in the councils public consultation policy in regard to granting a lease or licence relating to community land	council
410333	Local Government Act 1999	section 207(1)	Keep a register of community land in the council area	council
410334	Local Government Act 1999	section 207(2)(c)	Determine that the register of community land in the council area will consist of a computer record	council
410335	Local Government Act 1999	section 207(3)	Provide the register of community land in the council area for public inspection at the principal office of the council	council
410336	Local Government Act 1999	section 207(4)	Provide for the purchase of an extract of the register of community land in the council area	council
410337	Local Government Act 1999	section 208(4)	Cause a copy of a resolution declaring a road or land to be a public road or preserving an easement to be published in the Gazette	council
410338	Local Government Act 1999	section 209(3)	Enter an agreement in regard to the ownership of fixture and equipment installed on a public road	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410339	Local Government Act 1999	section 210(1)	Declare a private road to be a public road	council
410340	Local Government Act 1999	section 210(2)(a)	Give written notice to the owner of the private road of a proposed declaration	council
410341	Local Government Act 1999	section 210(2)(ab)	Give written notice to the holder of a registered interest over the private road of a proposed declaration	council
410342	Local Government Act 1999	section 210(2)(b)	Give public notice to the owner of the private road of a proposed declaration	council
410343	Local Government Act 1999	section 210(5)	Publish a declaration under section 210 of the Local Government Act in the Gazette	council
410344	Local Government Act 1999	section 210(7)	Furnish a copy of a declaration under section 210 of the Local Government Act to the Registrar-General	council
410345	Local Government Act 1999	section 211(1)(a)	Enter an agreement with the Commissioner of Highways or other authority that has the care, control and management of a highway	council
410346	Local Government Act 1999	section 211(1)(b)	Act in accordance with a notice issued by the Commissioner of Highways	council
410347	Local Government Act 1999	section 212(1)	Carry out roadwork in the council area	council
410348	Local Government Act 1999	section 212(1)	Enter an agreement with another council to carry out roadwork in that other council's area	council
410349	Local Government Act 1999	section 212(2)	Do anything reasonably necessary for, or incidental to, roadwork	council
410350	Local Government Act 1999	section 212(3)(b)	Consult with the Commissioner of Highways	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410351	Local Government Act 1999	section 212(3)(c)(i)	Obtain the agreement of the owner of a private road	council
410352	Local Government Act 1999	section 212(3)(c)(ii)	Give notice to the owner of a private road and a reasonable opportunity to make representations on proposed roadwork	council
410353	Local Government Act 1999	section 212(3)(c)(ii)	Consider any representations by the owner of a private road on proposed roadwork	council
410354	Local Government Act 1999	section 212(3)(d)	Obtain the agreement of the owner of private land	council
410355	Local Government Act 1999	section 213(1)	Recover the whole cost or an agreed contribution to the cost of roadworks undertaken by agreement	council
410356	Local Government Act 1999	section 213(2)	Recover the cost of roadwork to repair damage to a road from the person who damaged a road or is the owner of infrastructure which damaged the road	council
410357	Local Government Act 1999	section 213(3)(a)	Recover the cost of roadwork on private land or a contribution to the cost of the work determined by the council as a debt from the owner of the private	council
410358	Local Government Act 1999	section 214(2)(a)	Agree the amount of contribution to roadwork with another council	council
410359	Local Government Act 1999	section 214(2)(b)	Seek a determination by a court as to the amount of contribution to roadwork to be paid by another council	council
410360	Local Government Act 1999	section 214(3)	Give notice to another council of proposed roadwork and provide reasonable opportunity to that other council to make representations	council
410361	Local Government Act 1999	section 215(2)	Carry out roadwork to allow water from a road to drain into adjoining property	council
410362	Local Government Act 1999	section 215(4)	Give notice to the owner of land in regard to the proposed action to drain water into the land	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410363	Local Government Act 1999	section 216(1)	Issue an order requiring the owner of private land to carry out specified road work or improve the road	council
410364	Local Government Act 1999	section 217(1)	Issue an order requiring the owner of a structure or equipment installed in, on, across, under or over a road to carry out specified road work by way of maintenance or repair or move the structure or equipment to allow the council to carry out roadwork	council
410365	Local Government Act 1999	section 217(2)(a)	Take action under an order issued under section 217(1) of the Local Government Act if it is not complied with by the owner of the structure or equipment	council
410366	Local Government Act 1999	section 217(2)(a)	Recover the cost of taking action under section 217(2)(a) of the Local Government Act as a debt from the owner of the structure or equipment	council
410367	Local Government Act 1999	section 218(1)	Issue an order requiring the owner of land adjoining a road to carry out specified work to construct, remove or repair a crossing place from the road to the land	council
410368	Local Government Act 1999	section 219(1)	Assign a name to a public or private road, or to a public place, or change the name of a public or private road, or a public place	council
410369	Local Government Act 1999	section 219(1a)	Assign a name to a public road created by land division	council
410370	Local Government Act 1999	section 219(2)(a)	Give notice to an adjoining council of a proposed road name change where the road runs into the adjoining council	council
410371	Local Government Act 1999	section 219(2)(b)	Consider any representations of an adjoining council in response to a notice under section 219(2)(a) of the Local Government Act	council
410372	Local Government Act 1999	section 219(3)(a)	Notify the Registrar-General, the Surveyor-General and the Valuer-General of the assignment of a road name or change of a road name	council
410373	Local Government Act 1999	section 219(3)(b)	Provide information to the Registrar-General, the Surveyor-General and the Valuer-General about the name of roads and public places in the council area	council
410374	Local Government Act 1999	section 219(4)	Provide public notice on the assigning or changing of a road name	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410375	Local Government Act 1999	section 219(5)	Prepare and adopt a policy on the assigning of road names	council
410376	Local Government Act 1999	section 219(6)	Alter or substitute a policy on the assigning of road names	council
410377	Local Government Act 1999	section 219(7)	Publish notice of adopting or altering a policy on the assigning of road name in the Gazette, in a newspaper circulating within the council area and on a website determined by the chief executive	council
410378	Local Government Act 1999	section 220(1)	Adopt a numbering system for buildings and allotments adjoining the road	council
410379	Local Government Act 1999	section 220(1a)	Assign a number to all buildings and allotments adjoining a public road	council
410380	Local Government Act 1999	section 220(2)	Alter or substitute a new numbering system	council
410381	Local Government Act 1999	section 220(3)	Give public notice of the adoption, alteration or substitution of a numbering system for a particular road	council
410382	Local Government Act 1999	section 220(4)	Notify the Valuer-General of a decision to adopt, alter or substitute of a numbering system	council
410383	Local Government Act 1999	section 220(6)	Request the owner of land to ensure that the appropriate number for the owner's building or allotment is displayed in a form directed or approved by the council	council
410384	Local Government Act 1999	section 221(1)	Grant an authorisation to alter a public road	council
410385	Local Government Act 1999	section 222(1)	Grant a permit authorising the use of a public road for business purposes	council
410386	Local Government Act 1999	section 222(1a)	Grant a permit authorising the use of a public road by a mobile food vending business	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410387	Local Government Act 1999	section 223(1)	Follow the relevant steps in the council's public consultation policy	council
410388	Local Government Act 1999	section 223(2)	Give written notice of the proposal to agencies prescribe by regulation	council
410389	Local Government Act 1999	section 224(1)	Attach conditions to an authorisation or permit	council
410390	Local Government Act 1999	section 225(1)(a)	Cancel a permit for the purpose of a mobile food vending business	council
410391	Local Government Act 1999	section 225(1)(b)	Cancel an authorisation or permit	council
410392	Local Government Act 1999	section 225(2)(a)	Give the holder of an authorisation or permit written notice of the proposed cancellation of the authorisation or permit	council
410393	Local Government Act 1999	section 225(2)(b)	Consider any representation by the holder of an authorisation or permit	council
410394	Local Government Act 1999	section 225(3)	Determine a shorter period than one month for a response from the holder of an authorisation or permit	council
410395	Local Government Act 1999	section 225A(1)	Prepare and adopt location rules in respect of mobile food vending businesses	council
410396	Local Government Act 1999	section 225A(4)	Amend location rules in respect of mobile food vending businesses	council
410397	Local Government Act 1999	section 225A(5)(a)	Consider amending location rules in respect of mobile food vending businesses in accordance with a recommendation of the Small Business Commissioner	council
410398	Local Government Act 1999	section 225A(5)(b)	Provide written reasons to the Small Business Commissioner for resolving not to amend the location rules in accordance with the Commissioner's recommendation	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410399	Local Government Act 1999	section 225A(8)	Comply with a direction of the Small Business Commissioner to amend the location rules for mobile food vending businesses	council
410400	Local Government Act 1999	section 231(1)	Keep a register of public roads in the council area	council
410401	Local Government Act 1999	section 231(3)	Provide the register of public roads for inspections and the principal office of the council	council
410402	Local Government Act 1999	section 231(4)	Provide for purchase an extract from the register of public roads	council
410403	Local Government Act 1999	section 232	Plant vegetation on a road	council
410404	Local Government Act 1999	section 232	Authorise the planting of vegetation on a road	council
410405	Local Government Act 1999	section 233(2)	Take action to recover damages from a person who without the council's permission intentionally or negligently damages a road or structure belonging to the councils associated with a road	council
410406	Local Government Act 1999	section 234(1)	Remove and dispose of any structure, object or substance from a road	council
410407	Local Government Act 1999	section 234(2)	Recover the cost of acting under section 234(1) from the person who erected, placed or deposited the structure, object or substance on the road	council
410408	Local Government Act 1999	section 234(3)	Clear a road of wreckage, objects or material on the road as a result of a vehicle accident	council
410409	Local Government Act 1999	section 234(3)	Recover the cost of clearing the road from a driver of a vehicle involved in the accident	council
410410	Local Government Act 1999	section 234A(5)	Erect barricades or other traffic control devices as necessary to give effect to a resolution to exclude vehicles from a road or public place	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410411	Local Government Act 1999	section 234A(6)	Publish a copy of a resolution under section 234A(1) or 234A(2) of the Local Government Act	council
410412	Local Government Act 1999	section 236(2)	Apply to the court for an order that a person convicted of the offence under section 236(1) of the Local Government Act pay any costs incurred by the council in removing or disposing of the abandoned vehicle	council
410413	Local Government Act 1999	section 237(4)(a)	Notify the owner of a vehicle of the removal of the vehicle by written notice	council
410414	Local Government Act 1999	section 237(4)(b)	Notify the owner of a vehicle of the removal of the vehicle by public notice published in a newspaper circulating generally within the State	council
410415	Local Government Act 1999	section 237(5)	Sell a vehicle by public auction or public tender	council
410416	Local Government Act 1999	section 237(6)	Dispose of a vehicle	council
410417	Local Government Act 1999	section 237(7)	Apply the proceeds of the sale of a vehicle as prescribed in section 237(7) of the Local Government Act	council
410418	Local Government Act 1999	section 238(3)	Erect a notice regarding access to or use of a particular piece of land under a council by-law in a prominent place or in the immediate vicinity of the land	council
410419	Local Government Act 1999	section 242(3)	Notify an applicant in writing of a decision or presumptive decision on an application which is subject to section 242 of the Local Government Act	council
410420	Local Government Act 1999	section 242(4)	Fix a date as the 'relevant date' for the purposes of section 242 of the Local Government Act	council
410421	Local Government Act 1999	section 243(1)	Apply to the Registrar-General for the issue of a certificate of title for land which has vested in fee simple in the council under the Local Government Act	council
410422	Local Government Act 1999	section 245(2)	Take reasonable action to respond to a request by the owner or occupier of property adjacent to a road to avert a risk of damage from a tree	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410423	Local Government Act 1999	section 245A(1)	Require a person to enter into an agreement with the council in regard to work under an approval under the Development Act 1993 which could cause damage to any local government land (including a road) within the vicinity of the site of the development	council
410424	Local Government Act 1999	section 245A(3)	Participate in the hearing of an appeal by a person against the requirements to enter and agreement of the terms or conditions of the agreement	council
410425	Local Government Act 1999	section 246(4a)	Publish a notice of a determination under section 246(3)(b) in the Gazette and a newspaper circulating generally in the council area	council
410426	Local Government Act 1999	section 246(5)(b)	Fix an expiation fee for alleged offences against the by-laws	council
410427	Local Government Act 1999	section 249(1)(a)	Make copies of a proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available for public inspection at the principal offices of the council and on the internet	council
410428	Local Government Act 1999	section 249(1)(b)	Publish a notice in a newspaper circulating in the council area informing the public of the availability of the by-laws and the terms of the by-law, or describing the by-laws nature and effect	council
410429	Local Government Act 1999	section 249(2)	Consider submissions made on a proposed by-law	council
410430	Local Government Act 1999	section 249(4)	Obtain a certificate signed by a legal practitioner	council
410431	Local Government Act 1999	section 249(5)	Publish a by-law in the Gazette	council
410432	Local Government Act 1999	section 249(7)	Publish a notice of making a by-law	council
410433	Local Government Act 1999	section 250(5)	Publish a resolution adopting a model by-law in the Gazette	council
410434	Local Government Act 1999	section 250(7)	Publish a resolution adopting a model by-law in a newspaper circulating in the council area	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410435	Local Government Act 1999	section 252(1)	Maintain a register of the by-laws made or adopted by the council	council
410436	Local Government Act 1999	section 252(3)	Provide the register of by-laws for inspection at the principal office of the council	council
410437	Local Government Act 1999	section 252(4)	Provide for purchase an extract of the register of by-laws	council
410438	Local Government Act 1999	section 252(5)	Provide for purchase a certified copy of a by-law	council
410439	Local Government Act 1999	section 254(1)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	council
410440	Local Government Act 1999	section 255(1)	Provide a notice in writing prior to making an order under section 254(1) of the Local Government Act	council
410441	Local Government Act 1999	section 255(2)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	council
410442	Local Government Act 1999	section 255(3)	Consider any representations made in response to a notice under section 255(1) of the Local Government Act	council
410443	Local Government Act 1999	section 255(3)(a)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	council
410444	Local Government Act 1999	section 255(3)(b)	Order a person to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	council
410445	Local Government Act 1999	section 255(3)(c)	Determine not to proceed to make an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	council
410446	Local Government Act 1999	section 255(7)	Serve an order to do or refrain from doing a thing prescribed in section 254(1) of the Local Government Act	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410447	Local Government Act 1999	section 255(8)	Serve a copy of a notice under section 255(1) of the Local Government Act on the owner of the land	council
410448	Local Government Act 1999	section 255(11)	Vary an order	council
410449	Local Government Act 1999	section 255(12)	Make an order	council
410450	Local Government Act 1999	section 256(3)	Participate in a review of an order by the South Australian Civil and administrative Tribunal	council
410451	Local Government Act 1999	section 257(1)	Take action required by an order made under section 255 of the Local Government Act	council
410452	Local Government Act 1999	section 257(2)	Authorise a person to take action under section 257(1) of the Local Government Act	council
410453	Local Government Act 1999	section 257(3)	Recover the costs of taking action under section 257(1) of the Local Government Act	council
410454	Local Government Act 1999	section 257(5)	Provide notice fixing a period in which a person must pay an amount recoverable by the council under section 257 of the Local Government Act	council
410455	Local Government Act 1999	section 257(5)(b)	Impose a charge over land for an unpaid amount recoverable by the council under section 257 of the Local Government Act	council
410456	Local Government Act 1999	section 259(1)	Prepare and adopt policies concerning the operation of Part2, Chapter 12 of the Local Government Act	council
410457	Local Government Act 1999	section 259(2)(a)	Prepare a draft policy	council
410458	Local Government Act 1999	section 259(2)(b)	Give notice in a newspaper circulating in the council area of the place or places where copies of the draft policy are available for inspection and purchase and invite written submissions	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410459	Local Government Act 1999	section 259(3)	Consider submissions	council
410460	Local Government Act 1999	section 259(4)	Amend a policy	council
410461	Local Government Act 1999	section 259(5)	Take steps in section 259(2) and 259(3) prior to amending a policy	council
410462	Local Government Act 1999	section 259(6)	Provide for inspection a copy of a policy	council
410463	Local Government Act 1999	section 259(7)	Provide for purchase a copy of a policy	council
410464	Local Government Act 1999	section 260(1)	Appoint an authorised person	council
410465	Local Government Act 1999	section 260(2)	Impose conditions or limitations on the appointment of an authorised person	council
410466	Local Government Act 1999	section 260(3)	Issue an identity card to an authorised person	council
410467	Local Government Act 1999	section 260(5)	Revoke the appointment of an authorised person	council
410468	Local Government Act 1999	section 270(a1)	Develop and maintain policies, practices and procedures for dealing with requests for the provision of services by the council or complaints about the activities of the council, employees of the council or person acting on behalf of the council	council
410469	Local Government Act 1999	section 270(1)	Establish procedures for the review of decisions	council
410470	Local Government Act 1999	section 270(4)	Refuse an application for the review of a decision	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410471	Local Government Act 1999	section 270(5)	Provide for inspection copies of policies, practices and procedures applying under section 270 of the Local Government Act at the principal office of the council	council
410472	Local Government Act 1999	section 270(6)	Amend policies, practices and procedures applying under section 270 of the Local Government Act	council
410473	Local Government Act 1999	section 270(8)	Initiate and consider a report for the purpose of section 270(8) of the Local Government Act	council
410474	Local Government Act 1999	section 271(1)	Make provision in a procedure under section 270 of the Local Government Act for disputes between a person and the council to be dealt with under a scheme involving mediation, conciliation or neutral evaluation	council
410475	Local Government Act 1999	section 271(2)	Constitute panels of mediators, conciliators and evaluators	council
410476	Local Government Act 1999	section 271(7)	Pay costs of mediation, conciliation and evaluation	council
410477	Local Government Act 1999	section 271A(1)	Provide requested information to the Minister	council
410478	Local Government Act 1999	section 271B(1)(a)	Obtain an independent assessment of the council's probity or compliance with any requirements placed on the council under legislation	council
410479	Local Government Act 1999	section 271B(1)(b)	Take specified action to meet standards in the conduct or administration of the affairs of the council identified by the Minister	council
410480	Local Government Act 1999	section 272(3)	Provide an explanation and make submissions to the Minister	council
410481	Local Government Act 1999	section 272(5)	Make submissions to the Minister in relation to the subject matter of an interim report	council
410482	Local Government Act 1999	section 273(3)	Make submissions to the Minister in relation to a report under section 273(1) of the Local Government Act	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410483	Local Government Act 1999	section 275(2)	Make submissions to the Minister in relation to a report under section 274 of the Local Government Act	council
410484	Local Government Act 1999	section 276(2)(a)	Bring proceedings under section 276(1) of the Local Government Act	council
410485	Local Government Act 1999	section 276(5)(b)	Take necessary steps for and hold a ballot or poll in accordance with an order of the District Court	council
410486	Local Government Act 1999	section 276(5)(f)	Product or deliver books, voting-paper or documents in accordance with an order of the District Court	council
410487	Local Government Act 1999	section 279(1)	Serve a document	council
410488	Local Government Act 1999	section 281(1)	Notify a lessee or licensee of land to pay the council rent or other consideration payable under the lease or licence in satisfaction of the landowner's liability to the council	council
410489	Local Government Act 1999	section 281(2)(b)	Notify the owner of land of the imposition of a requirements under section 281(1) of the Local Government Act	council
410490	Local Government Act 1999	section 282(1)	Approve an occupier of land undertaking work	council
410491	Local Government Act 1999	section 294(1a)	Provide notice to an owner or occupier of land	council
410492	Local Government Act 1999	section 294(3)(a)	Pay rent to the owner of occupier of land as determined by agreement or the Supreme Court	council
410493	Local Government Act 1999	section 294(3)(b)	Pay to the owner of occupier of land reasonable compensation for damage to any crops on land	council
410494	Local Government Act 1999	section 294(3)(c)(i)	Remedy damage to land caused by the council	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410495	Local Government Act 1999	section 294(3)(c)(ii)	Pay compensation for any other loss or damage caused by the council	council
410496	Local Government Act 1999	section 294(5)	Erect a fence	council
410497	Local Government Act 1999	section 294(5)	Comply with the relevant requirements of the Mining Act 1971	council
410498	Local Government Act 1999	section 296(1)	Recover the cost or a portion of the costs of works as a debt	council
410499	Local Government Act 1999	section 296(3)	Give notice of a valuation to the owner of land	council
410500	Local Government Act 1999	section 296(5)	Participate in an objection or review to a valuation	council
410501	Local Government Act 1999	section 297	Sell or dispose of rubbish collected by the council	council
410502	Local Government Act 1999	section 298(1)	Order action in response to flooding or imminent flooding	council
410503	Local Government Act 1999	section 300(1)	Pay the cost of advertising	council
410504	Local Government Act 1999	clause 13(c), Schedule 1A	Enter an arrangement with the Stormwater Management Authority to make use of council staff, equipment or facilities	council
410505	Local Government Act 1999	clause 17(1), Schedule 1A	Prepare a stormwater management plan	council
410506	Local Government Act 1999	clause 18(1), Schedule 1A	Prepare a stormwater management plan or revise an existing stormwater management plan	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410507	Local Government Act 1999	clause 18(2), Schedule 1A	Provide a stormwater management plan to the Stormwater Management Authority for approval	council
410508	Local Government Act 1999	clause 19(3), Schedule 1A	Take action required by the Stormwater Management Authority as a condition of approving a stormwater management plan	council
410509	Local Government Act 1999	clause 20(1), Schedule 1A	Comply with an order issued by the Stormwater Management Authority under clause 20(1), Schedule 1A of the Local Government Act	council
410510	Local Government Act 1999	clause 20(5), Schedule 1A	Make submissions to the Stormwater Management Authority	council
410511	Local Government Act 1999	clause 20(6), Schedule 1A	Enter into an agreement with the Stormwater Management Authority for the repayment of costs and expenses of the authority by the council	council
410512	Local Government Act 1999	clause 24(1), Schedule 1A	Take action consistent with the provisions of an approved stormwater management plan or a condition imposed on approval of a stormwater management plan or action required by an order under clause 20(a), schedule 1B of the Local Government Act by: (a) entering and occupying any land; (b) constructing, maintaining or removing any infrastructure; (c) excavating any land; (d) inspecting, examining or surveying any land and for that purpose: (i) fixing posts, stakes or other markers on the land; (ii) digging trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and (iii) removing samples for analysis; and (e) altering water table levels, stopping or reducing the flow of water in a watercourse, diverting water flowing in a watercourse to another watercourse or to a lake or controlling the flow of water in any other manner; (f) holding water in a watercourse or lake or by any other means; (g) diverting water to an underground aquifer, disposing of water to a lake, underground aquifer or the sea, or dealing with water in any other manner; (h) deepening, widening or changing the course of a watercourse, deepening or widening a lake or taking action to remove any obstruction to the flow of water; (i) undertaking any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation); (j) undertaking any testing, monitoring or evaluation; and (k) undertaking any other activity of a prescribed kind.	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410513	Local Government Act 1999	clause 24(2)(a), Schedule 1A	Enter into an agreement with the owner of private land	council
410514	Local Government Act 1999	clause 24(2)(b), Schedule 1A	Acquire an easement or other appropriate interest over land by agreement with the owner or in accordance with the Land Acquisition Act 1969 and any other applicable laws	council
410515	Local Government Act 1999	clause 24(3), Schedule 1A	Acquire land by agreement for the purposes of constructing any infrastructure or performing any work	council
410516	Local Government Act 1999	clause 25(2), Schedule 1A	Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24	council
410517	Local Government Act 1999	clause 25(3)(b), Schedule 1A	Provide notice to the occupier of land of an intention to enter, or to enter and occupy, land in accordance with clause 24	council
410518	Local Government Act 1999	clause 26(3), Schedule 1A	Make submissions to the Minister regarding the vesting of the care, control and management of infrastructure or land in the council	public authority
410519	Local Government Act 1999	clause 26(4), Schedule 1A	Maintain and repair infrastructure and maintain land vested in the council	public authority
410520	Local Government Act 1999	clause 2(1), Schedule 1B	Enter a building upgrade agreement	council
410521	Local Government Act 1999	clause 2(4), Schedule 1B	Agree to other parties entering a building upgrade agreement	council
410522	Local Government Act 1999	clause 4, Schedule 1B	Agree to vary or terminate a building upgrade agreement	council
410523	Local Government Act 1999	clause 6(1), Schedule 1B	Declare a building upgrade charge	council
410524	Local Government Act 1999	clause 6(2), Schedule 4B	Provide written notice of the declaration of a building upgrade charge	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410525	Local Government Act 1999	clause 6(4), Schedule 1B	Give notice of each payment of a building upgrade charge	council
410526	Local Government Act 1999	clause 7(2), Schedule 1B	Deduct and retain any service fee and late payment fee	council
410527	Local Government Act 1999	clause 7(3)(a), Schedule 1B	Hold money pending payment to the finance provider	council
410528	Local Government Act 1999	clause 7(3)(b), Schedule 1B	Pay money to the finance provider	council
410529	Local Government Act 1999	clause 9(1), Schedule 1B	Sell land if a building upgrade charge remains outstanding for more than 3 years	council
410530	Local Government Act 1999	clause 9(2), Schedule 1B	Apply money received on the sale of land as prescribed by clause 9(2), schedule 1B of the Local Government Act	council
410531	Local Government Act 1999	clause 9(3), Schedule 1B	Deal with unclaimed money in accordance with the Unclaimed Moneys Act 1891	council
410532	Local Government Act 1999	clause 10(2)(a), Schedule 1B	Adjust a building upgrade charge	council
410533	Local Government Act 1999	clause 10(2)(a), Schedule 1B	Give notice to the building owner of the adjustment of a building upgrade charge	council
410534	Local Government Act 1999	clause 10(3)(d), Schedule 1B	Refund excess payments to the building owner	council
410535	Local Government Act 1999	clause 11(1), Schedule 1B	Recover a building upgrade charge in accordance with a building upgrade agreement	council
410536	Local Government Act 1999	clause 13(1), Schedule 1B	Keep a register of building upgrade agreements	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410537	Local Government Act 1999	clause 13(3), Schedule 1B	Provide the register of building upgrade agreements for inspection at the principal office of the council	council
410538	Local Government Act 1999	clause 13(4), Schedule 1B	Provide an extract of the register of building upgrade agreements	council
410539	Local Government Act 1999	clause 1(4), Schedule 2	Publish a copy of the charter of a subsidiary in the Gazette	council
410540	Local Government Act 1999	clause 3(1), Schedule 2	Prepare a charter for a subsidiary	council
410541	Local Government Act 1999	clause 3(4), Schedule 2	Review a charter for a subsidiary	council
410542	Local Government Act 1999	clause 3(4)(a), Schedule 2	Furnish a copy of an amended charter for a subsidiary to the Minister	council
410543	Local Government Act 1999	clause 3(4)(b), Schedule 2	Publish a copy of an amended charter for a subsidiary on a website determined by the chief executive officer	council
410544	Local Government Act 1999	clause 3(4)(c), Schedule 2	Publish a notice in the Gazette of the fact of the amendment and website address at which the charter is available for inspection	council
410545	Local Government Act 1999	clause 4(1), Schedule 2	Determine the membership of the board of management of a subsidiary	council
410546	Local Government Act 1999	clause 4(2), Schedule 2	Appoint members of the board of management of a subsidiary	council
410547	Local Government Act 1999	clause 4(6), Schedule 2	Appoint a deputy of a board member	council
410548	Local Government Act 1999	clause 4(8), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility between offices held concurrently	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410549	Local Government Act 1999	clause 5(9), Schedule 2	Act on advice of a board of management that the subsidiary owes a duty of confidence in regard to a matter	council
410550	Local Government Act 1999	clause 5(12), Schedule 2	Direct the board of management as to procedures	council
410551	Local Government Act 1999	clause 8(1), Schedule 2	Participate in consultation with a subsidiary on the preparation and adoption of the subsidiary's business plan	council
410552	Local Government Act 1999	clause 8(4), Schedule 2	Participate in consultation with a subsidiary in an annual review of the subsidiary's business plan	council
410553	Local Government Act 1999	clause 8(4), Schedule 2	Participate in consultation with a subsidiary on the amendment of the subsidiary's business plan	council
410554	Local Government Act 1999	clause 9(2)(d), Schedule 2	Fix a date by which a subsidiary's budget must be adopted	council
410555	Local Government Act 1999	clause 9(3), Schedule 2	Approve the amendment by a subsidiary of an adopted budget	council
410556	Local Government Act 1999	clause 9(5), Schedule 2	Participate in consultation with a subsidiary on the subsidiary incurring spending before the adoption of its budget for the year	council
410557	Local Government Act 1999	clause 10(1), Schedule 2	Give a direction to a subsidiary	council
410558	Local Government Act 1999	clause 10(2), Schedule 2	Make a copy of a direction given to a subsidiary available at the principal office of the council	council
410559	Local Government Act 1999	clause 11(1), Schedule 2	Request a subsidiary to furnish information or records in the possession or control of the subsidiary	council
410560	Local Government Act 1999	clause 11(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410561	Local Government Act 1999	clause 12(1), Schedule 2	Request a subsidiary to report on a matter to the council	council
410562	Local Government Act 1999	clause 12(2), Schedule 2	Receive a report on the work and operations of the subsidiary	council
410563	Local Government Act 1999	clause 12(4), Schedule 2	Incorporate a report made under clause 12(2), Schedule 2 into the annual report of the council	council
410564	Local Government Act 1999	clause 13(3), Schedule 2	Determine or approve members of the audit committee of the subsidiary	council
410565	Local Government Act 1999	clause 14(2), Schedule 2	Approve borrowing by a subsidiary	council
410566	Local Government Act 1999	clause 16(1)(a), Schedule 2	Request the Minister wind up a subsidiary	council
410567	Local Government Act 1999	clause 17(4), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the charter of a subsidiary in the Gazette	council
410568	Local Government Act 1999	clause 19(1), Schedule 2	Prepare (in conjunction with the other constituent councils) a charter of a subsidiary	council
410569	Local Government Act 1999	clause 19(4), Schedule 2	Review (in conjunction with the other constituent councils) a charter of a subsidiary	council
410570	Local Government Act 1999	clause 19(5)(a), Schedule 2	Furnish (in conjunction with the other constituent councils) a copy of an amended charter of a subsidiary to the Minister	council
410571	Local Government Act 1999	clause 19(5)(b), Schedule 2	Publish (in conjunction with the other constituent councils) a copy of the amended charter of a subsidiary on a website determined by the chief executive officer	council
410572	Local Government Act 1999	clause 20(1), Schedule 2	Determine (in conjunction with the other constituent councils) the membership of the board of management of a subsidiary	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410573	Local Government Act 1999	clause 20(7), Schedule 2	Give directions in relation to an actual or potential conflict of duty and duty between offices held concurrently, or in relation to some other incompatibility	council
410574	Local Government Act 1999	clause 21(8), Schedule 2	Authorise a person to attend a meeting of the board of management and have access to the papers provided to board members for the meeting	council
410575	Local Government Act 1999	clause 21(8), Schedule 2	Authorise a person to attend a meeting of the board of management and have access to the papers provided to board members for the meeting	council
410576	Local Government Act 1999	clause 21(9), Schedule 2	Act on advice of a board of management that a matter should be treated confidentially	council
410577	Local Government Act 1999	clause 21(12), Schedule 2	Direct (in conjunction with the other constituent councils) procedures for the board of management	council
410578	Local Government Act 1999	clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in the preparation and adoption of a business plan	council
410579	Local Government Act 1999	clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary in an annual review of the subsidiary's business plan	council
410580	Local Government Act 1999	clause 24(1), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on the amendment of the subsidiary's business plan	council
410581	Local Government Act 1999	clause 25(2)(d), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a budget must be adopted by the subsidiary	council
410582	Local Government Act 1999	clause 25(3), Schedule 2	Approve (in conjunction with the other constituent councils) the amendment of a budget adopted by the subsidiary	council
410583	Local Government Act 1999	clause 25(5), Schedule 2	Participate (in conjunction with the other constituent councils) in consultation with the subsidiary on incurring spending prior to the adoption of a budget	council
410584	Local Government Act 1999	clause 26, Schedule 2	Issue (in conjunction with the other constituent councils) a direction to the subsidiary	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410585	Local Government Act 1999	clause 27(1), Schedule 2	Request the subsidiary to furnish information or records in the possession or control of the subsidiary to the council	council
410586	Local Government Act 1999	clause 27(2), Schedule 2	Act on advice of a board of management that information or a record should be treated as confidential	council
410587	Local Government Act 1999	clause 28(1), Schedule 2	Fix (in conjunction with the other constituent councils) a date before which a subsidiary must furnish to the constituent councils report on the work and operations of the subsidiary	council
410588	Local Government Act 1999	clause 28(1), Schedule 2	Incorporate a report under clause 28(1), Schedule 2 of the Local Government Act in the annual report of the council	council
410589	Local Government Act 1999	clause 30(3), Schedule 2	Determine or approve (in conjunction with the other constituent councils) the members of the subsidiary's audit committee	council
410590	Local Government Act 1999	clause 33(1), Schedule 2	Request (in conjunction with the other constituent councils) the Minister to wind up a regional subsidiary	council
410591	Local Government Act 1999	clause 2(1), Schedule 6	Deliver a notice to the Registrar-General for the purpose of registering a charge over land	council
410592	Local Government Act 1999	clause 3(1)(b), Schedule 6	Exercise the powers of a mortgagee given by the Real Property Act 1886 under a mortgage in respect of which default has been made in payment of money secured by the mortgage	council
410593	Local Government Act 1999	clause 4(1), Schedule 6	Provide notice to the Registrar-General that the amount a charge relates to has been repaid and apply for the discharge of the charge	council





Local Government (Building Upgrade Agreements) Regulations 2017

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409975	Local Government (Building Upgrade Agreements) Regulations 2017	regulation 8(b)	Send a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act to any ratepayer in respect of the relevant land and any registered mortgagee of the land	council
409976	Local Government (Building Upgrade Agreements) Regulations 2017	regulation 8(c)(i)	Place a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act in a newspaper circulating throughout the State	council
409977	Local Government (Building Upgrade Agreements) Regulations 2017	regulation 8(c)(ii)	Leave a copy of a notice sent to building owner under clause 9(1) of Schedule 1B of the Local Government Act in a conspicuous place on the relevant land	council
409978	Local Government (Building Upgrade Agreements) Regulations 2017	regulation 8(e)	Set a reserve price for the sale of land by auction	council
409979	Local Government (Building Upgrade Agreements) Regulations 2017	regulation 8(f)	Advertise the auction in a newspaper circulating throughout the State	council
409980	Local Government (Building Upgrade Agreements) Regulations 2017	regulation 8(g)	Cancel an auction	council
409981	Local Government (Building Upgrade Agreements) Regulations 2017	regulation 8(h)	Sell land by private contract	council





Local Government (Financial Management) Regulations 2011

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410003	Local Government (Financial Management) Regulations 2011	regulation 9(1)	Prepare and consider the reports prescribed in regulation 9(1) of the Local Government (Financial Management) Regulations	council
410004	Local Government (Financial Management) Regulations 2011	regulation 10(1)	Prepare and consider the report prescribed in regulation 10(1) of the Local Government (Financial Management) Regulations	council
410005	Local Government (Financial Management) Regulations 2011	regulation 11(1)	Prepare and maintain all accounting records, accounts and financial statements in accordance with all relevant Australian Accounting Standards	council
410006	Local Government (Financial Management) Regulations 2011	regulation 12	Revalue all material non-current assets in accordance with the requirements of Australian Accounting Standards AASB 116	council
410007	Local Government (Financial Management) Regulations 2011	regulation 22(2)	Engage the council's auditor to certify that a grant or subsidy received by the council has been acquitted in accordance with any conditions required by the provider of the grant or subsidy	council





Local Government (General) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410016	Aboriginal Cultural Heritage Act 2003	clause 2(1), Schedule 2A	Prepare and maintain a policy relating to complaints against employees	council
410015	Local Government (General) Regulations 2013	regulation 25C(3)	Publish a copy of the council's location rules on the council's website	council





Local Government (Members Allowances and Benefits) Regulations 2010

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410017	Local Government (Members Allowances and Benefits) Regulations 2010	regulation 5(3)	Aggregate claims for reimbursement of expenses and pay the claim on a quarterly or monthly basis	council





Local Government (Procedures at Meetings) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410019	Aboriginal Cultural Heritage Act 2003	regulation 6(5)	Provide for inspection a code of practice under regulation 6 of the Local Government (Procedures at Meetings) Regulations	council
410018	Local Government (Procedures at Meetings) Regulations 2013	regulation 6(3)	Review the operation of a code of practice under regulation 6 of the Local Government (Procedures at Meetings) Regulations	council
410020	Local Government (Procedures at Meetings) Regulations 2013	regulation 6(6)	Provide for purchase a copy of a code of practice under regulation 6 of the Local Government (Procedures at Meetings) Regulations	council





Local Government Act 1999 - COVID-19 Notice No. 2 - Public Access and Public Consultation

ID	Delegation Source	Provision	Item Delegated
342573	LGA1999 - COVID-19 Notice No.2 Public Access and Public Consultation	s45(2)	The power pursuant to Section 45(2) of the LG Act to, if the delegate is satisfied it is reasonably necessary as a result of the public health emergency, to: - close the principal office of the Council; or - vary the transaction of business hours at the principal office of the Council;
342574	LGA1999 - COVID-19 Notice No.2 Public Access and Public Consultation	s45(3)	The power pursuant to Section 45(3) of the LG Act if the Council closes its principal office or varies the transaction of business hours in accordance with Section 45(2) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to: - make alternative arrangements to enable the local community to access the services of the Council which are ordinarily available at the principal office of the Council; - inform the Council's local community (including by publishing the information on a website determined by the Chief Executive Officer) about the changes to the arrangements to access those services;
342575	LGA1999 - COVID-19 Notice No.2 Public Access and Public Consultation	s45(4)(b)	The power pursuant to Section 45(4)(b) of the LG Act to satisfy any obligation under the LG Act to make a document available for inspection at the principal office of the Council by making the document available for inspection at an alternative place or by an alternative means as determined by the delegate;
342576	LGA1999 - COVID-19 Notice No.2 Public Access and Public Consultation	s45(5)	The power pursuant to Section 45(5) of the LG Act, if the Council or Chief Executive Officer makes a document available for inspection in accordance with Section 45(4) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to inform the Council's local community (including by publishing the information on a website determined by the chief executive officer) about the changes to the arrangements for inspection of the document;
342577	LGA1999 - COVID-19 Notice No.2 Public Access and Public Consultation	s45(10)	The power pursuant to Section 45(10) of the LG Act if the Council makes copies of a document available in accordance with Sections 45(8) or (9) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to inform the Council's local community (including by publishing the information on a website determined by the chief executive officer) about the changes to the arrangements for provision of copies of the document.
342578	LGA1999 - COVID-19 Notice No.2 Public Access and Public Consultation	s50(5a)	The power pursuant to Section 50(5a) of the LG Act to alter the Council's Public Consultation Policy or substitute a new policy without undertaking public consultation, even if the Council's existing Public Consultation Policy requires the Council to conduct public consultation;
342579	LGA1999 - COVID-19 Notice No.2 Public Access and Public Consultation	s123(5)	The power pursuant to Section 123(5) of the LG Act to ensure that copies of the draft annual business plan are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) and on the website at least 21 days before the end of the period for providing written submissions;
342580	LGA1999 - COVID-19 Notice No.2 Public Access and Public Consultation	s151(8)	The power pursuant to Section 151(8) of the LG Act to ensure that copies of the report required under Section 151(5)(d) are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the





Local Government Act 1999 - COVID-19 Notice No. 2 - Public Access and Public Consultation

ID	Delegation Source	Provision	Item Delegated
			Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) at least 21 days before the end of the period for public consultation;
342581	LGA1999 - COVID-19 Notice No.2 Public Access and Public Consultation	s156(14e)	The power pursuant to Section 156(14e) of the LG Act to ensure that copies of the report required under section 156(14a)(a) of the LG Act are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) at least 21 days before the end of the period for public consultation.





Local Government (Elections) Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409982	Local Government (Elections) Act 1999	section 4(2)(d)	Fix a day for a poll	council
409983	Local Government (Elections) Act 1999	section 8(1)	Appoint a person or persons to the office or offices not filled by a supplementary election which has wholly or partially failed or been declared void	council
409984	Local Government (Elections) Act 1999	section 9(1)	Hold a poll	council
409985	Local Government (Elections) Act 1999	section 9(3)	Fix a day as polling day for a poll by notice in a newspaper circulating in the council area	council
409986	Local Government (Elections) Act 1999	section 9(4)	Fix a day as the day on which the voters roll for the purposes of the poll closes	council
409987	Local Government (Elections) Act 1999	section 10(3)	Nominate a person as a deputy returning officer of the council area	council
409988	Local Government (Elections) Act 1999	section 10(9)	Participate in consultation with the Electoral Commissioner regarding the proposed removal of a deputy returning officer nominated by the council	council
409989	Local Government (Elections) Act 1999	section 12(b)	Provide information, education and publicity designed to promote public participation in the electoral processes for its area, to inform potential voters about the candidates who are standing for election in its area, and to advise its local community about the outcome of elections and polls conducted in its area	council
409990	Local Government (Elections) Act 1999	section 13A(2)(a)	Inform potential electors in the council area of the requirements to be enrolled on the voters roll	council
409991	Local Government (Elections) Act 1999	section 13A(2)(b)	Arrange advertising informing potential electors in the council area of the requirements to be enrolled on the voters roll	council
409992	Local Government (Elections) Act 1999	section 15(14)	Provide copies of the voters roll for the council area for inspection at the principal office of the council	council





Local Government (Elections) Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
409993	Local Government (Elections) Act 1999	section 15(15)	Provide a copy of the voters roll in printed form to a nominated candidate for the election	council
409994	Local Government (Elections) Act 1999	section 55(1)	Participate in consultation with the returning officer regarding the use of a computer program to carry out steps involved in the recording, scrutiny or counting of votes in an election or poll	council
409995	Local Government (Elections) Act 1999	section 70(3)	Contest a petition to the Court by lodging a reply	council
409996	Local Government (Elections) Act 1999	section 75(1)(a)	Participate in proceedings as a party pursuant to an order of the Court	council
409997	Local Government (Elections) Act 1999	section 75(1)(b)	Apply to intervene in proceedings	council
409998	Local Government (Elections) Act 1999	section 75(3)	Intervene in proceedings in the manner and to the extent directed by the Court and on such other conditions as the court directs	council
409999	Local Government (Elections) Act 1999	section 76	Engage counsel to represent the council in proceedings	council
410000	Local Government (Elections) Act 1999	section 77	Apply to the court to refer a question of law to the Court of Appeal	council
410001	Local Government (Elections) Act 1999	section 91A(1)	Prepare and adopt a caretaker policy	council
410002	Local Government (Elections) Act 1999	section 91A(3)	Apply in writing for an exemption from the prohibition against making a designated decision during an election period	council





Local Government (Forestry Reserves) Act 1944

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410008	Local Government (Forestry Reserves) Act 1944	section 4(1)	Establish and manage a forest on any local government forestry reserve	council
410009	Local Government (Forestry Reserves) Act 1944	section 4(2)	Expend money of the council for the purposes of establishing and managing a forest or for any incidental purpose	council
410010	Local Government (Forestry Reserves) Act 1944	section 5(2)	Repay an advance of money in such a manner as the Minister directs	council
410011	Local Government (Forestry Reserves) Act 1944	section 5(2)	Expend an advance of money in accordance with any direction given by the Minister	council
410012	Local Government (Forestry Reserves) Act 1944	section 6(1)	Manage a forest established by the council	council
410013	Local Government (Forestry Reserves) Act 1944	section 6(1)	Sell or otherwise dispose of timber or other products derived for a forest established by the council	council
410014	Local Government (Forestry Reserves) Act 1944	section 7(2)	Carry out directions of the Minister regarding the management of a forest established by the council	council





Local Nuisance and Litter Control Act 2016

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410594	Local Nuisance and Litter Control Act 2016	section 7(2)(a)	Take action to manage local nuisance and littering within the council area	council
410595	Local Nuisance and Litter Control Act 2016	section 7(2)(b)	Cooperate with any other person or body in the administration of the Act	council
410596	Local Nuisance and Litter Control Act 2016	section 7(2)(c)	Provide, or support the provision of, educational information within the council areas to help detect, prevent and manage local nuisance and littering	council
410597	Local Nuisance and Litter Control Act 2016	section 8	Include in the council's annual report details of the performance of the council during the year of functions conferred on it under the Act	council
410598	Local Nuisance and Litter Control Act 2016	section 12(3)	Appoint authorised officers	council
410599	Local Nuisance and Litter Control Act 2016	section 12(4)(a)	Determine conditions to apply to the appointment of authorised officers	council
410600	Local Nuisance and Litter Control Act 2016	section 12(6)	Revoke the appointment of an authorised officer	council
410601	Local Nuisance and Litter Control Act 2016	section 12(6)	Vary or revoke a condition applying to the appointment of an authorised officer or impose a further condition	council
410602	Local Nuisance and Litter Control Act 2016	section 13(2)	Issue an identity card to an authorised officer	council
410603	Local Nuisance and Litter Control Act 2016	section 15(a)	Agree in writing that an authorised officer appointed by another council may exercise powers under the Act in the council area	council
410604	Local Nuisance and Litter Control Act 2016	section 16(1)(a)	Hold a substance, material or thing seized under Division 3, Part 3 of the Act pending proceedings	council
410605	Local Nuisance and Litter Control Act 2016	section 16(1)(a)	Authorise the release of a substance, material or thing seized under Division 3, Part 3 of the Act	council
410606	Local Nuisance and Litter Control Act 2016	section 16(1)(d)	Receive a substance, material or thing forfeited pursuant to a court order	council
410607	Local Nuisance and Litter Control Act 2016	section 16(1)(e)(i)	Request the person entitled to recover a substance, material or thing to collect the substance, material or thing	council
410608	Local Nuisance and Litter Control Act 2016	section 16(1)(e)(ii)	Make reasonable attempts to locate the person entitled to recover a substance, material or thing to collect the substance, material or thing	council
410609	Local Nuisance and Litter Control Act 2016	section 16(1)(f)	Dispose of any substance, material or things forfeited to the council under section 16	council
410610	Local Nuisance and Litter Control Act 2016	section 19(1)	Declare a person to be exempt from the application of section 18	council





Local Nuisance and Litter Control Act 2016

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410611	Local Nuisance and Litter Control Act 2016	section 19(2)	Receive an application for an exemption under section 19	council
410612	Local Nuisance and Litter Control Act 2016	section 19(2)(b)	Specify any information the council requires to be provided with an application under section 19	council
410613	Local Nuisance and Litter Control Act 2016	section 19(4)	Determine conditions to apply to a declaration under section 19	council
410614	Local Nuisance and Litter Control Act 2016	section 19(5)	Vary or revoke a declaration under section 19	council
410615	Local Nuisance and Litter Control Act 2016	section 19(6)	Specify a date of expiry in a declaration under section 19	council
410616	Local Nuisance and Litter Control Act 2016	section 19(7)	Publish a declaration under section 19 or any variations to a declaration on a website determined by the council	council
410617	Local Nuisance and Litter Control Act 2016	section 22(3)(a)(i)	Provide a bin or other receptacle for litter of a particular kind	council
410618	Local Nuisance and Litter Control Act 2016	section 22(3)(a)(ii)	Approve or authorise the disposal of litter in a manner other than in a bin or receptacle provided by the council	council
410619	Local Nuisance and Litter Control Act 2016	section 25(1)	Receive a citizen's notification from a person who reasonably suspects another person has committed an offence under Division 2, Part 4 of the Act	council
410620	Local Nuisance and Litter Control Act 2016	section 26(3)	Issue a notice to the owner of a vehicle for an alleged offence	council
410621	Local Nuisance and Litter Control Act 2016	section 29	Notify the Environment Protection Authority of a belief that an offence committed under section 18 of section 22 has, or may have, resulted in material environmental harm or serious environmental harm	council
410622	Local Nuisance and Litter Control Act 2016	section 30(1)(a)	Issue a nuisance abatement notice	council
410623	Local Nuisance and Litter Control Act 2016	section 30(1)(b)	Issue a litter abatement notice	council
410624	Local Nuisance and Litter Control Act 2016	section 30(7)	Issue and serve a notice confirming an emergency notice	council
410625	Local Nuisance and Litter Control Act 2016	section 30(8)	Vary or revoke a notice issued under section 30	council
410626	Local Nuisance and Litter Control Act 2016	section 31(1)	Take action required by a nuisance abatement notice or a litter abatement notice if the requirements of the notice has not been fulfilled	council
410627	Local Nuisance and Litter Control Act 2016	section 31(2)	Authorise a person to take action on behalf of the council if the requirements of a nuisance abatement notice or a litter abatement notice have not been fulfilled	council





Local Nuisance and Litter Control Act 2016

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410628	Local Nuisance and Litter Control Act 2016	section 31(3)(a)	Issue an instrument of authority to a person other than an authorised officer taking action on behalf of the council under section 31(1)	council
410629	Local Nuisance and Litter Control Act 2016	section 31(5)	Recover the reasonable costs and expenses incurred in taking action under section 31	council
410630	Local Nuisance and Litter Control Act 2016	section 31(6)	Fix a period within which an amount under section 31(5) must be paid to the council	council
410631	Local Nuisance and Litter Control Act 2016	section 32(4)	Participate as a party to any proceedings under section 32	council
410632	Local Nuisance and Litter Control Act 2016	section 33(6)(a)	Make an application to the Environment, Resources and Development Court for an order under section 33(1)	council
410633	Local Nuisance and Litter Control Act 2016	section 33(8)(a)	Serve a copy of an application under section 33 on the Minister	council
410634	Local Nuisance and Litter Control Act 2016	section 33(9)(b)	Apply to the Environment, Resources and Development Court to join proceedings for an order under section 33(1) commenced by another person	council
410635	Local Nuisance and Litter Control Act 2016	section 33(14)	Apply to the Environment, Resources and Development Court for an interim order under section 33	council
410636	Local Nuisance and Litter Control Act 2016	section 33(19)	Apply to the Environment, Resources and Development Court to vary or revoke an order under section 33	council
410637	Local Nuisance and Litter Control Act 2016	section 34(1)	Agree with a person who the council is satisfied has contravened the Act a civil penalty in respect of the contravention	council
410638	Local Nuisance and Litter Control Act 2016	section 34(1)	Apply to the Environment, Resources and Development Court for an order for a civil penalty in respect of a contravention of the Act	council
410639	Local Nuisance and Litter Control Act 2016	section 34(3)(a)	Serve a notice on a person who the council is satisfied has contravened the Act advising the person that they may elect to be prosecuted for the contravention	council
410640	Local Nuisance and Litter Control Act 2016	section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	council
410641	Local Nuisance and Litter Control Act 2016	section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	council
410642	Local Nuisance and Litter Control Act 2016	section 43(1)(d)	Commence proceedings for an offence against the Act	council
410643	Local Nuisance and Litter Control Act 2016	section 48(1)	Serve notice on a person who has contravened the Act requiring the person to pay the reasonable costs of the council taking prescribed action under the Act	council
410644	Local Nuisance and Litter Control Act 2016	section 48(3)(a)	Extend the time for payment of an amount payable under a notice under section 48(1)	council





Local Nuisance and Litter Control Act 2016

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410645	Local Nuisance and Litter Control Act 2016	section 48(3)(b)	Waive or reduce payment of an amount payable under a notice under section 48(1)	council
410646	Local Nuisance and Litter Control Act 2016	section 48(6)	Recover an amount payable under a notice under section 48(1) which is unpaid as a debt	council
410647	Local Nuisance and Litter Control Act 2016	section 50(4)	Execute a certificate regarding the appointment or non-appointment of a person as an authorised officer; a delegation or authority under the Act; a notice, requirement or direction of the council; any other decision of the council; receipt or non-receipt of a notification, report or information	council
410648	Local Nuisance and Litter Control Act 2016	section 50(5)	Execute a certificate detailing costs and expenses and the purpose for which they were incurred for the purposes of proceedings to recover the reasonable costs of the council	council
410649	Local Nuisance and Litter Control Act 2016	section 51(9)	Participate in consultation with the Minister in regard to proposed regulations	council





Local Nuisance and Litter Control Regulations 2017

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410650	Local Nuisance and Litter Control Regulations 2017	regulation 6(1)(a)(ii)(A)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period not exceeding 24 hours	council
410651	Local Nuisance and Litter Control Regulations 2017	regulation 6(1)(a)(ii)(B)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period of 24 hours or longer	council
410652	Local Nuisance and Litter Control Regulations 2017	regulation 6(1)(b)	Fix a fee for an application under section 19(2) of the Act	council
410653	Local Nuisance and Litter Control Regulations 2017	regulation 6(2)	Refuse to consider an application for the purposes of section 19(2) of the Local Nuisance and Litter Control Act	council
410654	Local Nuisance and Litter Control Regulations 2017	regulation 13(2)(a)	Give notice to the Registrar-General for the purposes of creating a charge on land	council
410655	Local Nuisance and Litter Control Regulations 2017	regulation 13(2)(g)	Give notice to the Registrar-General for the purposes of cancelling a charge on land	council
410656	Local Nuisance and Litter Control Regulations 2017	regulation 13(3)	Recover costs or expenses incurred by the council in relation to the creation or cancellation of a charge over land	council
410657	Local Nuisance and Litter Control Regulations 2017	regulation 15(1)	Allow a fee payment under the Local Nuisance and Litter Control Act or regulations to be paid in instalments	council
410658	Local Nuisance and Litter Control Regulations 2017	regulation 15(1)	Add a charge by way of interest or an administrative fee to the payment of a fee by instalments	council
410659	Local Nuisance and Litter Control Regulations 2017	regulation 16	Waive or refund a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	council
410660	Local Nuisance and Litter Control Regulations 2017	regulation 17	Recover a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	council





Magistrates Court Rules 1992

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410661	Magistrates Court Rules 1992	rule 12	Lay an information	public authority





Mining Act 1971

ID	Delegation Source	Provision	Item Delegated	Capacity of council
477497	Mining Act 1971	section 9AA(1)	Enter into an agreement with a mining operator to waive the benefit of an exemption	council
485411	Mining Act 1971	section 9AA(1a)	Advise a tenement holder of the council's position in relation to a waiver of the benefit of an exemption and the conditions which may apply to such a waiver	council
477498	Mining Act 1971	section 9AA(4)	Give written notice to a mining operator rescinding an agreement to waive an exemption	council
477499	Mining Act 1971	section 9AA(7)	Participate in proceedings before the Environment, Resources and Development Court brought by a mining operator seeking an order waiving the benefit of an exemption	council
485412	Mining Act 1971	section 9AA(8a)	Apply for a court order under section 9AA(9) of the Mining Act	council





Mining Regulations 2020

ID	Delegation Source	Provision	Item Delegated	Capacity of council
477503	Mining Regulations 2020	regulation 74(3)(b)	Make submissions to the Director of Mines in regard to the draft objectives and criteria of a mine operations plan for a mine located in the council area	council





Ombudsman Act 1972

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410662	Ombudsman Act 1972	section 19A(1)	Comply with a notice of the Ombudsman	agency
410663	Ombudsman Act 1972	section 19A(5)	Advise the Ombudsman that the council's failure to comply with a notice is reasonable and justifiable	agency
410664	Ombudsman Act 1972	section 28	Apply to the Supreme Court for a determination regarding the Ombudsman's jurisdiction	agency





Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017

ID	Delegation Source	Provision	Item Delegated
281921	Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017	r8(1)(c)	40. Adoption of DPAs 40.1 The power pursuant to Regulation 8(1)(c) of the Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017 (the Transitional Provisions Regulations) to apply to the Minister under Regulation 8 of the Transitional Provisions Regulations in accordance with any requirement determined by the Minister.





Private Parking Areas Act 1986

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410665	Private Parking Areas Act 1986	section 9(1)	Enter into an agreement with the owner of a private parking area for council to enforce Part 3 of the Act with respect to the private parking area	council





Public Assemblies Act 1972

ID	Delegation Source	Provision	Item Delegated
291249	Public Assemblies Act 1972	s4(6)	The power pursuant to Section 4(6) of the Public Assemblies Act 1972 ("the Act") to lodge an objection, in accordance with Section 4(6) of the Act, on the ground that it would, if effectuated, unduly prejudice any public interest to any notice of assembly lodged under this section.





Real Property Act 1886

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410666	Real Property Act 1886	section 223LDA(b)(i)	Issue a certificate certifying compliance with the requirements of the Act under which the encumbrance was entered to, or is in force, as to the variation or termination of the statutory encumbrance	holder of statutory encumbrance
410667	Real Property Act 1886	section 223LH(1)(c)	Issue a certificate certifying the council's consent to the division of land	holder of statutory encumbrance
410668	Real Property Act 1886	section 252	Provide the Registrar-General with a map or plan showing particulars of the new street or road vested in the council	council





Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410679	Road Traffic Act 1961	section 17(1)	Install, maintain, alter or operate, or cause to be installed, maintained, altered or operated, a traffic control device on, above or near a road	road authority
410680	Road Traffic Act 1961	section 17(2)	Remove a traffic control device or cause a traffic control device to be removed	road authority
410681	Road Traffic Act 1961	section 17(3)	Install, display, alter, operate or remove traffic control device: (a) in relation to an area where persons are engaged in work or an area affected by works in progress; (b) in relation to a part of a road temporarily closed to traffic under this or any other Act; or (c) for any temporary purposes.	road authority
410682	Road Traffic Act 1961	section 17(5)	Apply to the Minister for approval to take action under section 17 of the Road Traffic Act	road authority
410683	Road Traffic Act 1961	section 18(5)	Comply with a direction of the Minister to install, maintain, alter, operate or remove a traffic control device on, above or near a road	road authority
410684	Road Traffic Act 1961	section 18(6)	Carry out a direction with which a road authority has failed to comply at the direction of the Minister	council
410685	Road Traffic Act 1961	section 18(7)	Recover as a debt from a defaulting road authority any expenses incurred in carrying out a direction under section 18(6)	council
410686	Road Traffic Act 1961	section 19(6)	Maintain a traffic control device for which the council is liable to bear the costs in good order	council
410687	Road Traffic Act 1961	section 19A(3)	Recover any amount due under a requirement under section 19A as a debt	road authority
410688	Road Traffic Act 1961	section 20(3)	Place speed limit signs on road	public authority
410689	Road Traffic Act 1961	section 20(4)(b)	Place speed limit signs on road	public authority
410690	Road Traffic Act 1961	section 20(5)	Close road pursuant to a permit	public authority
410691	Road Traffic Act 1961	section 20(6)	Apply to the Minister for a road works permit	public authority
410692	Road Traffic Act 1961	section 20(9)	Apply to the Minister for an extension of time	public authority
410693	Road Traffic Act 1961	section 20(13)	Engagement of a contractor to undertake works on behalf of the public authority	public authority
410694	Road Traffic Act 1961	section 20A(1)	Appeal a decision of the Minister under section 17 or section 20 to the District Court	public authority





Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410695	Road Traffic Act 1961	section 20A(2)	Request the Minister to provide reasons in writing for a decision under section 17 or section 20	public authority
410696	Road Traffic Act 1961	section 21(2)	Certify that there was not proper authority for the installation or display of a specified sign, signal, marking, structure or other device or thing as a traffic control device on, above or near a specified part of a road	road authority
410697	Road Traffic Act 1961	section 21(3)	Comply with conditions of approval under section 17 or a permit under section 20	road authority
410698	Road Traffic Act 1961	section 31(2)	Remove any false traffic control device or any device, structure or thing that might constitute a hazard to traffic.	road authority
410699	Road Traffic Act 1961	section 32(1)	Cause a notice of a proposal to close a road or part of a road to all vehicles or vehicles of a specified class or to cause a road as a through road for motor vehicles to be: (a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council; (b) to be given by post to each ratepayer of land immediately abutting the road, or portion of road, the subject of the proposal; (c) if the road is a prescribed road, to be given to each affected council; and (e) if the road is a highway, or runs into or intersects with a highway, to be given to the Commissioner of Highways.	public authority
410700	Road Traffic Act 1961	section 32(2)	Consider written submissions made	public authority
410701	Road Traffic Act 1961	section 32(6)	Cause a notice of a decision to close a road or part of a road to all vehicles or vehicles of a specified class or to cause a road as a through road for motor vehicles to be: (a) published both in a newspaper circulating generally in the State and a newspaper circulating within the area of the council; (b) to be given by post to each ratepayer of land immediately abutting the road, or portion of road, the subject of the proposal; (c) if the road is a prescribed road, to be given to each affected council; and (e) if the road is a highway, or runs into or intersects with a highway, to be given to the Commissioner of Highways.	public authority
410702	Road Traffic Act 1961	section 33(2)	Consent to the closure of a road for an event	council
410703	Road Traffic Act 1961	section 40P(3)	Offer a vehicle for sale by public auction	council
410704	Road Traffic Act 1961	section 40P(4)	Dispose of a vehicle as the council thinks fit	council
410705	Road Traffic Act 1961	section 40P(6)	Make reasonable inquiries to locate the owner of a vehicle	council
410706	Road Traffic Act 1961	section 86(a)	Determine that a ticket must be obtained for parking in a length of road or area without the payment of a fee	council





Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410707	Road Traffic Act 1961	section 86(a)	Vary or revoke a determination under section 86(a)	council
410708	Road Traffic Act 1961	section 163ZC(2)	Apply for a compensation order	road authority
410709	Road Traffic Act 1961	section 163ZD(2)(c)	Certify that the road authority maintains a road	road authority
410710	Road Traffic Act 1961	section 163ZD(2)(c)	Certify other matters including: (a) estimating the monetary value of all or any part of the road infrastructure or of the damage to it; (b) estimating the cost of remedying the damage; or (c) estimating the extent of the offender's contribution to the damage	road authority
410711	Road Traffic Act 1961	section 163ZE(1)	Serve a certificate referred to in section 163ZD on the defendant	road authority
410712	Road Traffic Act 1961	section 163ZH(1)(b)	Repay payments under an order to the extent that the order is void	road authority
410713	Road Traffic Act 1961	section 174A(4)	Issue notice inviting the owner of a vehicle issued with an expiation notice or expiation reminder notice under the Expiation of Offences Act 1996 to provide a statutory declaration setting out the name and address of the driver or the details of the transfer of the vehicle	council
410714	Road Traffic Act 1961	section 174C(1)	Exempt a person or a person of a specified class or any vehicle or any vehicle of a specified class from compliance within the council areas with a prescribed provision of the Road Traffic Act	council
410715	Road Traffic Act 1961	section 174C(2)	Specify conditions to apply to the granting of an exemption under section 174C(1)	council





Road Traffic (Miscellaneous) Regulations 2014

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410669	Road Traffic (Miscellaneous) Regulations 2014	regulation 6(2)	Participate in consultation with respect to an event management plan	council
410670	Road Traffic (Miscellaneous) Regulations 2014	regulation 7(1)(b)	Participate in consultation with respect to an order to close a road	council
410671	Road Traffic (Miscellaneous) Regulations 2014	regulation 8	Provide information supplied by the Minister for the inspection of the public at the office of the council until the event causing a road closure has occurred	council
410672	Road Traffic (Miscellaneous) Regulations 2014	regulation 66	Designate an area for parking	council





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410716	Roads (Opening and Closing) Act 1991	section 4	Make a road process order	relevant authority
410717	Roads (Opening and Closing) Act 1991	section 5	Commence a road process in relation to a road or a proposed road	council
410718	Roads (Opening and Closing) Act 1991	section 9(1)	Cause to be prepared: (a) a preliminary plan of the land subject to the proposed road process in a form approved by the Surveyor-General; and (b) a statement in a form approved by the Surveyor-General containing the names and addresses of those persons affected who can be identified by reasonable inquiry and such information in relation to the land subject to the proposed road process as is required by the Surveyor-General	council
410719	Roads (Opening and Closing) Act 1991	section 9(2)	Deposit a copy of the preliminary plan and statement at the Adelaide office of the Surveyor-General with the prescribed fee	council
410720	Roads (Opening and Closing) Act 1991	section 10(1)(a)	Give public notice in accordance with the regulations of the proposed road process	relevant authority
410721	Roads (Opening and Closing) Act 1991	section 10(1)(b)	Serve notice of the proposed road process on each person affected who can be identified by reasonable inquiry	relevant authority
410722	Roads (Opening and Closing) Act 1991	section 10(2)	Deposit a copy of the notice at the Adelaide office of the Surveyor-General	relevant authority
410723	Roads (Opening and Closing) Act 1991	section 11(a)(ii)	Lodge a caveat with the Registrar-General forbidding any dealing with the land without the consent of the council	council
410724	Roads (Opening and Closing) Act 1991	section 11(b)(iii)	Lodge a copy of the notice of the proposed road opening at the General Registry Office	council
410725	Roads (Opening and Closing) Act 1991	section 11(b)(iii)	Serve a notice on any person requiring the person to deliver up to the Registrar-General any instrument evidencing the person's interest in the land	council





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410726	Roads (Opening and Closing) Act 1991	section 12(1)	Make agreements for exchange or transfer in relation to land subject to a proposed road closure with the owners of land adjoining that land	council
410727	Roads (Opening and Closing) Act 1991	section 12(3)(a)	Endeavour to secure an agreement for exchange with a person who owns adjoining land and land subject to a proposed road opening	council
410728	Roads (Opening and Closing) Act 1991	section 12(3)(b)	Invite offers from the owners of land adjoining the land subject to the proposed road closure	council
410729	Roads (Opening and Closing) Act 1991	section 13(3)	Receiving an objection or application in respect of a proposed road process	relevant authority
410730	Roads (Opening and Closing) Act 1991	section 14(1)	Notify a person who has made an objection or application in relation to a proposed road process of the time and place at which the relevant authority will meet to consider all such objections and applications	relevant authority
410731	Roads (Opening and Closing) Act 1991	section 15(1)	Determine whether or not to make a road process order	relevant authority
410732	Roads (Opening and Closing) Act 1991	section 15(3)	Give notice of a decision that no road process order is to be made to the Surveyor-General, any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3 and, in the case of a proposed road opening, to any person who has an interest in land over which a road was proposed to be opened	relevant authority
410733	Roads (Opening and Closing) Act 1991	section 17	Make one or more of the orders listed in section 17 as part of a road process order dealing with land the subject of a road closure	relevant authority
410734	Roads (Opening and Closing) Act 1991	section 18(1)	Make an order as part of a road process order for the granting of an easement over land subject to the road closure	relevant authority
410735	Roads (Opening and Closing) Act 1991	section 19(a)	Give notice of the making of a road process order to any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3	relevant authority
410736	Roads (Opening and Closing) Act 1991	section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road will be opened	relevant authority





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410737	Roads (Opening and Closing) Act 1991	section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road was proposed to be opened, but which does not form part of the land over which the road will be opened, advising of the discontinuance of the road process in respect of that land	relevant authority
410738	Roads (Opening and Closing) Act 1991	section 19(c)	Deliver to the Adelaide Office of the Surveyor-General a copy of the minutes of all meetings held by the authority in relation to the proposed road process certified by the chief executive officer of the council	relevant authority
410739	Roads (Opening and Closing) Act 1991	section 20(1)	Deposit at the Adelaide Office of the Surveyor-General prescribed documents after making a road process order and any fee prescribed by regulation	council
410740	Roads (Opening and Closing) Act 1991	section 20(3)	Give notice of the lapsing of a road process to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened	council
410741	Roads (Opening and Closing) Act 1991	section 22(1)	Request that the Surveyor-General amend a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	relevant authority
410742	Roads (Opening and Closing) Act 1991	section 22(1)	Participate in consultation with the Surveyor-General regarding the amendment of a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	relevant authority
410743	Roads (Opening and Closing) Act 1991	section 22(2)(a)	Receive notice of an amendment of a road process order from the Surveyor-General	relevant authority
410744	Roads (Opening and Closing) Act 1991	section 22(2)(b)	Give notice of an amendment of a road process order to any person who was required to be given notice of the road process order under sections 19(a) or 19(b) and, if the road authority is not the council, the council	relevant authority
410745	Roads (Opening and Closing) Act 1991	section 22(2)(b)	Receive notice from the relevant authority of an amendment of a road process order	council
410746	Roads (Opening and Closing) Act 1991	section 24(2)(b)	Give notice of a decision by the Minister to decline to confirm a road process order to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened	council
410747	Roads (Opening and Closing) Act 1991	section 31(1)(a)	Serve notice of the road process order on each person who had an interest in the land immediately before it vested in the council by virtue of the road opening and append to the notice an offer in writing stating the total amount of compensation that the council proposes to pay to the person and dividing that amount so far as practicable into separate components	council





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410748	Roads (Opening and Closing) Act 1991	section 31(1)(b)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	council
410749	Roads (Opening and Closing) Act 1991	section 32(3)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	council
410750	Roads (Opening and Closing) Act 1991	section 33(1)	Acquire additional land adjoining or near the land to which the proposed road opening relates with the approval of the Minister	council
410751	Roads (Opening and Closing) Act 1991	section 33(4)	Sell or otherwise deal with additional land acquired under section 33	council
410752	Roads (Opening and Closing) Act 1991	section 33(4)	Apply the proceeds from the sale of additional land to defraying expenses incurred by the council in connection with the road opening	council
410753	Roads (Opening and Closing) Act 1991	section 33(5)	Comply with conditions imposed by the Minister on the manner in which additional land may be dealt with by the council	council
410754	Roads (Opening and Closing) Act 1991	section 34(1)(b)	Receive a notice of a proposal to close a road from the Surveyor-General	council
410755	Roads (Opening and Closing) Act 1991	section 34(2)	Make a representation to the Surveyor-General regarding the proposed road closure	council
410756	Roads (Opening and Closing) Act 1991	section 34B(2)(a)(i)	Receive notice of a proposal to open or close a road in an environmental impact statement, public environmental report or development report	council
410757	Roads (Opening and Closing) Act 1991	section 34B(2)(c)	Make written submissions on the proposal to open or close a road	council
410758	Roads (Opening and Closing) Act 1991	section 34G(1)	Apply to the Minister to make a road wider, narrower, longer or shorter pursuant to section 6B of the Roads (Opening and Closing) Act	Adelaide City Council or council adjoining the City of Adelaide
410759	Roads (Opening and Closing) Act 1991	section 34G(4)(a)	Give public notice of the proposal, in accordance with the regulations, if the Minister determines that the application under section 34G(1) should be considered	Adelaide City Council or council adjoining the City of Adelaide





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410760	Roads (Opening and Closing) Act 1991	section 34G(4)(b)	Give notice of the proposal to any State authority or council specified by the Minister	Adelaide City Council or council adjoining the City of Adelaide
410761	Roads (Opening and Closing) Act 1991	section 34G(4)(c)	Give notice of the proposal to the Adelaide Park Lands Authority	Adelaide City Council or council adjoining the City of Adelaide
410762	Roads (Opening and Closing) Act 1991	section 34G(6)	Forward to the Surveyor-General any representation in relation to the proposal made to the council within the period under section 34G(5) and any response that the council wishes to make in relation to those representations	Adelaide City Council or council adjoining the City of Adelaide
410763	Roads (Opening and Closing) Act 1991	section 34G(9)	Consult with the Surveyor-General regarding survey plans and other documents to be prepared as required by the Registrar-General	Adelaide City Council or council adjoining the City of Adelaide
410764	Roads (Opening and Closing) Act 1991	section 34G(9)	Submit survey plans and other documents as required by the Registrar-General to the Minister	Adelaide City Council or council adjoining the City of Adelaide
410765	Roads (Opening and Closing) Act 1991	section 34G(14)	Provide any documentation required by the Registrar-General to the Registrar-General	Adelaide City Council or council adjoining the City of Adelaide
410766	Roads (Opening and Closing) Act 1991	section 35(2)	Reserve any question of law for the consideration of the Supreme Court, prior to making any road process order	relevant authority
410767	Roads (Opening and Closing) Act 1991	section 36(2)(a)	Repay any amount paid to the council in pursuance of an agreement for exchange or transfer which is avoided by virtue of the operation of section 12(4)	council
410768	Roads (Opening and Closing) Act 1991	section 39	Fence along its boundaries a road as altered or diverted by the council with a substantial fence of the same nature as the fence previously in the boundary of the road and abutting the land	council





Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410673	Road Traffic (Road Rules-Ancillary and Miscellaneous Provisions) Regulations 2014	regulation 17(2)	Determine for the purposes of rule 185 of the Australian Road Rules: (a) the class of permits required for vehicles to stop in the permit zone; (b) the persons entitled to such permits; (c) any fees to be paid for such permits; (d) the conditions to which the permits will be subject (which may include conditions as to the period for which such permits remain in force and conditions as to the display of permits in vehicles)	council
410674	Road Traffic (Road Rules-Ancillary and Miscellaneous Provisions) Regulations 2014	regulation 17(2)	Vary a determination under regulation 17(2)	council
410675	Road Traffic (Road Rules-Ancillary and Miscellaneous Provisions) Regulations 2014	regulation 17(3)	Issue for the purposes of rule 185 of the Australian Road Rules permits in respect of the permit zone to persons entitled to them	council
410676	Road Traffic (Road Rules-Ancillary and Miscellaneous Provisions) Regulations 2014	regulation 17(3)	Determine conditions to apply to permits issued under regulation 17(3)	council
410677	Road Traffic (Road Rules-Ancillary and Miscellaneous Provisions) Regulations 2014	regulation 22(2)	Determine for the purpose of rule 207(2) of the Australian Road Rules the fees payable for parking in the length of a road or area by operation of a parking ticket-vending machines or parking meter installed or to be installed in or near the length of road or area	council
410678	Road Traffic (Road Rules-Ancillary and Miscellaneous Provisions) Regulations 2014	regulation 22(2)	Vary a fee determined under regulation 22(2)	council





Safe Drinking Water Act 2011

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410769	Safe Drinking Water Act 2011	section 7(1)	Notify the Minister if the council ceases to be engaged in the supply of drinking water	drinking water provider
410770	Safe Drinking Water Act 2011	section 8(3)	Apply to the Minister for a variation in a condition on the council's registration as a drinking water provider	drinking water provider
410771	Safe Drinking Water Act 2011	section 8(5)	Comply with a condition on the council's registration as a drinking water provider	drinking water provider
410772	Safe Drinking Water Act 2011	section 9(3)	Receive notice from the Minister proposing the suspension of the council's registration as a drinking water provider	drinking water provider
410773	Safe Drinking Water Act 2011	section 9(5)	Lodge a written objection with the Minister regarding a proposed suspension of the council's registration as a drinking water provider	drinking water provider
410774	Safe Drinking Water Act 2011	section 9(6)	Make submissions to the Minister regarding a proposed suspension of the council's registration as a drinking water provider	drinking water provider
410775	Safe Drinking Water Act 2011	section 9(10)	Apply to the Minister for the cancellation of a suspension to the council's registration as a drinking water provider	drinking water provider
410776	Safe Drinking Water Act 2011	section 10(1)	Seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of: a condition imposed by the Minister in relation to a registration under Part 2 of the Act; a variation of a condition of registration made by the Minister on the Minister's own initiative; a decision of the Minister to refuse to grant an application to vary a condition of registration; a decision of the Minister to suspend a registration under Part 2.	drinking water provider
410777	Safe Drinking Water Act 2011	section 11(3)	Receive a notice of registration of a drinking water provider from the Minister	council
410778	Safe Drinking Water Act 2011	section 12(1)(a)	Prepare a risk management plan in relation to the supply of drinking water	drinking water provider
410779	Safe Drinking Water Act 2011	section 12(1)(b)	Keep the risk management plan in relation to the supply of drinking water under continuous review	drinking water provider
410780	Safe Drinking Water Act 2011	section 12(1)(c)	Revise the risk management plan	drinking water provider
410781	Safe Drinking Water Act 2011	section 12(3)	Adopt a standard risk management plan published for the purposes of section 12	drinking water provider
410782	Safe Drinking Water Act 2011	section 14(2)	Furnish a copy of its monitoring program and incident identification and notification protocol to the Minister	drinking water provider
410783	Safe Drinking Water Act 2011	section 14(3)(b)	Participate in consultation with the Minister in regard to proposed alterations to the program or protocol	drinking water provider





Safe Drinking Water Act 2011

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410784	Safe Drinking Water Act 2011	section 14(4)	Seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of proposed alterations to the program or protocol	drinking water provider
410785	Safe Drinking Water Act 2011	section 14(7)	Implement the council's risk management plan	drinking water provider
410786	Safe Drinking Water Act 2011	section 20(4)	Ensure that an audit or inspection is carried out by an approved auditor or approved inspector in accordance with a determination of the Chief Executive of the State government department administering the Act	drinking water provider
410787	Safe Drinking Water Act 2011	section 22(6)	Receive a copy of a report provided to the Chief Executive of the State government department administering the Act under section 20(1) or 20(4)	drinking water provider
410788	Safe Drinking Water Act 2011	section 23(1)	Comply with a reasonable request or requirement of an auditor or inspector in or in connection with an audit or inspection under Division 2, Part 4	drinking water provider
410789	Safe Drinking Water Act 2011	section 25(1)	Ensure drinking water supplied by the council is collected and tested in accordance with prescribed requirements	drinking water provider
410790	Safe Drinking Water Act 2011	section 27(1)	Make available to the public the results of any monitoring program that the drinking water provider conducts on drinking water for the purpose of the council's risk management plan	drinking water provider
410791	Safe Drinking Water Act 2011	section 34(1)	Appoint a person with appropriate qualification or experience to be an authorised officer	enforcement agency
410792	Safe Drinking Water Act 2011	section 34(2)	Prepare and maintain a list of authorised officers	enforcement agency
410793	Safe Drinking Water Act 2011	section 35(1)	Provide each authorised officer with a certificate of authority	enforcement agency
410794	Safe Drinking Water Act 2011	section 35(2)	Determine limits on the powers of an authorised officer	enforcement agency
410795	Safe Drinking Water Act 2011	section 35(4)	Receive a surrendered certificate of authority	enforcement agency
410796	Safe Drinking Water Act 2011	section 37(2)	Approve the removal or interference with a thing subject to a seizure order under section 37	enforcement agency
410797	Safe Drinking Water Act 2011	section 37(3)(a)	Hold a thing subject to a seizure order pending proceedings	enforcement agency
410798	Safe Drinking Water Act 2011	section 37(3)(a)(i)	Authorise the release of a thing subject to a seizure order ending proceedings subject to conditions which the council thinks fit	enforcement agency
410799	Safe Drinking Water Act 2011	section 37(3)(a)(ii)	Order that a thing subject to a seizure order be forfeited to the council	enforcement agency
410800	Safe Drinking Water Act 2011	section 37(3)(b)(i)	Receive a thing forfeited to the council by court order	enforcement agency





Safe Drinking Water Act 2011

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410801	Safe Drinking Water Act 2011	section 37(3)(d)	Dispose of a thing forfeited to the council under section 37	enforcement agency
410802	Safe Drinking Water Act 2011	section 38(1)	Issue a notice to secure compliance with a requirement imposed by or under the Act or to avert, eliminate or minimise a risk, or a perceived risk, to the public in relation to drinking water	enforcement agency
410803	Safe Drinking Water Act 2011	section 38(5)	Issue a notice confirming an emergency notice issued by an authorised officer	enforcement agency
410804	Safe Drinking Water Act 2011	section 38(6)	Vary or revoke a notice to secure issued under section 38	enforcement agency
410805	Safe Drinking Water Act 2011	section 39(1)	Take action required by a notice issued under Division 3, Part 7 which has not been undertaken	enforcement agency
410806	Safe Drinking Water Act 2011	section 39(2)	Authorise a person to take action under section 39(1) on behalf of the council	enforcement agency
410807	Safe Drinking Water Act 2011	section 39(3)	Enter relevant land in order to take action under section 39	enforcement agency
410808	Safe Drinking Water Act 2011	section 39(4)	Recover the reasonable costs and expenses in taking action under section 39	enforcement agency
410809	Safe Drinking Water Act 2011	section 39(5)	Fix a period from the date of a notice issued under section 39 within which an amount under section 39(4) must be paid	enforcement agency
410810	Safe Drinking Water Act 2011	section 40(5)	Recover the reasonable costs and expenses incurred by an authorised officer taking action under section 40	enforcement agency
410811	Safe Drinking Water Act 2011	section 41(1)	Require a person to furnish information relating to the quality or supply of drinking water or any other matter associated with the administration or operation of the Act	enforcement agency
410812	Safe Drinking Water Act 2011	section 42(3)	Act as a party in proceedings under section 42	enforcement agency
410813	Safe Drinking Water Act 2011	section 52(1)	Furnish a report to the Minister on or by 30 September on the activities of the council under the Act during the financial year ending on the preceding 30 June	enforcement agency





Safe Drinking Water Regulations 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410814	Safe Drinking Water Regulations 2012	regulation 4	Observe the Australian Drinking Water Guidelines 2011 prepared by the national Health and Medical Research Council and the Natural Resources Management Ministerial Council in relation to the quality and supply of drinking water	drinking water provider
410815	Safe Drinking Water Regulations 2012	regulation 9(5)	Keep copies of each risk management plan prepared or adopted by the council and all documents generated in the implementation of the risk management plan	drinking water provider
410816	Safe Drinking Water Regulations 2012	regulation 15(2)	Determine the fee payable for an authorised officer appointed by the council carrying out an inspection of any premises or vehicle reasonably required in connection with the administration or enforcement of the Safe Drinking Water Act	enforcement agency





South Australian Public Health Act 2011

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410849	South Australian Public Health Act 2011	section 18(2)	Provide a report as required by the Minister on any matter relevant to the administration or operation of the Act	designated authority
410850	South Australian Public Health Act 2011	section 22(2)	Respond to a request from the Chief Public Health Officer under section 22(1)	public authority
410851	South Australian Public Health Act 2011	section 36	Enter an arrangement with the South Australian Public Health Council for the use of the staff, equipment or facilities of the council	public authority
410852	South Australian Public Health Act 2011	section 37(2)(a)	Take action to preserve, protect and promote public health in the council area	local public health authority
410853	South Australian Public Health Act 2011	section 37(2)(b)	Cooperate with other authorities involved in the administration of the Act	local public health authority
410854	South Australian Public Health Act 2011	section 37(2)(c)	Ensure that adequate sanitation measures are in place in the council area	local public health authority
410855	South Australian Public Health Act 2011	section 37(2)(d)	Implement adequate measures in the council area (insofar as reasonably practicable) to ensure that activities do not adversely affect public health	local public health authority
410856	South Australian Public Health Act 2011	section 37(2)(e)	Identify risks to public health within the council area	local public health authority
410857	South Australian Public Health Act 2011	section 37(2)(f)	Take remedial action to reduce or eliminate adverse impacts or risks to public health	local public health authority
410858	South Australian Public Health Act 2011	section 37(2)(g)	Assess activities and development, or proposed activities or development, within the council area in order to determine and respond to public health impacts (or potential public health impacts)	local public health authority
410859	South Australian Public Health Act 2011	section 37(2)(h)	Provide, or support the provision of, educational information about public health and to provide or support activities within the council area to preserve, protect or promote public health	local public health authority





South Australian Public Health Act 2011

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410860	South Australian Public Health Act 2011	section 38(1)	Provide, or support the provision of, immunisation programs within the council area	local public health authority
410861	South Australian Public Health Act 2011	section 39(1)	Act in conjunction or partnership with , or cooperate or coordinate the council's activities, with one or more other councils	local public health authority
410862	South Australian Public Health Act 2011	section 39(3)	Furnish a written report to the Chief Public Health Officer responding to a request from the Chief Public Health Officer to cooperate with one or more other councils	local public health authority
410863	South Australian Public Health Act 2011	section 40(2)	Participate in consultation with the Chief Public Health Officer regarding the Chief Public Health officer exercising powers of the council under the Act	local public health authority
410864	South Australian Public Health Act 2011	section 41(1)	Participate in consultation with the Minister regarding the Minister's opinion that the council has failed to perform a function under the Act	local public health authority
410865	South Australian Public Health Act 2011	section 41(6)(a)(ii)	Make submissions to the Minister regarding the proposed withdrawal of council powers under the Act	local public health authority
410866	South Australian Public Health Act 2011	section 42(1)	Request that a function of the council under the Act be performed by the Chief Public Health Officer	local public health authority
410867	South Australian Public Health Act 2011	section 42(10)	Enter into an agreement with the Chief Public Health Officer	local public health authority
410868	South Australian Public Health Act 2011	section 42(11)	Request that a notice issued by the Minister under section 42(4) vesting a council function in the Chief Public Health Officer be varied or revoked	local public health authority
410869	South Australian Public Health Act 2011	section 42(11)	Participate in consultation the Minister regarding the proposed variation or revocation of the vesting of a council function in the Chief Public Health Officer	local public health authority
410870	South Australian Public Health Act 2011	section 44(1)	Appoint a suitably qualified person as a local authorised officer	local public health authority
410871	South Australian Public Health Act 2011	section 44(2)	Impose conditions on the appointment of a local authorised officer	local public health authority





South Australian Public Health Act 2011

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410872	South Australian Public Health Act 2011	section 44(4)	Issue directions to a local authorised officer	local public health authority
410873	South Australian Public Health Act 2011	section 44(6)	Vary or revoke the appointment of a local authorised officer	local public health authority
410874	South Australian Public Health Act 2011	section 44(7)	Notify the Chief Public Health Officer of an appointment or the revocation of an appointment of a local authorised officer	local public health authority
410875	South Australian Public Health Act 2011	section 46(1)	Issue an identity card of a local authorised officer	local public health authority
410876	South Australian Public Health Act 2011	section 49(1)	Require a person to furnish information relating to public health as may be reasonably required for the purposes of the Act	local public health authority
410877	South Australian Public Health Act 2011	section 51(1)	Prepare and maintain a regional public health plan	local public health authority
410878	South Australian Public Health Act 2011	section 51(10)	Amend a regional public health plan	local public health authority
410879	South Australian Public Health Act 2011	section 51(11)(a)	Prepare a draft regional public health plan	local public health authority
410880	South Australian Public Health Act 2011	section 51(11)(b)(i)	Provide a copy of a draft regional public health plan to the Minister, any incorporated hospital established under the Health Care Act 2008 that operates a facility within the region, any relevant public health partner authority and any other prescribed body or group	local public health authority
410881	South Australian Public Health Act 2011	section 51(11)(b)(ii)	Consult with the public in regard to a draft regional public health plan	local public health authority
410882	South Australian Public Health Act 2011	section 51(12)	Participate in consultation with the Minister, or any other person or body specified by the Minister, before releasing a draft regional health plan under section 51(12)	local public health authority
410883	South Australian Public Health Act 2011	section 51(13)	Submit a regional public health plan to the Chief Public Health Officer for consultation before bringing the plan into operation	local public health authority





South Australian Public Health Act 2011

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410884	South Australian Public Health Act 2011	section 51(15)	Take into account any comments of the Chief Public Health Officer, South Australian Public Health Council and any other body determined by the Chief Public Health Officer	local public health authority
410885	South Australian Public Health Act 2011	section 51(16)	Adopt a regional public health plan either with or without amendment	local public health authority
410886	South Australian Public Health Act 2011	section 51(17)	Incorporate a regional public health plan into the councils strategic management plan under the Local Government Act 1999	local public health authority
410887	South Australian Public Health Act 2011	section 51(19)	Review a regional public health plan at least every 5 years	local public health authority
410888	South Australian Public Health Act 2011	section 52(1)	Prepare a report to the Chief Public Health Officer that contains a comprehensive assessment of the extent to which the council has in the reporting period succeeded in implementing its regional public health plan	local public health authority
410889	South Australian Public Health Act 2011	section 64(3)	Receive a report from the Chief Public Health Officer regarding a suspected death from a notifiable condition in the council area	local public health authority
410890	South Australian Public Health Act 2011	section 65(a)	Receive a report from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the council area and any problems or issues caused by or arising on account of such diseases of medical conditions in the council area	local public health authority
410891	South Australian Public Health Act 2011	section 65(b)	Receive information from the State government department responsible for the administration of the Act on the occurrence or incidence of notifiable conditions in the council area that constitutes, or may constitute, a threat to public health	local public health authority
410892	South Australian Public Health Act 2011	section 66(6)	Recover costs and expenses reasonably incurred in an authorised officer taking action in accordance with a direction or requirement issued under section 66(1) which has not been complied with by the person subject to the direction or requirement	local public health authority
410893	South Australian Public Health Act 2011	section 66(9)	Take action reasonably open to the council to prevent the spread of a disease constituting a notifiable condition	local public health authority
410894	South Australian Public Health Act 2011	section 92(1)	Issue a notice for the purpose of securing compliance with the Act or averting, eliminating or minimising a risk, or a perceived risk, to public health	relevant authority
410895	South Australian Public Health Act 2011	section 92(2)(b)	Give a preliminary notice to a person to whom it is proposed that a notice under section 91(1) will be given	relevant authority





South Australian Public Health Act 2011

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410896	South Australian Public Health Act 2011	section 92(8)	Confirm an emergency notice given by an authorised officer under section 92(6)	relevant authority
410897	South Australian Public Health Act 2011	section 92(9)	Vary or revoke a notice issued by the council under section 92	relevant authority
410898	South Australian Public Health Act 2011	section 93(1)	Take action required by a notice issued under Part 12 if the requirements of the notice have not been fulfilled	relevant authority
410899	South Australian Public Health Act 2011	section 93(2)	Authorise a person to take action on behalf of the council under section 93(1)	relevant authority
410900	South Australian Public Health Act 2011	section 93(3)	Enter any relevant premises at any reasonable time to take action under section 93	relevant authority
410901	South Australian Public Health Act 2011	section 93(4)	Recover the reasonable costs and expenses incurred by the council in taking action under section 93 from the person who failed to comply with the requirements of the notice	relevant authority
410902	South Australian Public Health Act 2011	section 93(5)	Fix a period from the date of a notice issued under section 93 within which an amount under section 93(4) must be paid	relevant authority
410903	South Australian Public Health Act 2011	section 94(5)(b)	Recover the reasonable costs and expenses of a local authorised officer taking action under section 94 from any person who caused the risk to which the action relates	local public health authority
410904	South Australian Public Health Act 2011	section 96(5)	Apply to the South Australian Civil and Administrative tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 for a review of the outcome of review proceedings by the Review panel under section 95	local public health authority
410905	South Australian Public Health Act 2011	section 96(5)	Participate as a party to proceedings under section 96	relevant authority





South Australia Public Health (General) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410817	South Australia Public Health (General) Regulations 2013	regulation 5B(2)	Deliver a notice to the Registrar-General setting out the amount recoverable under section 93 of the South Australian Public Health Act, setting out the land in relation to which the relevant action was taken and requesting the registrar-General to make a notation under regulation 5B in relation to the relevant land	local public health authority
410818	South Australia Public Health (General) Regulations 2013	regulation 5B(7)	Recover an amount under section 93 of the South Australian Public Health Act as if it were a rate constituting a charge on land under section 144(2) of the Local Government Act	local public health authority
410819	South Australia Public Health (General) Regulations 2013	regulation 8(1)	Operate and maintain a public pool in accordance with regulation 8(1)	public pool/spa pool operator
410820	South Australia Public Health (General) Regulations 2013	regulation 8(2)	Take prescribed steps to monitor compliance with regulation 8(1)	public pool/spa pool operator
410821	South Australia Public Health (General) Regulations 2013	regulation 8(3)	Maintain records made under regulation 8(2)	public pool/spa pool operator
410822	South Australia Public Health (General) Regulations 2013	regulation 8(4)	Close public pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration in the water exceeds 10mg/L	public pool/spa pool operator
410823	South Australia Public Health (General) Regulations 2013	regulation 9(1)	Operate and maintain a public spa pool in accordance with regulation 9(1)	public pool/spa pool operator
410824	South Australia Public Health (General) Regulations 2013	regulation 9(2)	Take prescribed steps to monitor compliance with regulation 9(1)	public pool/spa pool operator
410825	South Australia Public Health (General) Regulations 2013	regulation 9(3)	Maintain records made under regulation 9(2)	public pool/spa pool operator
410826	South Australia Public Health (General) Regulations 2013	regulation 9(4)	Close public spa pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration in the water exceeds 10mg/L	public pool/spa pool operator
410827	South Australia Public Health (General) Regulations 2013	regulation 11A(1)	Refund, reduce or remit payment of a prescribed fee	relevant authority under South Australian Public Health (Legionella) Regulations 2013 or South Australian Public Health (Wastewater) Regulations 2013
410828	South Australia Public Health (General) Regulations 2013	regulation 11A(2)	Recover a prescribed fee as a debt in a court of competent jurisdiction	relevant authority under South Australian Public Health (Legionella) Regulations 2013 or South Australian Public Health (Wastewater) Regulations 2013





South Australia Public Health (Legionella) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410829	South Australia Public Health (Legionella) Regulations 2013	regulation 5(3)	Approve the manner and form for applying to register a high risk manufactured water system	relevant authority
410830	South Australia Public Health (Legionella) Regulations 2013	regulation 5(3)	Receive fee for registration of a high risk manufactured water system	relevant authority
410831	South Australia Public Health (Legionella) Regulations 2013	regulation 5(3)	Register a high risk manufactured water system	relevant authority
410832	South Australia Public Health (Legionella) Regulations 2013	regulation 5(6)	Approve the manner and form for applying to renew the registration of a high risk manufactured water system	relevant authority
410833	South Australia Public Health (Legionella) Regulations 2013	regulation 5(6)	Receive fee for renewal of registration of a high risk manufactured water system	relevant authority
410834	South Australia Public Health (Legionella) Regulations 2013	regulation 5(6)	Register a renewal of the registration of a high risk manufactured water system	relevant authority
410835	South Australia Public Health (Legionella) Regulations 2013	regulation 6(1)	Keep a register of high risk manufactured water system	relevant authority
410836	South Australia Public Health (Legionella) Regulations 2013	regulation 6(2)	Determine manner and form of keeping a register of high risk manufactured water system	relevant authority
410837	South Australia Public Health (Legionella) Regulations 2013	regulation 6(4)	Receive notice of a change in particulars from the owner of premises on which a high risk manufactured water systems registered with the council	relevant authority
410838	South Australia Public Health (Legionella) Regulations 2013	regulation 6(5)	Receive notice of the permanent decommissioning or removal of a high risk manufactured water systems registered with the council	relevant authority
410839	South Australia Public Health (Legionella) Regulations 2013	regulation 15(1)(a)	Cause an inspection of a high risk manufactured water systems registered with the council	relevant authority
410840	South Australia Public Health (Legionella) Regulations 2013	regulation 15(1)(b)	Arrange for a NATA accredited laboratory to carry out microbiological testing from a water cooling system	relevant authority





South Australia Public Health (Legionella) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410841	South Australia Public Health (Legionella) Regulations 2013	regulation 15(2)(a)	Notify the owner of premises on which a high risk manufactured water systems registered with the council of inspection and microbiological testing requirements	relevant authority
410842	South Australia Public Health (Legionella) Regulations 2013	regulation 15(2)(b)	Receive reports from the owner of premises on which a high risk manufactured water systems registered with the council in regard to inspection of the system and microbiological testing	relevant authority
410843	South Australia Public Health (Legionella) Regulations 2013	regulation 16(1)	Notify the owner of premises with a high risk manufactured water system of microbiological testing requirements	relevant authority
410844	South Australia Public Health (Legionella) Regulations 2013	regulation 16(1)(d)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding microbiological testing	relevant authority
410845	South Australia Public Health (Legionella) Regulations 2013	regulation 17(1)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	relevant authority
410846	South Australia Public Health (Legionella) Regulations 2013	regulation 17(2)(b)	Receive report from the owner of premises on which a high risk manufactured water system is installed regarding detection of Legionella	relevant authority
410847	South Australia Public Health (Legionella) Regulations 2013	regulation 17(3)	Forward a report regarding detection of Legionella under regulation 17 to the Department of Health and Wellbeing	relevant authority
410848	South Australia Public Health (Legionella) Regulations 2013	regulation 21(3)	Notify a person liable to pay a fee of a period in which the fee must be paid	relevant authority





South Australia Public Health (Wastewater) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411177	South Australia Public Health (Wastewater) Regulations 2013	regulation 6(1)(b)	Agree to act as a relevant authority in respect of a wastewater systems or wastewater works being undertaken by another council or a person in conjunction with another council	council
411178	South Australia Public Health (Wastewater) Regulations 2013	regulation 8(1)	Give notice to the owners of land in the area affected by the proposed establishment of a community wastewater management system by the council	council
411179	South Australia Public Health (Wastewater) Regulations 2013	regulation 8(2)	Consider any submissions received regarding the proposed establishment of a community wastewater management system by the council	council
411180	South Australia Public Health (Wastewater) Regulations 2013	regulation 8(3)	Obtain a wastewater works approval from the Minister	council
411181	South Australia Public Health (Wastewater) Regulations 2013	regulation 9(1)	Require the operator of an on-site wastewater system to connect the system to a community wastewater management system and submit an application for the connection to the relevant authority	council
411182	South Australia Public Health (Wastewater) Regulations 2013	regulation 9(1)(b)	Receive an application for connection of an on-site wastewater system to a community wastewater management system	relevant authority
411183	South Australia Public Health (Wastewater) Regulations 2013	regulation 9(4)	Grant approval for wastewater works for the connection of an on-site wastewater system to a community wastewater management system	relevant authority
411184	South Australia Public Health (Wastewater) Regulations 2013	regulation 9(6)	Cause the requirements of an approval under regulation 9 for wastewater works to be carried out	relevant authority
411185	South Australia Public Health (Wastewater) Regulations 2013	regulation 9(7)	Recover the costs and expenses reasonably incurred in exercising power under regulation 9(6) and the application fee which would have been payable	relevant authority
411186	South Australia Public Health (Wastewater) Regulations 2013	regulation 10(1)	Determine application for an exemption from regulation 9	council
411187	South Australia Public Health (Wastewater) Regulations 2013	regulation 10(3)	Impose conditions on an exemption from regulation 9	council
411188	South Australia Public Health (Wastewater) Regulations 2013	regulation 10(4)	Vary or revoke an exemption granted under regulation 10(3)	council





South Australia Public Health (Wastewater) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411189	South Australia Public Health (Wastewater) Regulations 2013	regulation 11(1)	Ensure that the requirements of regulation 11(1) are met	CWMS operator
411190	South Australia Public Health (Wastewater) Regulations 2013	regulation 11(2)	Receive a certificate indicating that wastewater works have been undertaken in accordance with the wastewater works approval and detailed drawings as prescribed	relevant authority
411191	South Australia Public Health (Wastewater) Regulations 2013	regulation 12(1)	Ensure that the wastewater system is operated, maintained and serviced in accordance with the conditions of any wastewater works approval and any prescribed code	CWMS operator
411192	South Australia Public Health (Wastewater) Regulations 2013	regulation 13(1)	Ensure that wastewater from the wastewater system is not reused or disposed of to land unless authorised by conditions of the wastewater works approval	CWMS operator
411193	South Australia Public Health (Wastewater) Regulations 2013	regulation 15(1)	Receive an application for exemption from compliance with specific provisions of the regulations requiring compliance with prescribed codes	relevant authority
411194	South Australia Public Health (Wastewater) Regulations 2013	regulation 15(1)	Apply for exemption from compliance with specific provisions of the regulations requiring compliance with prescribed codes	CWMS operator
411195	South Australia Public Health (Wastewater) Regulations 2013	regulation 15(3)	Determine conditions to apply to an exemption from a prescribed code	relevant authority
411196	South Australia Public Health (Wastewater) Regulations 2013	regulation 15(5)	Vary or revoke an exemption from a prescribed code	relevant authority
411197	South Australia Public Health (Wastewater) Regulations 2013	regulation 23(1)	Receive an application for a wastewater works approval	relevant authority
411198	South Australia Public Health (Wastewater) Regulations 2013	regulation 23(2)	Request applicant for a wastewater works approval to provide further technical specifications, information or documents	relevant authority
411199	South Australia Public Health (Wastewater) Regulations 2013	regulation 23(1)	Apply for a wastewater works approval	CWMS operator
411200	South Australia Public Health (Wastewater) Regulations 2013	regulation 23(2)	Provide further technical specifications, information or documents requested by the relevant authority	CWMS operator





South Australia Public Health (Wastewater) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411201	South Australia Public Health (Wastewater) Regulations 2013	regulation 24(1)	Refuse to grant a wastewater approval	relevant authority
411202	South Australia Public Health (Wastewater) Regulations 2013	regulation 24(2)	Provide SA Water with a reasonable opportunity to comment on an application for a wastewater works approval involving the connection of a community wastewater management system to SA Water sewerage infrastructure	relevant authority
411203	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(1)	Specify conditions applying to a wastewater works approval	relevant authority
411204	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(1)	Comply with conditions applying to a wastewater works approval	CWMS operator
411205	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(4)	Provide a copy of a code referred to in a condition of approval for inspection and the council's office	relevant authority
411206	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(6)	Vary or revoke a condition of a wastewater approval	relevant authority
411207	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(6)	Apply for a variation or revocation of a condition of a wastewater approval	CWMS operator
411208	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(7)	Vary or revoke a condition of a wastewater approval or impose a further condition	relevant authority
411209	South Australia Public Health (Wastewater) Regulations 2013	regulation 25(7)	Consent to the variation or revocation of a condition of a wastewater approval or the imposition of a further condition	CWMS operator
411210	South Australia Public Health (Wastewater) Regulations 2013	regulation 26(2)	Postpone the expiry of a wastewater approval	relevant authority
411211	South Australia Public Health (Wastewater) Regulations 2013	regulation 27(1)	Keep a register of wastewater approvals	relevant authority
411212	South Australia Public Health (Wastewater) Regulations 2013	regulation 27(5)	Enable the inspection of the register of wastewater works approvals at the council's offices and the provision of extracts of the register by electronic means	relevant authority





South Australia Public Health (Wastewater) Regulations 2013

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411213	South Australia Public Health (Wastewater) Regulations 2013	regulation 29(1)	Notify the operator of a wastewater system which the council considers on reasonable grounds is adversely affecting or threatening public or environmental health to provide a report from an independent wastewater engineer	council
411214	South Australia Public Health (Wastewater) Regulations 2013	regulation 29(1)	Provide a report from an independent wastewater engineer to the Minister or relevant authority as requested under regulation 29(1)	CWMS operator
411215	South Australia Public Health (Wastewater) Regulations 2013	regulation 29(3)	Obtain a report from an independent wastewater engineer regarding a wastewater system which the council considers on reasonable grounds is adversely affecting or threatening public or environmental health	council
411216	South Australia Public Health (Wastewater) Regulations 2013	regulation 29(3)	Recover the costs and expenses reasonably incurred in obtaining a report from an independent wastewater engineer	council





State Records Act 1997

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410906	State Records Act 1997	section 13	Maintain official records in the council's custody in good order and condition	agency
410907	State Records Act 1997	section 15(2)	Afford the manager of State records reasonable cooperation and assistance in conducting surveys of the official records and record management practices of agencies	agency
410908	State Records Act 1997	section 18(1)	Deliver records voluntarily into the custody of State Records	agency
410909	State Records Act 1997	section 19(1)	Deliver records into the custody of State Records on the earlier of the council ceasing to require access to the record for current administrative purposes or during the year occurring 15 years after the creation of the record	agency
410910	State Records Act 1997	section 19(3)(c)	Participate in consultation with the Manager of State Records in regard to the postponement of delivery of records into the custody of State Records on the basis that the records are required for the administrative purpose of the council or should be retained by the council for another special reason	agency
410911	State Records Act 1997	section 19(5)(a)	Apply to the Manager of State Records for the variation or revocation of an exemption granted under section 19(4)	agency
410912	State Records Act 1997	section 20(1)	Advise the Manager of State Records of any restriction on the disclosure of contents of a record delivered into the custody of State Records	agency
410913	State Records Act 1997	section 22(2)	Determine conditions reasonably required in regard to an arrangement under section 22(1)	agency
410914	State Records Act 1997	section 23(1)	Dispose of official records in accordance with a determination of the Manager of State Records	agency
410915	State Records Act 1997	section 23(2)	Request the Manager of State Records to make a determination as to the disposal of official records	agency
410916	State Records Act 1997	section 23(4)	Apply to the Minister to determine a dispute as to a determination under section 23	agency
410917	State Records Act 1997	section 24(3)	Consent to the disposal of a record under section 24(1)	agency
410918	State Records Act 1997	section 24(3)	Apply to the Minister to determine a dispute as to access under section 24	agency
410919	State Records Act 1997	section 26(1)	Determine in consultation with the Manager of State Records that access to a record delivered by the council into the custody of State Records is not subject to any restrictions other than those determined by the Manager	agency
410920	State Records Act 1997	section 26(2)	Determine in consultation with the Manager of State Records conditions excluding or restricting access to the record delivered by the council into the custody of State Records	agency





Strata Titles Act 1988

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410921	Strata Titles Act 1988	section 12(2)(c)	Consent to an amendment of a deposited strata plan	council (as holder of a statutory encumbrance)
410922	Strata Titles Act 1988	section 12(3a)(d)(i)	Consent to an encroachment over public land	council
410923	Strata Titles Act 1988	section 12A(b)	Issue a certificate certifying compliance with the requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance	council (as holder of a statutory encumbrance)
410924	Strata Titles Act 1988	section 28(1)(c)	Specify work to be carried out by a unit holder	council





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410925	Supported Residential Facilities Act 1992	section 9(1)(a)	Administer and enforce the Supported Residential Facilities Act in the council area	council
410926	Supported Residential Facilities Act 1992	section 9(1)(b)	Licence supported residential facilities situated in the council area	council
410927	Supported Residential Facilities Act 1992	section 9(1)(c)	Undertake other functions assigned to the council by the Supported Residential Facilities Act	council
410928	Supported Residential Facilities Act 1992	section 9(1)(c)	Undertake other functions assigned to the council by the Supported Residential Facilities Act	council
410929	Supported Residential Facilities Act 1992	section 9(2)	Delegate a power or function under the Supported Residential Facilities Act	council
410930	Supported Residential Facilities Act 1992	section 9(5)	Participate in consultation with the Minister regarding a perceived failure of council to discharge duties under the Supported Residential Facilities Act	council
410931	Supported Residential Facilities Act 1992	section 9(8)(a)(ii)	Make submissions to the Minister regarding the vesting of council powers or functions in another person or body	council
410932	Supported Residential Facilities Act 1992	section 9(8)(b)	Undertake a delegation to discuss with the Minister the vesting of council powers or functions in another person or body	council
410933	Supported Residential Facilities Act 1992	section 21(1)	Appoint an authorised officer	council
410934	Supported Residential Facilities Act 1992	section 21(2)	Issue an identity card to an authorised officer	council
410935	Supported Residential Facilities Act 1992	section 21(4)	Revoke the appointment of an authorised officer	council





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410936	Supported Residential Facilities Act 1992	section 24(1)	Receive an application from a proprietor of a supported residential facility for a licence	licensing authority
410937	Supported Residential Facilities Act 1992	section 24(3)	Issue a notice to the applicant for a licence requiring further information to determine the application for a licence	licensing authority
410938	Supported Residential Facilities Act 1992	section 24(5)	Require information provided by an applicant to be verified by statutory declaration	licensing authority
410939	Supported Residential Facilities Act 1992	section 24(9)	Conditionally approve the issue of a licence	licensing authority
410940	Supported Residential Facilities Act 1992	section 24(9)	Grant a licence	licensing authority
410941	Supported Residential Facilities Act 1992	section 24(10)	Refuse and application for a licence	licensing authority
410942	Supported Residential Facilities Act 1992	section 24(10)	Notify the applicant of a refusal of an application for a licence	licensing authority
410943	Supported Residential Facilities Act 1992	section 25(1)	Determine matters to be taken into account in determining an application for a licence	licensing authority
410944	Supported Residential Facilities Act 1992	section 25(2)	Determine matters to be taken into account in determining whether the applicant is suitable to be granted a licence	licensing authority
410945	Supported Residential Facilities Act 1992	section 25(3)	Determine matters to be taken into account in determining whether the premises are suitable to be used as a supported residential facility	licensing authority
410946	Supported Residential Facilities Act 1992	section 27(3)	Determine to consider a late application for renewal of a licence	licensing authority
410947	Supported Residential Facilities Act 1992	section 27(4)	Notify the applicant of a decision on an application for the renewal of a licence	licensing authority





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410948	Supported Residential Facilities Act 1992	section 28	Refuse to renew a licence	licensing authority
410949	Supported Residential Facilities Act 1992	section 29(1)(b)	Impose conditions on a licence	licensing authority
410950	Supported Residential Facilities Act 1992	section 29(3)(b)	Vary or revoke a condition on a licence	licensing authority
410951	Supported Residential Facilities Act 1992	section 30(1)	Receive an application for the transfer of a licence	licensing authority
410952	Supported Residential Facilities Act 1992	section 30(3)	Request further information from an applicant for a transfer of a licence	licensing authority
410953	Supported Residential Facilities Act 1992	section 30(4)	Transfer a licence	licensing authority
410954	Supported Residential Facilities Act 1992	section 30(5)	Receive a surrendered licence	licensing authority
410955	Supported Residential Facilities Act 1992	section 31(1)	Cancel a licence	licensing authority
410956	Supported Residential Facilities Act 1992	section 31(2)(a)	Notify the holder of a licence of a proposed cancellation of the licence	licensing authority
410957	Supported Residential Facilities Act 1992	section 31(2)(b)	Receive submissions from the holder of a licence regarding a proposed cancellation of the licence	licensing authority
410958	Supported Residential Facilities Act 1992	section 31(3)	Impose conditions pending the cancellation of a licence to protect the interests of residents of the facility	licensing authority
410959	Supported Residential Facilities Act 1992	section 31(4)(a)	Appoint an administrator to a facility	licensing authority





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410960	Supported Residential Facilities Act 1992	section 31(4)(b)	Take steps to secure the proper care of the residents of a facility	licensing authority
410961	Supported Residential Facilities Act 1992	section 31(6)(a)	Determine whether or not the imposition of conditions pending the cancellation of a licence would adequately protect the interests of residents of the facility	licensing authority
410962	Supported Residential Facilities Act 1992	section 31(6)(g)(ii)	Revoke the appointment of an administrator	licensing authority
410963	Supported Residential Facilities Act 1992	section 32(1)	Participate in the review of a decision of the licensing authority by the South Australian Civil and Administrative Tribunal	licensing authority
410964	Supported Residential Facilities Act 1992	section 32(3)	Order that a licence subject to an application to review decision regarding renewal remain in force until the determination of the review	licensing authority
410965	Supported Residential Facilities Act 1992	section 32(4)(a)	Impose conditions on an order given under section 32(3)	licensing authority
410966	Supported Residential Facilities Act 1992	section 32(4)(b)	Vary or revoke an order given under section 32(3)	licensing authority
410967	Supported Residential Facilities Act 1992	section 33(1)	Grant licence	licensing authority
410968	Supported Residential Facilities Act 1992	section 34(1)	Approve a manager of a facility	licensing authority
410969	Supported Residential Facilities Act 1992	section 34(2)	Determine a time period after which the proprietor of a facility will be guilty of an offence if no approved person is managing the facility	licensing authority
410970	Supported Residential Facilities Act 1992	section 35	Approval of a person to be the licence holder if a licence holder dies	licensing authority
410971	Supported Residential Facilities Act 1992	section 37	Receive a copy of the prospectus and any alterations to the prospectus	licensing authority





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410972	Supported Residential Facilities Act 1992	section 39(2)(b)	Approve an alternative to the prescribed means of serving a notice of termination of a resident contract by the proprietor of a facility	licensing authority
410973	Supported Residential Facilities Act 1992	section 43(1)(a)	Receive an application in regard to disputes between a resident of a supported residential facility and the proprietor	licensing authority
410974	Supported Residential Facilities Act 1992	section 43(1)(b)	Receive an application if a resident of a support residential facility objects to a decision of the proprietor of the facility to terminate his or her residential contract	licensing authority
410975	Supported Residential Facilities Act 1992	section 43(1)(c)	Receive an application if a resident of a support residential facility believes that the proprietor has failed to comply with the terms or their resident contract or a provision of the Support Residential facilities Act or the proprietor has acted in any unauthorised manner	licensing authority
410976	Supported Residential Facilities Act 1992	section 43(2)	Explore avenues of conciliation between the resident and the proprietor	licensing authority
410977	Supported Residential Facilities Act 1992	section 43(3)(a)	Make recommendations as to the settlement of a dispute between a resident and the proprietor	licensing authority
410978	Supported Residential Facilities Act 1992	section 43(3)(b)	Order the proprietor to vary or reverse a decision or take such actions necessary to remedy the breach or reverse the effect of any act of the proprietor	licensing authority
410979	Supported Residential Facilities Act 1992	section 43(3)(c)	Order the resident to refrain from any future action of a kind specified in the order or take action appropriate in the circumstances of the case	licensing authority
410980	Supported Residential Facilities Act 1992	section 43(3)(d)	Order the resident or proprietor to take action to remedy any default or to correct any unauthorised act	licensing authority
410981	Supported Residential Facilities Act 1992	section 43(3)(e)	Take any action appropriate in the circumstances	licensing authority
410982	Supported Residential Facilities Act 1992	section 43(6)(a)	Require an applicant to furnish further information in relation to the subject matter of the application	licensing authority
410983	Supported Residential Facilities Act 1992	section 43(6)(b)	Require an applicant to verify any information by statutory declaration	licensing authority





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410984	Supported Residential Facilities Act 1992	section 43(7)	Notify the applicant and respondent of the time and place of any hearing of the application	licensing authority
410985	Supported Residential Facilities Act 1992	section 43(8)	Investigate or determine the subject matter of an application	licensing authority
410986	Supported Residential Facilities Act 1992	section 43(9)	Make an interim order pending final resolution of the matter	licensing authority
410987	Supported Residential Facilities Act 1992	section 43(10)(a)	Determine the time period (not exceeding 2 months) during which the interim order will operate	licensing authority
410988	Supported Residential Facilities Act 1992	section 43(11)	Vary or revoke an order	licensing authority
410989	Supported Residential Facilities Act 1992	section 43(12)(a)	Specify procedures for the resolution of the dispute	licensing authority
410990	Supported Residential Facilities Act 1992	section 43(12)(a)	Decline to proceed with an application until reasonable steps have been taken to resolve the dispute pursuant to procedures specified by the licensing authority	licensing authority
410991	Supported Residential Facilities Act 1992	section 43(12)(b)	Decline to proceed with an application if it would be more appropriate for the proceedings to be taken in a court or tribunal constituted by law	licensing authority
410992	Supported Residential Facilities Act 1992	section 43(12)(b)	Decline to proceed (or further proceed) with an application if proceedings have been commenced in a court or tribunal constituted by law	licensing authority
410993	Supported Residential Facilities Act 1992	section 44(1)	Participate in proceedings for a review of a decision or order of the licensing authority by the South Australian Civil and Administrative Tribunal	licensing authority
410994	Supported Residential Facilities Act 1992	section 47(1)	Approve a person to enter any premises that comprise a support residential facility, or any residential-only premises, for the purpose of visiting or attending on any person residing at those premises	licensing authority
410995	Supported Residential Facilities Act 1992	section 49(1)(a)	Receive complaints regarding the management of a supported residential facility or any residential-only premises	licensing authority





Supported Residential Facilities Act 1992

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410996	Supported Residential Facilities Act 1992	section 49(1)(b)	Receive complaints regarding the conduct of a resident of a supported residential facility or any residential-only premises	licensing authority
410997	Supported Residential Facilities Act 1992	section 49(2)	Determine whether a complaint must be reduced to writing	licensing authority
410998	Supported Residential Facilities Act 1992	section 49(3)	Take appropriate action in regard to a complaint	licensing authority
410999	Supported Residential Facilities Act 1992	section 49(4)	Appoint an authorised officer to investigate the circumstances surrounding the complaint and to attempt to resolve the matter as expeditiously as possible	licensing authority
411000	Supported Residential Facilities Act 1992	section 56(4)	Pay prescribed percentage of licence fees into the Supported Residential Facilities Indemnity Fund	licensing authority
411001	Supported Residential Facilities Act 1992	section 57(5)	Exempt a proprietor of a facility from a regulation that applies to the facility	licensing authority
411002	Supported Residential Facilities Act 1992	section 57(6)	Attach conditions to an exemption granted under section 57(5)	licensing authority
411003	Supported Residential Facilities Act 1992	section 57(7)(a)	Revoke an exemption granted under section 57(5)	licensing authority
411004	Supported Residential Facilities Act 1992	section 57(7)(b)	Vary or revoke condition applying to an exemption granted under section 57(5)	licensing authority





Supported Residential Facilities Regulations 2009

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411005	Supported Residential Facilities Regulations 2009	regulation 17(2)	Approve an acting manager of a facility	licensing authority
411006	Supported Residential Facilities Regulations 2009	regulation 18(1)	Approve a registered nurse to oversee the provision of nursing care at a facility	licensing authority
411007	Supported Residential Facilities Regulations 2009	regulation 18(2)	Revoke the approval of a registered nurse to overseeing the provision of nursing care at a facility	licensing authority
411008	Supported Residential Facilities Regulations 2009	regulation 18(2)	Require a new appointment of a registered nurse to oversee the provision of nursing care at a facility	licensing authority
411009	Supported Residential Facilities Regulations 2009	regulation 21(1)(b)	Approve a kitchen at a facility which does not meet the prescribed requirements	licensing authority
411010	Supported Residential Facilities Regulations 2009	regulation 21(3)(e)	Require the fitting of handrails, ramps and lifts at a facility	licensing authority
411011	Supported Residential Facilities Regulations 2009	regulation 24(1)	Direct a proprietor of a supported residential facility to install a communication system at the facility	licensing authority





Unclaimed Goods Act 1987

ID	Delegation Source	Provision	Item Delegated
279614	Unclaimed Goods Act 1987	s 5(1)(b)	1. Unclaimed Goods 1.1 The power pursuant to Section 5(1)(b) of the Unclaimed Goods Act 1987 (the Act) where the Council is in possession of goods belonging to another (the bailor) in pursuance of an agreement or understanding under which the Council was to deliver the goods to the bailor, to make reasonable attempts to deliver the goods in accordance with the agreement or understanding.
279615	Unclaimed Goods Act 1987	s5(1)(c)	1. Unclaimed Goods 1.2 The power pursuant to Section 5(1)(c) of the Act where the Council is in possession of goods belonging to the bailor and there is no agreement or understanding governing the collection or delivery of the goods, to request the bailor in accordance with Section 5(2) of the Act, to collect the goods.
279616	Unclaimed Goods Act 1987	s5(2)	1. Unclaimed Goods 1.3 The duty pursuant to Section 5(2) of the Act in making a request for the purposes of Section 5(1)(c) of the Act, to ensure the request - 1.3.1 states the address at which the goods are available for collection; and 1.3.2 contains a brief description of the goods; and 1.3.3 states the times at which, or the hours between which, the goods will be available for collection at that address; and 1.3.4 is made - 1.3.4.1 by post addressed to the last known address of the bailor; or 1.3.4.2 if the identity or whereabouts of the bailor is unknown - by notice in the prescribed form published in a newspaper circulating generally throughout the State.
279617	Unclaimed Goods Act 1987	s5(3)	1. Unclaimed Goods 1.4 The duty pursuant to Section 5(3) of the Act to ensure a request made for the purposes of Section 5(1)(c) of the Act allows the bailor a reasonable opportunity to collect the goods to which it relates.
279618	Unclaimed Goods Act 1987	s6(1)	2. Sale or Disposal of Unclaimed Goods 2.1 The power pursuant to Section 6(1) of the Act and the power subject to Section 6 of the Act, where the Council is a bailee of unclaimed goods, to, after the expiration of three months from the relevant date - 2.1.1 sell the goods; or 2.1.2 if the value of the goods would be insufficient to defray the costs of sale - otherwise dispose of the goods.
279619	Unclaimed Goods Act 1987	s6(2)	2. Sale or Disposal of Unclaimed Goods 2.2 The power pursuant to Section 6(2) of the Act to apply to the Court for an authorisation to sell or dispose of goods under Section 6(1) of the Act and the duty pursuant to Section 6(2) of the Act, if the value of the goods lies within scale 3, to not sell or dispose of the goods without such an authorisation.





Unclaimed Goods Act 1987

ID	Delegation Source	Provision	Item Delegated
279620	Unclaimed Goods Act 1987	s6(3)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.3 The duty pursuant to Section 6(3) of the Act where an application for an authorisation under Section 6(2) of the Act is made, to -</p> <p>2.3.1 give notice of the application to the Commissioner of Police; and</p> <p>2.3.2 give such notice (if any) as the Court thinks appropriate to the bailor and any other person who, in the opinion of the Court, may have an interest in the goods.</p>
279621	Unclaimed Goods Act 1987	s 6(5)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.4 The power pursuant to Section 6(5) of the Act, if the value of unclaimed goods lies within scale 1 or 2, to sell or dispose of the goods under Section 6(1) of the Act without any authorisation by the Court and the duty pursuant to Section 6(5)(b) of the Act, if goods whose value lies within scale 2 are to be sold without such an authorisation, to</p> <p>2.4.1 sell the goods by public auction; and</p> <p>2.4.2 give notice in the prescribed form of the time and place of the proposed sale at least one month before the date of the proposed sale -</p> <p>2.4.2.1 to the Commissioner of Police; and</p> <p>2.4.2.2 to the bailor.</p>
279622	Unclaimed Goods Act 1987	s6(6)	<p>2. Sale or Disposal of Unclaimed Goods</p> <p>2.5 The power pursuant to Section 6(6) of the Act to give a notice under Section 6(5)(b) of the Act by post and, if the identity or whereabouts of the bailor is unknown, to give the notice to the bailor by advertisement in a newspaper circulating generally throughout the State.</p>
279623	Unclaimed Goods Act 1987	s7(1)	<p>3. Claim Made by Bailor After Commencement of Proceedings Under this Act</p> <p>3.1 The duty pursuant to Section 7(1) of the Act and subject to Section 7(2) of the Act, where the Council has commenced proceedings for the sale or disposal of goods under the Act but before the goods are sold or disposed of the bailor claims the goods, to not proceed with the sale or disposal of the goods, and to hand them over to the bailor.</p>
279624	Unclaimed Goods Act 1987	s7(2)	<p>3. Claim Made by Bailor After Commencement of Proceedings Under this Act</p> <p>3.2 The power pursuant to Section 7(2) of the Act to, before handing over goods under Section 7(1) of the Act, require the bailor to pay -</p> <p>3.2.1 the reasonable costs incurred by the Council in proceeding under the Act;</p> <p>3.2.2 the reasonable costs incurred by the Council in storing and maintaining the goods after the date on which the bailor should have collected or taken delivery of them;</p> <p>3.2.3 the amount of any lien that the Council has over the goods.</p>
279625	Unclaimed Goods Act 1987	s7(3)	<p>3. Claim Made by Bailor After Commencement of Proceedings Under this Act</p> <p>3.3 The power pursuant to Section 7(3) of the Act, if at the expiration of 42 days after the Council has rendered a written account of the amounts claimed under Section 7(2) of the Act the bailor has not paid those amounts, to, subject to Section 7(4) of the Act, proceed to sell or dispose of the goods.</p>





Unclaimed Goods Act 1987

ID	Delegation Source	Provision	Item Delegated
279626	Unclaimed Goods Act 1987	s 8(1)	<p>4. Proceeds of Sale</p> <p>4.1 The power pursuant to Section 8(1) of the Act in relation to the proceeds of the sale of goods under the Act to -</p> <p>4.1.1 retain from those proceeds -</p> <p>4.1.1.1 the reasonable costs of the sale and of proceeding under the Act;</p> <p>4.1.1.2 the reasonable costs of storing and maintaining the goods prior to sale;</p> <p>4.1.1.3 the amount of any lien that the Council had over the goods; and</p> <p>4.1.2 pay the balance to the Treasurer.</p>





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411012	Water Industry Act 2012	section 19(1)	Apply for a licence	applicant for a licence
411013	Water Industry Act 2012	section 19(2)	Pay the application fee	applicant for a licence
411014	Water Industry Act 2012	section 19(4)	Provide further information requested by the Commission with respect to an application for a licence	applicant for a licence
411015	Water Industry Act 2012	section 22(1)	Provide services or carry on operations or activities in accordance with the terms and conditions of the licence	water industry entity
411016	Water Industry Act 2012	section 24(1)	Pay the annual licence fee	applicant for a licence
411017	Water Industry Act 2012	section 24(2)(a)	Provide annual return to the Commission	water industry entity
411018	Water Industry Act 2012	section 24(2)(b)	Pay the annual licence fee	water industry entity
411019	Water Industry Act 2012	section 25(2)	Participate in consultation with the Commission	water industry entity
411020	Water Industry Act 2012	section 28(2)(a)	Apply to the Commission for a variation in the terms and conditions applying the licence	water industry entity
411021	Water Industry Act 2012	section 28(2)(a)	Agree with the Commission a variation in the terms and conditions applying the licence	water industry entity
411022	Water Industry Act 2012	section 28(2)(b)	Make submissions to the Commission regarding a proposed variation to the terms and conditions applying to a licence	water industry entity
411023	Water Industry Act 2012	section 29(1)	Transfer licence with the Commission's agreement	water industry entity
411024	Water Industry Act 2012	section 29(4)	Apply to the Commission for the transfer of a licence	water industry entity
411025	Water Industry Act 2012	section 29(5)	Pay to the Commission the application fee for the transfer of a licence	water industry entity
411026	Water Industry Act 2012	section 29(6)	Provide to the Commission further relevant information requested by Commission in respect of the application fee for the transfer a licence	water industry entity
411027	Water Industry Act 2012	section 32(1)	Surrender a licence to the Commission	water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411028	Water Industry Act 2012	section 32(3)	Agree with the Commission a shorter notice period than the prescribe period for the surrender of a licence	water industry entity
411029	Water Industry Act 2012	section 33(3)(b)	Make submissions to the Commission in relation to a proposed suspension or cancellation of licence	water industry entity
411030	Water Industry Act 2012	section 36(1)	Fix standard terms and conditions governing the provision of services by the entity	water industry entity
411031	Water Industry Act 2012	section 36(2)	Publish standard terms and conditions governing the provision of services by the entity in the Gazette	water industry entity
411032	Water Industry Act 2012	section 36(3)	Publish notice in a newspaper circulating generally in the State regarding the standard terms and conditions	water industry entity
411033	Water Industry Act 2012	section 36(5)	Agree with a customer to exclude a standard term or condition	water industry entity
411034	Water Industry Act 2012	section 36(6)(a)	Supply a copy of the standard terms and conditions to the Commission	water industry entity
411035	Water Industry Act 2012	section 36(6)(b)	Publish a copy of the standard terms and conditions on the entities website	water industry entity
411036	Water Industry Act 2012	section 37(3)(a)	Adopt a customer hardship policy published by the Minister	water industry entity
411037	Water Industry Act 2012	section 37(3)(b)	Seek the approval of the Minister to adopt a customer hardship policy published by the Minister with modifications	water industry entity
411038	Water Industry Act 2012	section 37(3)(b)	Adopt a customer hardship policy published by the Minister with modifications in accordance with approval of the Minister	water industry entity
411039	Water Industry Act 2012	section 38(2)	Make submissions to the Commission as to proposed proclamation to take over the water industry entity's operations	water industry entity
411040	Water Industry Act 2012	section 39(2)	Accept an appointment to take over relevant operations of a water industry entity subject to a proclamation under section 38	water industry entity
411041	Water Industry Act 2012	section 39(3)	Facilitate the take-over of relevant operations by the operator	water industry entity
411042	Water Industry Act 2012	section 41(1)	Appoint a person to be a water industry officer	water industry entity
411043	Water Industry Act 2012	section 41(2)	Impose conditions of appointment of a water industry officer	water industry entity
411044	Water Industry Act 2012	section 42(1)	Impose time period for the appointment of a water industry officer	water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411045	Water Industry Act 2012	section 42(2)	Remove a water industry officer from office	water industry entity
411046	Water Industry Act 2012	section 43(1)	Issue a water industry officer with an identity card	water industry entity
411047	Water Industry Act 2012	section 44(1)	Agree with the occupier of land to enter and remain on land to conduct investigations or carry out any other form of work to assess the suitability of the land for the construction or installation of water/sewerage infrastructure	water industry entity
411048	Water Industry Act 2012	section 44(1)	Seek the authorisation of the Minister to enter and remain on land to conduct investigations or carry out any other form of work to assess the suitability of the land for the construction or installation of water/sewerage infrastructure	water industry entity
411049	Water Industry Act 2012	section 44(3)(a)	Enter and remain on land to undertake prescribed works	water industry entity
411050	Water Industry Act 2012	section 45(1)	Give notice of proposed entry on land under section 44 to the occupier	authorised entity
411051	Water Industry Act 2012	section 45(3)(a)	Give notice of proposed entry on public land under section 45 to the authority responsible to the management of the public land	authorised entity
411052	Water Industry Act 2012	section 45(3)(b)	Agree with an authorised entity to enter onto public land within the care, control and management of the council	council
411053	Water Industry Act 2012	section 45(4)	Impose conditions on the entry of an authorised entity onto public land within the care, control and management of the council	council
411054	Water Industry Act 2012	section 45(7)	Refer a dispute regarding whether work should be permitted on public land within the care, control and management of the council by an authorised entry of the conditions applying to that work to the Minister	council authorised entity
411055	Water Industry Act 2012	section 45(9)(a)	Make submissions to the Minister in relation to a dispute referred under section 45(7)	council authorised entity
411056	Water Industry Act 2012	section 45(9)(b)	Settle a dispute referred under section 45(7)	council authorised entity
411057	Water Industry Act 2012	section 45(11)	Notify the occupier of public land of the reason and the date and time of proposed entry	authorised entity
411058	Water Industry Act 2012	section 45(14)	Use reasonable force to enter any land under section 45	authorised entity
411059	Water Industry Act 2012	section 45(16)	Request an authorised entity undertaking work on public land within the care, control and management of the council to separate the land on which the work is being undertaken from other parts of the land by a fence	council
411060	Water Industry Act 2012	section 45(16)	Separate the public land on which the work is being undertaken from other parts of the land by a fence	authorised entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411061	Water Industry Act 2012	section 45(16)	Refer a dispute regarding the separation of a land by a fence to the Magistrates Court	council
411062	Water Industry Act 2012	section 45(17)	Make good any damage caused by exercise of powers under section 45	authorised entity
411063	Water Industry Act 2012	section 45(19)	Exercise of powers under section 45 in an emergency without prior notice or agreement	authorised entity
411064	Water Industry Act 2012	section 45(22)	Comply with conditions imposed by the Minister of the exercise of powers under section 45	water industry entity
411065	Water Industry Act 2012	section 46(1)	Acquire land in accordance with the Land Acquisition Act 1969	water industry entity
411066	Water Industry Act 2012	section 46(2)	Seek authorisation of the Minister to acquire land by compulsory acquisition under the Land Acquisition Act 1969	water industry entity
411067	Water Industry Act 2012	section 48(2)	Apply to the Minister for approval of a scheme under section 48	water industry entity
411068	Water Industry Act 2012	section 48(3)(c)	Approve a scheme as being fit and adequate for the provision of the services that are proposed to be offered under the scheme	council
411069	Water Industry Act 2012	section 48(3)(d)	Participate in consultation for the development of a scheme for sewerage services in the council area	council
411070	Water Industry Act 2012	section 48(6)	Issue a notice requiring the connection of drains, equipment or works to prescribed infrastructure in order to provide for the discharge of sewerage into the infrastructure	water industry entity
411071	Water Industry Act 2012	section 48(9)	Take action required by a notice served under section 48(6), if the recipient fails to take that action	water industry entity
411072	Water Industry Act 2012	section 48(10)	Authorise a person to take action under section 48(9) on the water industry entities behalf	water industry entity
411073	Water Industry Act 2012	section 48(12)	Recover the reasonable costs of taking action under section 48(9) as a debt	water industry entity
411074	Water Industry Act 2012	section 48(13)	Apply to the Minister for approval to vary a scheme under section 48	water industry entity
411075	Water Industry Act 2012	section 48(13)	Vary a scheme under section 48	water industry entity
411076	Water Industry Act 2012	section 49(1)	Consent to a person: (a) constructing or placing a building, wall, fence or other structure on or over any water/sewerage infrastructure, or creating some other form of encroachment over any water/sewerage infrastructure (or any land directly associated with such infrastructure);	water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			(b) creating any form of encroachment over any easement that exists for the purposes of any water service or sewerage service; (c) obstructing, filling in, closing up or diverting any water/sewerage infrastructure; or (d) excavating or altering any land or structure supporting any water/sewerage infrastructure	
411077	Water Industry Act 2012	section 49(2)(a)	Enter land and carry out an inspection of any place if the water entity believes on reasonable grounds that a person has contravened section 49(1)	water industry entity
411078	Water Industry Act 2012	section 49(2)(b)	Serve a notice requiring a person to take action to remedy a contravention of section 49(1)	water industry entity
411079	Water Industry Act 2012	section 49(3)	Obtain a warrant under Part 10 of the Water Industry Act to enter land	water industry entity
411080	Water Industry Act 2012	section 49(4)	Take action required by a notice served under section 49(2)(b), if the recipient fails to take that action	water industry entity
411081	Water Industry Act 2012	section 49(6)	Recover the reasonable costs of taking action under section 49(4) as a debt	water industry entity
411082	Water Industry Act 2012	section 49(7)	Authorise a person to take action under section 49(4) on the water industry entities behalf	water industry entity
411083	Water Industry Act 2012	section 50(1)	Authorise a person to: (a) attach any equipment or other thing, or make any connection, to water/sewerage infrastructure; (b) interfere with: (i) the collection, storage, production, treatment, conveyance, reticulation or supply of water through the use of water infrastructure; or (ii) the collection, storage, treatment, conveyance or reticulation of sewage through the use of sewerage infrastructure; (c) disconnect or interfere with any water/sewerage infrastructure, or any equipment associated with any water/sewerage infrastructure; or (d) damage any water/sewerage infrastructure, or any equipment associated with any water/sewerage infrastructure.	water industry entity
411084	Water Industry Act 2012	section 50(2)(a)	Enter land and carry out an inspection of any place if the water entity believes on reasonable grounds that a person has contravened section 50(1)	water industry entity
411085	Water Industry Act 2012	section 50(2)(b)	Disconnect, close, turn off or remove anything that has been attached or used in connection with a contravention section 50(1)	water industry entity
411086	Water Industry Act 2012	section 50(3)	Obtain a warrant under Part 10 of the Water Industry Act to enter land	water industry entity
411087	Water Industry Act 2012	section 50(4)	Authorise a person to take action under section 50 on the water industry entities behalf	water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411088	Water Industry Act 2012	section 50(7)	Recover compensation from a person guilty of a contravention of section 50(1) on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	water industry entity
411089	Water Industry Act 2012	section 51(1)	Receive notice from a person proposing to do work near water/sewerage infrastructure	water industry entity
411090	Water Industry Act 2012	section 51(3)(b)	Specify requirements to apply for the protection of the infrastructure or the safety of person carrying out the work	water industry entity
411091	Water Industry Act 2012	section 51(4)	Recover compensation from a person guilty of a contravention of section 51 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	water industry entity
411092	Water Industry Act 2012	section 52(1)	Receive notice from a person proposing to: (a) to first lay the pavement or hard surface in any road; (b) to relay the pavement or hard surface in any road; (c) to widen or extend the pavement or hard surface in any road; (d) to alter the level of any road; (e) to construct or alter any footpaths, gutters, kerbing or water tables in any road; or (f) to construct or alter any drainage work in any road in which water/sewerage infrastructure is laid	water industry entity
411093	Water Industry Act 2012	section 52(2)	Advise the person giving notice under section 52(1) of any new water/sewerage infrastructure proposed in the relevant road and of any interference that is expected to be caused to the existing water/sewerage infrastructure	water industry entity
411094	Water Industry Act 2012	section 52(4)	Confer with a person giving notice under section 52(1) with respect to variations to the proposed work	water industry entity
411095	Water Industry Act 2012	section 52(6)	Waive the requirement to provide notice under section 52(1)	water industry entity
411096	Water Industry Act 2012	section 53(2)(b)	Approve the installation or maintenance of a pipe capable of conveying water beyond the boundaries of a site occupied by the person	water industry entity
411097	Water Industry Act 2012	section 53(1)	Authorise a person to: (a) abstract or divert water from any water infrastructure; or (b) abstract or divert any sewage from any sewerage infrastructure	water industry entity
411098	Water Industry Act 2012	section 53(3)	Recover compensation from a person guilty of a contravention of section 53 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	water industry entity
411099	Water Industry Act 2012	section 54(1)(a)	Require a person supplied water by the water industry entity to allow a person authorised by the entity to enter land and fix a meter supplied by the entity	water industry entity
411100	Water Industry Act 2012	section 54(1)(b)	Require a person supplied water by the water industry entity to ensure that a meter of a kind specified by the entity is fixed and used for the purposes of measuring water supplied to the person	water industry entity
411101	Water Industry Act 2012	section 54(3)	Supply a water meter	water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411102	Water Industry Act 2012	section 54(4)	Issue a direction or requirement in regard to the installation or use of a meter	water industry entity
411103	Water Industry Act 2012	section 54(10)	Serve a notice on a person who fails to ensure that access to the meter or fitting for the purpose of reading, replacement, repair or maintenance is not obstructed requiring the person to take specified action to provide access to the meter or fitting	water industry entity
411104	Water Industry Act 2012	section 54(11)	Enter land and take action to provide access to the meter or fitting	water industry entity
411105	Water Industry Act 2012	section 54(12)	Recover compensation from a person guilty of a contravention of section 54 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	water industry entity
411106	Water Industry Act 2012	section 54(13)	Recover costs of taking action under section 54(11) as a debt	water industry entity
411107	Water Industry Act 2012	section 55(1)	Authorise a person to discharge any solid, liquid or gaseous materials, or any other item or thing, into water infrastructure	water industry entity
411108	Water Industry Act 2012	section 55(3)	Recover compensation from a person guilty of a contravention of section 55 on application to a court convicting the person of an offence against this section or by action in a court of competent jurisdiction	water industry entity
411109	Water Industry Act 2012	section 56(1)	Authorise a person to discharge into any sewerage infrastructure any solid, liquid or gaseous material, or any other item or thing that is likely to damage the infrastructure	water industry entity
411110	Water Industry Act 2012	section 56(3)(a)	Authorise a person to discharge specific waste material into sewerage infrastructure	water industry entity
411111	Water Industry Act 2012	section 56(3)(b)	Enter into a contract with a person in regard to the provision of a sewerage service authorising the discharge specific waste material into sewerage infrastructure	water industry entity
411112	Water Industry Act 2012	section 56(5)	Authorise a person to cause, permit or allow any rainwater, stormwater or surface water to flow into, or to otherwise enter, any sewerage infrastructure	water industry entity
411113	Water Industry Act 2012	section 56(7)	Attach conditions to an authorisation under section 56(5)	water industry entity
411114	Water Industry Act 2012	section 56(7)	Vary or revoke an authorisation under section 56(5)	water industry entity
411115	Water Industry Act 2012	section 56(9)	Recover the reasonable costs and expenses incurred by the water entity in addressing any damage or loss caused as a result of, on in remedying circumstances caused by, a contravention of section 56 as a debt	water industry entity
411116	Water Industry Act 2012	section 57(1)	Issue a notice requiring an owner or occupier of land to carry out specified work	water industry entity
411117	Water Industry Act 2012	section 57(3)	Vary or revoke a notice issued under section 57(1)	water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411118	Water Industry Act 2012	section 57(5)	Take action required by a notice if the recipient of the notice fails to take the action	water industry entity
411119	Water Industry Act 2012	section 57(6)	Authorise a person to take action under section 57(5) on the entity's behalf	water industry entity
411120	Water Industry Act 2012	section 57(8)	Recover the reasonable costs and expenses incurred by the water industry entity taking action under section 57(5) as a debt	water industry entity
411121	Water Industry Act 2012	section 58(1)	Close off or disconnect from the sewerage infrastructure one or more drains on the land that are connected to the sewerage infrastructure or restrict the provision of any sewerage service to the land	water industry entity
411122	Water Industry Act 2012	section 58(2)	Reopen or reconnect a drain closed off or disconnected under section 58(1)	water industry entity
411123	Water Industry Act 2012	section 58(2)	Require the owner or occupier of land to pay the prescribed fee prior to reopening or reconnecting a drain closed off or disconnected under section 58(1)	water industry entity
411124	Water Industry Act 2012	section 59(3)(a)	Lessen the supply through any infrastructure	water industry entity
411125	Water Industry Act 2012	section 59(3)(b)	Prohibit the use of water in a specified purpose or purposes, or restrict or regulate the purposes for which water can be used	water industry entity
411126	Water Industry Act 2012	section 59(3)(c)	Prohibit the use of water in a specified manner or by specified means, or restrict or regulate the manner in which, or the means by which, water may be used	water industry entity
411127	Water Industry Act 2012	section 59(3)(d)	Prohibit specified uses of water during specified periods, or restrict or regulate the times at which water may be used	water industry entity
411128	Water Industry Act 2012	section 59(3)(e)	Discontinue the supply of water	water industry entity
411129	Water Industry Act 2012	section 59(4)	Impose a requirement that a permit of the water industry entity must be held to undertake an activity involving the use of water	water industry entity
411130	Water Industry Act 2012	section 59(4)	Issue a permit authorising an activity involving the use of water	water industry entity
411131	Water Industry Act 2012	section 59(5)(b)	Publish or serve a notice regarding a prohibition or notice under section 59(3)	water industry entity
411132	Water Industry Act 2012	section 59(5)(b)	Vary or revoke a prohibition or notice under section 59(3)	water industry entity
411133	Water Industry Act 2012	section 60(1)	Serve notice on the owner or occupier of land that is connected to water infrastructure operated by the entity directing the owner or occupier to install a flow reducing device of a specified kind and to use the device to reduce flow in the pipes on the land which are connected to the water infrastructure	water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411134	Water Industry Act 2012	section 60(5)	Install a flow reducing device if the owner or occupier has failed to comply with the requirements of a notice under section 60(1)	water industry entity
411135	Water Industry Act 2012	section 60(6)	Recover the reasonable costs and expenses incurred by the water industry entity as a debt from the person who failed to comply with the notice under section 60(1)	water industry entity
411136	Water Industry Act 2012	section 63(3)(a)	Disconnect the supply of water or the collection of sewage, or restrict the supply of services	water industry entity
411137	Water Industry Act 2012	section 63(3)(b)	Obtain a warrant under Part 10 to enter a place for the purpose of disconnecting the supply of water or the collection of sewage, or restricting the supply of services	water industry entity
411138	Water Industry Act 2012	section 63(5)(b)	Restore a connection for the supply of water or the collection of sewage	water industry entity
411139	Water Industry Act 2012	section 64	Cut off the supply of water to any region, area, land or place if it is necessary to do so to avert danger to any person or property	water industry entity
411140	Water Industry Act 2012	section 68	Comply with prescribed technical and safety requirements or any technical and safety requirements of the Technical Regulator	water industry entity
411141	Water Industry Act 2012	section 69(3)	Disconnect the supply of water or the collection of sewerage, or restrict the supply of services	water industry entity
411142	Water Industry Act 2012	section 84(1)(b)	Make an application to the Commission for a review of a decision of the Commission under Part 4 to suspend or cancel the entity's licence or vary the terms or conditions of the entity's licence	water industry entity
411143	Water Industry Act 2012	section 85(1)(a)	Make an application for a review of a decision or an enforcement notice under Part 8, Division 4 under section 34 of the South Australian Civil and Administrative Tribunal Act 2013	water industry entity
411144	Water Industry Act 2012	section 88(1)	Provide information requested by the Minister	water industry entity
411145	Water Industry Act 2012	section 98(1)	Provide and maintain fire plugs, maintain various standards, and comply with any other requirements relating to the provision of water for fire-fighting purposes, in accordance with any scheme determined by the Minister	water industry entity
411146	Water Industry Act 2012	section 102(2)	Commence proceeding for an offence under the Water Industry Act	water industry entity
411147	Water Industry Act 2012	section 111(7)	Certify a plan delineating the position of any equipment, plant or drain connected to any water/sewerage infrastructure	water industry entity
411148	Water Industry Act 2012	section 111(8)	Certify a date on and from which the water industry entity was prepared to supply water by means of a direct service to land specified in the certificate or could by means of drains or other infrastructure, be drained or serviced by a sewer	water industry entity
411149	Water Industry Act 2012	section 111(9)	Certify a copy or extract of a register of readings of meters maintained by the water industry entity	water industry entity





Water Industry Act 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411150	Water Industry Act 2012	section 113(1)	Cause a ventilating shaft, pipe or tube for any sewerage infrastructure or drain to be attached to the exterior wall of a building	water industry entity





Water Industry Regulations 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411151	Water Industry Regulations 2012	regulation 9	Enter into an agreement with a person undertaking work which would involve the alteration of any water/sewerage infrastructure to share the cost of the work	water industry entity
411152	Water Industry Regulations 2012	regulation 11(1)	Provide a statement of the amount paid to a person who has paid an amount for the provision of retain services	water industry entity
411153	Water Industry Regulations 2012	regulation 11(2)	Provide a consumer with a statement of the quantity of water supplied by the entity to the consumer in the financial year	water industry entity
411154	Water Industry Regulations 2012	regulation 11(3)	Provide a statement of the amount paid for retail services or the quantity of water supplied by the entity financial year to any other person acting with the consent of the person referred to in regulations 11(1) and 11(2)	water industry entity
411155	Water Industry Regulations 2012	regulation 12(1)	Provide a statement as the existence or non-existence of encumbrances in relation to the land to which the application relates that are prescribed encumbrances for the purposes of the Land and Business (Sale and Conveyancing) Act 1994	water industry entity
411156	Water Industry Regulations 2012	regulation 13(a)(i)	Seek the approval of a water industry entity (that owns or operated sewerage infrastructure that may be affected by the planting) to plant trees and shrubs (except those listed I Schedule 2 and Schedule 3) on public land	council
411157	Water Industry Regulations 2012	regulation 13(a)(i)	Grant approval to plant trees and shrubs on public land	water industry entity
411158	Water Industry Regulations 2012	regulation 13(b)	Grant approval to plant trees and shrubs on a road closer than 1 metre to any water infrastructure	water industry entity
411159	Water Industry Regulations 2012	regulation 14(1)	Receive and comply with a notice from water industry entity directing action in regard to a tree or shrub on public land which is causing, or is likely to cause, damage to water/sewerage infrastructure or a reduction in the efficiency of the operation of that infrastructure	council
411160	Water Industry Regulations 2012	regulation 14(1)	Direct a council or other person with care, control or management of land to take action in regard to a tree or shrub on public land which is causing, or is likely to cause, damage to water/sewerage infrastructure or a reduction in the efficiency of the operation of that infrastructure	water industry entity
411161	Water Industry Regulations 2012	regulation 14(2)	Take action specified in a notice under regulation 14(1) if the recipient fails to comply with the notice	water industry entity





Water Industry Regulations 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411162	Water Industry Regulations 2012	regulation 14(3)	Recover costs of taking action specified in a notice under regulation 14(2) as a debt	water industry entity
411163	Water Industry Regulations 2012	regulation 15	Recover costs of taking action specified in a notice under regulation 14 as a debt	water industry entity
411164	Water Industry Regulations 2012	regulation 16(3)(b)	Authorise a person to enter infrastructure owned or operated by the entity	water industry entity
411165	Water Industry Regulations 2012	regulation 17(1)(a)	Obtain the approval of ESCOSA prior to taking action under sections 59(3)(a) to 59(3)(e) (inclusive)	water industry entity
411166	Water Industry Regulations 2012	regulation 17(1)(b)(i)	Notify the public of the intention to exercise a power under sections 59(3)(b) to 59(3)(d) (inclusive) by notice in the Gazette	water industry entity
411167	Water Industry Regulations 2012	regulation 17(1)(b)(ii)	Notify the public of the intention to exercise a power under sections 59(3)(a) to 59(3)(e) (inclusive) by a notice of a website, in a newspaper circulating throughout the area of the State in which person affected by the exercise of the power are situated and in any other manner considered appropriate	water industry entity
411168	Water Industry Regulations 2012	regulation 18		water industry entity
411169	Water Industry Regulations 2012	regulation 23(2)(a)		council
411170	Water Industry Regulations 2012	regulation 23(2)(b)		water industry entity
411171	Water Industry Regulations 2012	regulation 23(3)		water industry entity
411172	Water Industry Regulations 2012	regulation 34(1)(b)		water industry entity
411173	Water Industry Regulations 2012	regulation 34(4)		water industry entity





Water Industry Regulations 2012

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
411174	Water Industry Regulations 2012	regulation 34(7)		water industry entity
411175	Water Industry Regulations 2012	regulation 36		water industry entity
411176	Water Industry Regulations 2012	regulation 38		water industry entity





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated
279748	Work Health and Safety Act 2012	s51(1)	51. Determination of work groups (1) The power pursuant to Section 51(1) of the Work Health and Safety Act 2012 (the Act), to, if a request is made under Section 50 of the Act, facilitate the determination of one or more work groups of workers.
279749	Work Health and Safety Act 2012	s52(1)	52. Negotiations for agreement for work group (1) The power pursuant to Section 52(1) of the Act, and in accordance with Sections 52(2), (3) and (6) of the Act, to determine a work group by negotiation and agreement with the workers who will form the work group or their representatives.
279750	Work Health and Safety Act 2012	s52(4)	52. Negotiations for agreement for work group (4) The power pursuant to Section 52(4) of the Act to, in relation to an agreement concerning the determination of a work group or groups, at any time, negotiate a variation of the agreement in accordance with Section 52(6) of the Act.
279751	Work Health and Safety Act 2012	s54(1)	54. Failure of negotiations (1) The power pursuant to Section 54(1) of the Act to, if there is a failure of negotiations (including negotiations concerning the variation of an agreement), ask the regulator to appoint an inspector for the purposes of Section 54 of the Act.
279752	Work Health and Safety Act 2012	s55(2)	55. Determination of work groups of multiple businesses (2) The power pursuant to Section 55(2) of the Act to determine the particulars of the work groups by negotiation and agreement, in accordance with Section 56 of the Act, between each of the persons conducting the businesses or undertakings and the workers.
279753	Work Health and Safety Act 2012	s55(3)	55. Determination of work groups of multiple businesses (3) The power pursuant to Section 55(3) of the Act to, in relation to an agreement concerning the determination of a work group or groups, at any time, negotiate a variation of the agreement.
279754	Work Health and Safety Act 2012	s56(3)	56. Negotiation of agreement for work groups of multiple businesses (3) The power pursuant to Section 56(3) of the Act to, if agreement cannot be reached on a matter relating to the determination of a work group (or a variation of an agreement) within a reasonable time after negotiations commence under Subdivision 3 of Division 3, Part 5 of the Act, ask the regulator to appoint an inspector to assist the negotiations in relation to that matter.
279755	Work Health and Safety Act 2012	s58(1)	58. Withdrawal from negotiations or agreement involving multiple businesses (1) The power pursuant to Section 58(1) of the Act to, in relation to a negotiation for an agreement, or an agreement, concerning a work group under Subdivision 3 of Division 3, Part 5 of the Act, withdraw from the negotiation or agreement at any time by giving reasonable notice (in writing) to the other parties.
279756	Work Health and Safety Act 2012	s58(2)	58. Withdrawal from negotiations or agreement involving multiple businesses (2) The power pursuant to Section 58(2) of the Act to, if a party withdraws from an agreement concerning a work group under Subdivision 3 of Division 3, Part 5 of the Act, negotiate a variation to the agreement in accordance with Section 56 of the Act.
279757	Work Health and Safety Act 2012	s65(1)	65. Disqualification of health and safety representatives (1) The power pursuant to Section 65(1) of the Act, to make an application to SAET to disqualify a health and safety representative on the ground that the representative has: (a) exercised a power or performed a function as a health and safety representative for an improper purpose; or





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated
			<p>(b) used or disclosed any information he or she acquired as a health and safety representative for a purpose other than in connection with the role of health and safety representative,</p> <p>where the Council is adversely affected by the exercise of a power or the performance of a function referred to in Section 65(1)(a) of the Act or the use or disclosure of information referred to in Section 65(1)(b) of the Act.</p>
279758	Work Health and Safety Act 2012	s70(1)	<p>70. General obligations of person conducting business or undertaking</p> <p>(1) The power pursuant to Section 70(1) of the Act, to</p> <p>(a) consult, so far as is reasonably practicable, on work health and safety matters with any health and safety representative for a work group of workers carrying out work for the Council; and</p> <p>(b) confer with a health and safety representative for a work group, whenever reasonably requested by the representative, for the purpose of ensuring the health and safety of the workers in the work group; and</p> <p>(c) allow any health and safety representative for the work group to have access to information that the Council has relating to:</p> <p>(i) hazards (including associated risks) at the workplace affecting workers in the work group; and</p> <p>(ii) the health and safety of the workers in the work group; and</p> <p>(d) with the consent of a worker that the health and safety representative represents, allow the health and safety representative to be present at an interview concerning work health and safety between the worker and:</p> <p>(i) an inspector; or</p> <p>(ii) the Council or the Council's representative; and</p> <p>(e) with the consent of one or more workers that the health and safety representative represents, allow the health and safety representative to be present at an interview concerning work health and safety between a group of workers, which includes the workers who gave the consent, and:</p> <p>(i) an inspector; or</p> <p>(ii) the Council or the Council's representative; and</p> <p>(f) provide any resources, facilities and assistance to a health and safety representative for the work group that are reasonably necessary or prescribed by the regulations to enable the representative to exercise his or her powers or perform his or her functions under the Act.</p>





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated
			<p>(g) allow a person assisting a health and safety representative for the work group to have access to the workplace if that is necessary to enable the assistance to be provided; and</p> <p>(h) permit a health and safety representative for the work group to accompany an inspector during an inspection of any part of the workplace where a worker in the work group works; and</p> <p>(i) provide any other assistance to the health and safety representative for the work group that may be required by the regulations.</p>
279759	Work Health and Safety Act 2012	s71(5)	<p>71. Exceptions for obligations under Section 70(1)</p> <p>(5) The power pursuant to Section 71(5) of the Act to refuse on reasonable grounds to grant access to the workplace to a person assisting a health and safety representative for a work group.</p>
279760	Work Health and Safety Act 2012	s72(1)	<p>72. Obligation to train health and safety representatives</p> <p>(1) The power pursuant to Section 72(1) of the Act to, consult with a health and safety representative in relation to the health and safety representative attending a course of training in work health and safety that is subject to Section 72(6), chosen by the health and safety representative.</p>
279774	Work Health and Safety Act 2012	s72(3)	<p>72. Obligation to train health and safety representatives</p> <p>(3) The power pursuant to Section 72(3) of the Act to:</p> <p>(a) as soon as practicable within the period of 3 months after the request is made, allow the health and safety representative time off work to attend the course of training; and</p>
279775	Work Health and Safety Act 2012	s72(3)(b)	<p>72. Obligation to train health and safety representatives</p> <p>(3) The power pursuant to Section 72(3) of the Act to:</p> <p>(b) pay the course fees and any other reasonable costs associated with the health and safety representative's attendance at the course of training.</p>
279776	Work Health and Safety Act 2012	s72(6)	<p>72. Obligation to train health and safety representatives</p> <p>(6) The power pursuant to Section 72(6) of the Act to, if agreement cannot be reached between the Council or Council's delegate and the health and safety representative within the time required by Section 72(3) of the Act as to the matters set out in Sections 72(1)(c) and (3) of the Act, ask the regulator to appoint an inspector to decide the matter.</p>
279761	Work Health and Safety Act 2012	s73(1)	<p>73. Obligation to share costs if multiple businesses or undertakings</p> <p>(1) The power pursuant to Section 73(1) of the Act to, if a health and safety representative, or deputy health and safety representative (if any), represents a work group of workers carrying out work for the Council and one or more other person conducting businesses or undertakings, agree that:</p> <p>(a) the costs of the representative exercising powers and performing functions under the Act; and</p> <p>(b) the costs referred to in Section 72(3)(b) of the Act, for which the Council or any of the other persons conducting those businesses or undertakings are liable, are to be apportioned between each of those persons otherwise than equally.</p>





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated
			(2) The power pursuant to Section 73(2) of the Act, to vary an agreement to apportion the costs in another way, at any time by negotiation and agreement between each of the persons conducting the businesses or undertakings.
279762	Work Health and Safety Act 2012	s75(2)	75. Health and safety committees (2) The power pursuant to Section 75(2) of the Act to, establish a health and safety committee for the workplace or part of the workplace.
279763	Work Health and Safety Act 2012	s76(1)	76. Constitution of committee (1) The power pursuant to Section 76(1) of the Act and subject to Sections 76(2) to (4) of the Act, to agree the constitution of a health and safety committee with the workers at the workplace. (5) The power pursuant to Section 76(5) of the Act to, if agreement is not reached under Section 76 within a reasonable time, ask the regulator to appoint an inspector to decide the matter.
279764	Work Health and Safety Act 2012	s82(2)	82. Referral of issue to regulator for resolution by inspector (2) The power pursuant to Section 82(2) of the Act to, ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue.
279765	Work Health and Safety Act 2012	s87	87. Alternative work The power pursuant to Section 87 of the Act to, if a worker ceases work under Division 6, Part 5 of the Act, direct the worker to carry out suitable alternative work at the same or another workplace if that work is safe and appropriate for the worker to carry out until the worker can resume normal duties.
279766	Work Health and Safety Act 2012	s89	89. Request to regulator to appoint inspector to assist The power pursuant to Section 89 of the Act to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue arising in relation to the cessation of work.
279767	Work Health and Safety Act 2012	s100(1)	100. Request for review of provisional improvement notice (1) The power pursuant to Section 100(1) of the Act, to, within 7 days after a provisional improvement notice is issued to the Council or a worker who carries out work at the Council, ask the regulator to appoint an inspector to review the notice.
279768	Work Health and Safety Act 2012	s141	141. Application for assistance of inspector to resolve dispute The power, pursuant to Section 141 of the Act, to, if a dispute arises about the exercise or purported exercise by a WHS entry permit holder of a right of entry under the Act, ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.
279769	Work Health and Safety Act 2012	s142(4)	142. Authorising authority may deal with a dispute about a right of entry under this Act (4) The power pursuant to Section 142(4) of the Act to apply to the authorising authority to deal with a dispute where the dispute relates to the Council.
279770	Work Health and Safety Act 2012	s180(1)	180. Return of seized things (1) The power pursuant to Section 180(1) of the Act to, if a seized thing has not been forfeited, and the Council is the person entitled to the thing, apply to the regulator for the return of the thing after the end of 6 months after it was seized.





Work Health and Safety Act 2012

ID	Delegation Source	Provision	Item Delegated
279771	Work Health and Safety Act 2012	s181(1)	181. Access to seized things (1) The power pursuant to Section 181(1) of the Act to, until a seized thing is forfeited or returned, inspect it and, if it is a document, to make copies of it at all reasonable times.
279772	Work Health and Safety Act 2012	s224(1)	224. Application for internal review (1) The power pursuant to Section 224(1) of the Act, to, where the Council is an eligible person in relation to a reviewable decision, other than a decision made by the regulator or a delegate of the regulator, apply to the regulator for review (an internal review) in accordance with Section 224(2) of the Act, of the decision within: (a) the prescribed time after the day on which the decision first came to the Council's notice; or (b) such longer period as the regulator allows.
279773	Work Health and Safety Act 2012	s229(1)	229. Application for external review (1) The power pursuant to Section 229(1) of the Act, to, where the Council is an eligible person, apply to SAET under Part 3 Division 1 of the South Australian Employment Tribunal Act 2014, in accordance with Section 229(2) of the Act, for a review of: (a) a reviewable decision made by the regulator; or (b) a decision made, or taken to have been made, on an internal review.





Authorisations under the Road Traffic Act in accordance with the Instrument dated 22 August 2013 from the Minister for Transport and Infrastructure

ID	Delegation Source	Provision	Item Delegated	Delegate
277756	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	s17	AUTHORISATIONS 2. TRAFFIC CONTROL DEVICES 2.1 Pursuant to Clause A of the Instrument the Minister granted the Council approval, for the purposes of Sections 17(1) and (2) of the Act, to install, maintain, alter, operate, or remove, or cause to be installed, maintained, altered, operated or removed, any traffic control device, on, above or near a road which is under the Council's care, control and management subject to the conditions specified in the Instrument, other than those specified in Clause A.8 of the Instrument, or those dealt with in other Clauses of the Instrument.	Council
277757	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause A.1	AUTHORISATIONS 2. TRAFFIC CONTROL DEVICES 2.2 Pursuant to Clause A.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause A of the Instrument, provided that such authorisation is made by instrument in writing and approved by the Chief Executive Officer of the Council.	Council
277758	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause A.1	AUTHORISATIONS 2. TRAFFIC CONTROL DEVICES 2.3 In accordance with Clause A.1 of the Instrument, I, as Chief Executive Officer of the Council approve on behalf of the Council, the following Officers to be AUTHORISED to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause A of the Instrument, subject to the conditions specified in the Instrument in relation to Clause A of the Instrument:	Abdullah Mahmud, Barbara Cernovskis, Chris Habets, Council, Darren Barber, Timothy Steven Coote, Trevor Stanley Pettingill
277759	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause B	AUTHORISATIONS 3. SPEED LIMITS AT WORKS ON ROADS 3.1 Pursuant to Clause B of the Instrument, the Minister granted the Council approval, for the purposes of Section 20(2) of the Act, to place signs for the purpose of indicating the maximum speed to be observed by drivers while driving by or towards a work area or a worksite where workers are engaged or works are in progress at the direction of the Council subject to the conditions specified in the Instrument.	Council
277760	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause B.1	AUTHORISATIONS 3. SPEED LIMITS AT WORKS ON ROADS 3.2 Pursuant to Clause B.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause B of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.	Council
277761	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013	Clause B.1	AUTHORISATIONS 3. SPEED LIMITS AT WORKS ON ROADS 3.3 In accordance with Clause B.1 of the Instrument, I, as Chief Executive Officer of the Council approve on behalf of the Council the following Officer(s) to be AUTHORISED to exercise for and on behalf of the Council the powers conferred on the Council pursuant to Clause B of the Instrument,	Abdullah Mahmud, Barbara Cernovskis, Chris Habets, Council, Darren Barber, Timothy Steven Coote, Trevor Stanley Pettingill





Authorisations under the Road Traffic Act in accordance with the Instrument dated 22 August 2013 from the Minister for Transport and Infrastructure

ID	Delegation Source	Provision	Item Delegated	Delegate
	from the Minister for Transport		subject to the conditions specified in the Instrument in relation to Clause B of the Instrument: [insert name of Council employee(s)].	
277762	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause C	AUTHORISATIONS 4. TRAFFIC CONTROL DEVICES SIGNS AT WORKS ON ROADS 4.1 Pursuant to Clause C of the Instrument, the Minister granted the Council approval for the purposes of Section 17(3) of the Act, to install, display, alter, operate or remove any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under the Act or any other Act, subject to the conditions specified in the Instrument.	Council
277763	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause C.1	AUTHORISATIONS 4. TRAFFIC CONTROL DEVICES SIGNS AT WORKS ON ROADS 4.2 Pursuant to Clause C.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause C of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.	Council
277764	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause C.1	AUTHORISATIONS 4. TRAFFIC CONTROL DEVICES SIGNS AT WORKS ON ROADS 4.3 In accordance with Clause C.1 of the Instrument, I, as Chief Executive Officer of the Council approve on behalf of the Council the following Officer(s) to be AUTHORISED to exercise for and on behalf of the Council the powers conferred on the Council pursuant to Clause C of the Instrument, subject to the conditions specified in the Instrument in relation to Clause C of the Instrument: [insert name of Council employee(s)].	Abdullah Mahmud, Barbara Cernovskis, Chris Habets, Council, Darren Barber, Timothy Steven Coote, Trevor Stanley Pettingill
277765	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause D	AUTHORISATIONS 5. TEMPORARY PARKING CONTROLS 5.1 Pursuant to Clause D of the Instrument the Minister granted the Council approval for the purposes of Section 17(3) of the Act, to install, display, alter, operate or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road or road which is under the Council's care, control or management subject to the conditions specified in the Instrument.	Council
277766	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause D.1	AUTHORISATIONS 5. TEMPORARY PARKING CONTROLS 5.2 Pursuant to Clause D.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council in Clause D of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.	Council
277767	Authorisations under Road Traffic Act 1961 Made in	Clause D.1	AUTHORISATIONS 5. TEMPORARY PARKING CONTROLS	Abdullah Mahmud, Barbara Cernovskis, Chris Habets,





Authorisations under the Road Traffic Act in accordance with the Instrument dated 22 August 2013 from the Minister for Transport and Infrastructure

ID	Delegation Source	Provision	Item Delegated	Delegate
	Accordance with the Notice to Council 22 August 2013 from the Minister for Transport		5.3 In accordance with Clause D.1 of the Instrument, I, as Chief Executive Officer of the Council approve, on behalf of the Council the following Officers to be AUTHORISED to exercise for and on behalf of the Council the powers conferred on the Council pursuant to Clause D of the Instrument, subject to the conditions specified in the Instrument in relation to Clause D of the Instrument: [insert name of Council employee(s)].	Council, Darren Barber, Derek Ferguson, Timothy Steven Coote, Trevor Stanley Pettingill
277768	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause F	AUTHORISATIONS 6. GRANT APPROVAL TO ANOTHER ROAD AUTHORITY 6.1 Pursuant to Clause F of the Instrument the Minister delegated to the Council the power conferred on the Minister pursuant to Section 17 of the Act to specifically approve the installation, maintenance, alteration, operation, or removal of a traffic control device in the municipality or district of the Council by a road authority, on, above, or near a road under the care control or management of the Council, subject to the conditions specified in the Instrument.	Council
277769	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause F.1	AUTHORISATIONS 6. GRANT APPROVAL TO ANOTHER ROAD AUTHORITY 6.2 Pursuant to Clause F.1 of the Instrument, the Council may authorise any Officer(s) to exercise, for and behalf of the Council, the powers conferred on the Council in Clause F of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.	Council
277770	Authorisations under Road Traffic Act 1961 Made in Accordance with the Notice to Council 22 August 2013 from the Minister for Transport	Clause F.1	AUTHORISATIONS 6. GRANT APPROVAL TO ANOTHER ROAD AUTHORITY 6.3 In accordance with Clause F.1 of the Instrument, I, as Chief Executive Officer of the Council, approve on behalf of the Council, the following Officer(s) to be AUTHORISED to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause F of the Instrument, subject to the conditions specified in the Instrument in relation to Clause F of the Instrument: [insert name of Council employee(s)].	Abdullah Mahmud, Barbara Cernovskis, Council, Darren Barber, Timothy Steven Coote

Signature

Barbara CERNOVSKIS
Acting Chief Executive Officer

17 March 2021
Date





Subdelegation to the Chief Executive Officer under the Road Traffic Act 1961

ID	Delegation Source	Provision	Item Delegated
279559	Road Traffic Act 1961	S33(1)	<p>POWER TO CLOSE ROADS AND GRANT EXEMPTION FOR EVENTS</p> <p>2. The power pursuant to Section 33(1) of the Act to declare an event to be an event to which Section 33 of the Act applies and to make orders directing:</p> <p>2.1 that specified roads (being roads on which the event is to be held or roads that, in the opinion of the Delegate, should be closed for the purposes of the event) be closed to traffic for a specified period; and</p> <p>2.2 that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the Australian Road Rules specified in Clause G.4 of the Instrument, subject to the conditions in Clause G.5 of the Instrument.</p>



24.2 REVIEW OF COUNCIL DELEGATIONS - PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT – REPORT NO. AR21/11905

Committee:	Council
Meeting Date:	16 March 2021
Report No.:	AR21/11905
CM9 Reference:	AF20/446
Author:	Michael McCarthy, Manager Governance and Property
Authoriser:	Barbara Cernovskis, Acting Chief Executive Officer
Summary:	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.
Strategic Plan Reference:	Goal 2: Our Location Goal 3: Our Diverse Economy Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR21/11905 titled 'Review of Council Delegations - Planning, Development and Infrastructure Act' as presented on 16 March 2021 be noted.
2. 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. AR21/11905 and titled Instrument B) are hereby delegated this 16th March 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. Each power and function delegated in resolution 2:
 - may be further delegated by the Chief Executive Officer in accordance with 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, and if determined to be invalid or unlawful will be deemed severed from this instrument and remaining delegations will continue to operate according to their terms;
 - 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;
 - will remain in force until varied or revoked by resolution of the Council.
4. Previous delegations granted by the Council under the Planning, Development and Infrastructure Act Instrument B are revoked with effect from this day 16th March 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 previously endorsed delegations under the Planning, Development and Infrastructure Act 2016 at the February 2021 meeting under Instrument titled A and B. There have since been minor updates to delegations under Instrument B which are now being re-presented for endorsement.

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 Instrument B for consideration and endorsement by Council.

PROPOSAL

Delegations under the Planning, Development and Infrastructure Act – Instrument B

A table 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. This table is marked as Instrument B and reflects the 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 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.

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 Instrument B;
- grant the delegation of powers and functions of the Council as provided for in the attached table of delegations (Attachment 1 – Instrument B) 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. Instrument of Delegation under the Planning, Development and Infrastructure Act (Instrument B) [↓](#)





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
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).
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.





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)

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 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.





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)

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 Directions of Powers of a Council as a Relevant Authority (Instrument B);	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 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.





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)

484388	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(6)(b)	5. Application and Provision of Information 5.3 The power pursuant to Section 119(6)(b) of the PDI Act if a request is made under Section 119(3) of the PDI Act and the request is not complied with within the time specified by the Regulations, subject to Section 119(6)(b)(ii), to refuse the application.
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 5.4 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.
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 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.1 permit an applicant: 5.5.1.1 to vary an application; 5.5.1.2 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 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.2 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 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.3 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 5.5 The power pursuant to Section 119(9) of the PDI Act to: 5.5.4 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.





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)

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 5.6 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.
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 5.7 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 5.8 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 matters for which the referral was made where the regulations so provide, subject to Section 122 of the PDI Act.





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)

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; 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.





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)

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.
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.





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)

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.
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





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)

			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 Directions of Powers of a Council as a Relevant Authority (Instrument B);	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 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	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





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)

	Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		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.
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	<p>17. Continuation of Processes</p> <p>17.1 The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:</p> <p>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</p> <p>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</p> <p>17.1.3 deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and</p> <p>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</p> <p>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.</p>
312397	Planning, Development and Infrastructure (General) Regulations 2017	r25(7)(c)	<p>18. Accredited Professionals</p> <p>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.</p>
312398	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	<p>19. Verification of Application</p> <p>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:</p> <p>19.1.1 determine the nature of the development; and</p>
312399	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	<p>19. Verification of Application</p> <p>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:</p> <p>19.1.2 if the application is for planning consent - determine:</p> <p>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</p> <p>19.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</p>





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)

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 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.
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.





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)

484389	Planning, Development and Infrastructure (General) Regulations 2017	r38(2)	21. Withdrawing/Lapsing Applications 21.2 The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.
312406	Planning, Development and Infrastructure (General) Regulations 2017	r38(3)	21. Withdrawing/Lapsing Applications 21.3 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: 21.3.1 take reasonable steps to notify the applicant of the action under consideration; and 21.3.2 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: 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.





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)

312412	Planning, Development and Infrastructure (General) Regulations 2017	r45(4)	<p>24. Building Matters</p> <p>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:</p> <p>24.4.1 recommends against the granting of building consent; or</p> <p>24.4.2 concurs in the granting of consent on conditions specified in its report, but the delegate:</p> <p>24.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or</p> <p>24.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent, to:</p> <p>24.4.5 refer the application to the Commission; and</p> <p>24.4.6 not grant consent unless the Commission concurs in the granting of the consent.</p>
312413	Planning, Development and Infrastructure (General) Regulations 2017	r45(5)	<p>24. Building Matters</p> <p>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.</p>
312414	Planning, Development and Infrastructure (General) Regulations 2017	r57(4)(a)	<p>25. Notice of Decision (Section 126(1))</p> <p>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.</p>
312415	Planning, Development and Infrastructure (General) Regulations 2017	r60	<p>26. Consideration of Other Development Authorisations</p> <p>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.</p>
312416	Planning, Development and Infrastructure (General) Regulations 2017	r61(4)(c)	<p>27. Certificate of Independent Technical Expert in Certain Cases</p> <p>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.</p>
312417	Planning, Development and Infrastructure (General) Regulations 2017	r63(1)	<p>28. Urgent Work</p> <p>28.1 The power pursuant to Regulation 63(1) of the General Regulations to,</p> <p>28.1.1 determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and</p> <p>28.1.2 determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.</p>





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)

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)(a)	29. Variation of Authorisation (Section 128) 29.1 The power pursuant to Regulation 65(1)(a) 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.
484390	Planning, Development and Infrastructure (General) Regulations 2017	r99(4)	30. Construction Industry Training Fund 30.1 The power pursuant to Regulation 99(4) of the General Regulations, if after assessing a proposed development against the building rules the delegate is yet to be satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or is not payable, to notify the applicant that the delegate cannot issue a building consent until the delegate is satisfied that the levy has been paid or is not payable.
484391	Planning, Development and Infrastructure (General) Regulations 2017	r99(5)	30. Construction Industry Training Fund 30.2 The power pursuant to Regulation 99(5) of the General Regulations, if a notification has been given under Regulation 99(4) of the General Regulations and if satisfactory evidence is not provided to the delegate within 20 business days after the date of the notification to, if the delegate thinks fit, determine that the application has lapsed.
312421	Planning, Development and Infrastructure (General) Regulations 2017	cl4(3) sch8	31. Plans for Building Work 31.1 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: 31.1.1 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 31.1.2 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 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





**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)**

			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.



24.3 COUNCIL DEVELOPMENT INSPECTION REQUIREMENTS - PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016 – REPORT NO. AR21/7610

Committee:	Council
Meeting Date:	16 March 2021
Report No.:	AR21/7610
CM9 Reference:	AF20/446
Author:	Paul Gibbs, Building Officer
Authoriser:	Tim Coote, General Manager City Growth
Summary:	To provide Council the details of Practice Directions as issued under section 42 of the Planning, Development and Infrastructure Act 2016 that will replace Councils current policy D150 - Building and Swimming pool Inspection policy
Strategic Plan Reference:	Goal 1: Our People Goal 2: Our Location

REPORT RECOMMENDATION

1. That Council Report No. AR21/7610 titled 'Council Development Inspection Requirements - Planning, Development and Infrastructure Act 2016' as presented on 16 March 2021 be noted.
2. That the current policy D150 – Building and Swimming Pool Inspection policy be rescinded.
3. That the following Practice Directions, as issued by the State Planning Commission under section 42 of the Planning, Development and Infrastructure Act 2016, be endorsed:
 - Practice Direction 8 – Council Swimming Pool Inspections 2019
 - Practice Direction 9 – Council Inspections 2020



TYPE OF REPORT

Legislative

BACKGROUND

The current building inspection policy is mandated under the Development Act 1993 and the Development Regulations 2008. On 19th March 2021, Council will no longer operate under the Development Act and Regulations 1993, but under a new South Australian Planning regime. This planning regime is underpinned by the Planning, Development and Infrastructure Act 2016, with the associated regulations.

Under the previous legislation, the Development Act, (Section 71A), Council was required to prepare and adopt a building inspection policy. The new South Australian Planning regime, the Planning, Development and Infrastructure Act, Division 8, (144), requires that the State Planning Commission issue a practice direction that will require Councils to carry out inspection of development undertaken in their respective areas.

PROPOSAL

That the following Practice Directions, as issued by the State Planning Commission under section 42 of the Planning, Development and Infrastructure Act 2016, be endorsed:

- Practice Direction 8 – Council Swimming Pool Inspections 2019
- Practice Direction 9 – Council Inspections 2020

LEGAL IMPLICATIONS

Nil

STRATEGIC PLAN

Nil

COUNCIL POLICY

D150 – Building and Swimming pool inspection policy

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

There appears to be an increase in inspection requirements due to the 90% inspection rate for Class 2-9 building such as new commercial building or redevelopment of existing commercial buildings. In comparison, the past requirement under D150 – Part 4 – Audit levels for inspection of Commercial buildings, was just 10%. Council will need to review the actual effect on its ability to meet this inspection rate given that practice direction 12 now only requires a single inspection of a dwelling, whereas previously there may have been multiple inspections on a single dwelling.



VALUE FOR MONEY

Nil

RISK IMPLICATIONS

Nil

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

Nil

IMPLEMENTATION STRATEGY

Nil

CONCLUSION AND RECOMMENDATION

This report includes recommendations that Council resolve to:

- That the current policy D150 – Building and Swimming Pool Inspection policy be rescinded
- That Practice Directions 8 and 12, as issued by the State Planning Commission under section 42 of the Planning, Development and Infrastructure Act 2016, be endorsed.

ATTACHMENTS

1. Practice Direction 8 - Council Swimming Pool Inspections 2019 - Version 3 [↓](#)
2. Practice Direction 9 - Council Inspection 2020 [↓](#)



PRACTICE DIRECTION 8

Council Swimming Pool Inspections 2019



STATE
PLANNING
COMMISSION

This practice direction is issued by the State Planning Commission (the Commission) under section 42 of the *Planning, Development and Infrastructure Act 2016* (Act) for the purposes of section 156(5) of the Act to ensure that swimming pools and designated safety features for swimming pools (swimming pool safety features) are inspected.

Introduction

Section 156(5) of the Act allows the Commission to issue a practice direction that requires councils to carry out inspections of swimming pools to ascertain compliance with that section of the Act.

This policy applies to all areas of the State within a council area and the requirements set out within this practice direction apply uniformly across all such areas.

A council must comply with the requirements of this practice direction as it relates to the council.

Practice direction

Part 1 – Preliminary

1 – Citation

This practice direction may be cited as the State Planning Commission Practice Direction (Council Swimming Pool Inspections) 2019.

2 – Commencement of operation

This practice direction will come into operation on the day on which it is published on the SA planning portal.

3 – Object of practice direction

The object of this practice direction is to ensure that swimming pool safety features are installed, replaced or upgraded in accordance with prescribed requirements, to ensure the safe operation and use of swimming pools, particularly for young children.

4 – Interpretation

In this practice direction, unless the contrary intention appears –

Act means the *Planning, Development and Infrastructure Act 2016*.

council has the same meaning as within section 3(1) of the Act;

swimming pool has the same meaning as under section 3(1) of the Act.

swimming pool safety features has the same meaning as under section 3(1) of the Act.



Note: The terms above have been included merely for ease of reference. Section 14 of the Acts Interpretation Act 1915 provides that an expression used in an instrument made under an Act has, unless the contrary intention appears, the same meaning as in the Act under which the instrument was made.

Part 2 – Inspections

1 – Application

- (1) Upon commencement this practice direction applies to all councils.

2 – Mandatory inspections

- (1) Councils must comply with the following minimum requirements relating to the inspection of swimming pools (including all swimming pool safety features), within the area of the council:
 - a. councils must inspect 100% of swimming pools and swimming pool safety features constructed over the course of the relevant reporting year within 2 weeks of the council being notified of the completion of—
 - (i) in the case of a swimming pool, the construction of which required the construction of swimming pool safety features—the construction of those safety features; or
 - (ii) in any other case—the construction of the swimming pool and swimming pool safety features.

Part 3 – Other matters

1 – Record keeping

- (1) Councils must keep records of inspections carried out in accordance with this practice direction, and keep those records in a register that is available for inspection by the Commission upon 5 business days' notice.
- (2) Records of inspections should include, without limitation, the following details: date and time of an inspection, type of inspection, who undertook the inspection, elements inspected, breaches, issues, or faults found, rectification required, requirements for re-inspections (including timing) and enforcement action, as is appropriate in the circumstances.
- (3) This clause does not derogate from any authorisation to dispose of records under the *State Records Act 1997*.

2 – Review

- (1) This policy will be reviewed after two years of operation or at an earlier time if appropriate.

Varied by the State Planning Commission on 17 December 2020

Versions

Version 3 24 December 2020
Version 2 12 March 2020
Version 1 5 September 2019





Practice Direction 9 Council Inspections 2020

This practice direction is issued by the State Planning Commission (the Commission) under section 42 of the *Planning, Development and Infrastructure Act 2016* for the purposes of section 144 of the Act to require certain councils to carry out inspections of certain developments in their respective areas.

Introduction

Section 144 of the Act requires the Commission to issue a practice direction that requires councils to carry out inspections of development in their respective areas.

Section 156 of the Act provides that the Commission may also issue a practice direction that requires councils to carry out inspections of swimming pools and buildings to ascertain compliance with that section relating to designated safety features. A separate practice direction has been issued in respect of swimming pool safety features.

In issuing this direction, the Commission has taken into account the matters set out in section 144(3) of the Act. These are:

- (a) the financial and other resources of councils;
- (b) the impact that a failure to inspect a certain number of developments over a period of time may have on local communities;
- (c) the various sizes of the areas of councils and differences in population;
- (d) the amount of development undertaken in the various areas of the State;
- (e) the type of development that predominates in the various areas of the State;
- (f) in relation to building work, building conditions in the various areas of the State; and
- (g) the public interest in ensuring that development is undertaken in accordance with the requirements of this Act.

While the Act envisages that the Commission may require councils to carry out inspections relating to 'development', as that term is defined in the Act, more broadly, this practice direction is limited to mandating inspections directed towards securing the objects stated in clause 3 of Part 1 of this practice direction.

The public interest in protecting public safety and in maintaining confidence and integrity in the development control system within the State has been balanced against other matters outlined in s 144(3).

The Commission has sought to identify the risks posed by certain building types. This practice direction reflects the Commission's view that the risks associated with certain buildings, particularly in relation to safety, including, for example fire protection and other safety features, should be treated equally irrespective of where they are constructed in the State and that this approach reflects community expectations.

This instrument is certified pursuant to section 52(1) of the *Planning, Development and Infrastructure Act 2016*

Associated with the above, while this practice direction mandates certain inspections, councils should continue to appropriately address broader compliance issues, whether these are detected during an inspection that is required under this practice direction or otherwise.

This may include inspections related to planning or building rules consent matters, which councils may choose to carry out through a separate council policy or on an as-needs basis.

Practice direction

Part 1 – Preliminary

1 – Citation

This practice direction may be cited as the *State Planning Commission Practice Direction (Council Inspections) 2020*.

2 – Commencement of operation

This practice direction will commence operation in each council area on the day on which, pursuant to Schedule 8, clause 9(7) of the Act, the Minister for Planning, by notice in the Gazette, revokes the Development Plan created under the *Development Act 1993* as it is relevant to the particular council area.

3 – Objects of practice direction

- (1) The objects of this practice direction are to, in relation to areas within a council, require councils to carry out inspections so as to:
 - (a) provide for occupant and public safety; and
 - (b) maintain confidence and integrity in the development control system.
- (2) Councils must have regard to the objects in sub-clause 3(1) of Part 1 in making determinations under this practice direction.
- (3) Without limiting sub-clause 3(2) of Part 1, councils must have regard to the objects when determining:
 - (a) the timing of inspections;
 - (b) the elements and buildings to be inspected; and
 - (c) whether to carry out additional inspections.

4 – Interpretation

- (1) In this practice direction, unless the contrary intention appears –

Act means the *Planning, Development and Infrastructure Act 2016*;

Accredited Professionals Regulations means the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019;

authorised officer has the same meaning as within section 3(1) of the Act;



Building Code has the same meaning as within section 3(1) of the Act;

Building Rules has the same meaning as within section 3(1) of the Act;

building work has the same meaning as within section 3(1) of the Act;

Note: 'building work' includes any work or activity that results in a change to the classification of a building under regulation 3E of the Regulations.

business day has the same meaning as within section 3(1) of the Act;

Chief Executive has the same meaning as within section 3(1) of the Act;

construct has the same meaning as within section 3(1) of the Act, and **construction** has a corresponding meaning;

council has the same meaning as within section 3(1) of the Act;

designated building product has the same meaning as within regulation 3(1) of the Regulations;

farm buildings and farm sheds have the same meaning as within the Building Rules;

fire authority has the same meaning as within section 3(1) of the Act;

floor area has the same meaning as within the Building Rules;

Metropolitan Adelaide means Metropolitan Adelaide as defined by a plan deposited in the General Registry Office by the Minister for the purposes of this definition and identified by the Minister by notice in the Gazette;

performance solution means a performance solution under the Building Code;

private bushfire shelter has the same meaning as within regulation 3(1) of the Regulations; and

Regulations means the Planning, Development and Infrastructure (General) Regulations 2017.

Note: The terms above have been included merely for ease of reference. Section 14 of the Acts Interpretation Act 1915 provides that an expression used in an instrument made under an Act has, unless the contrary intention appears, the same meaning as in the Act under which the instrument was made.



Part 2 – Inspections

1 – Application

- (1) Upon commencement this practice direction applies to the councils.
- (2) This practice direction does not apply to development not within a council area.

Note: Practice Direction 8 - Councils Swimming Pool Inspections has been issued detailing inspection requirements for swimming pools and designated features for swimming pools.

2 – Mandatory inspections

- (1) A council must comply with the requirements set out at **Appendix 1** relating to:
 - (a) the kinds of development which require inspection;
 - (b) the proportion of developments which require inspection in each council area;
 - (c) the timing of any inspection required in relation to each building; and
 - (d) the number of inspections required in relation to each building,
(mandatory inspection requirements).
- (2) A council must take all reasonable steps to ensure that each inspection carried out under this practice direction includes an inspection and assessment of the following elements (**elements**), as may be present at the time of inspection:
 - (a) primary structural elements;
 - (b) structural framing and roof trusses;
 - (c) wet areas and waterproofing;
 - (d) barriers to prevent falls;
 - (e) cladding;
 - (f) egress provisions;
 - (g) bushfire protection systems;
 - (h) passive and active fire safety elements;
 - (i) private bushfire shelters; and
 - (j) performance solutions.
- (3) In this clause, 'passive and active fire safety elements' includes, but is not limited to, the following elements, as may be applicable in the circumstances:
 - (a) fire rated construction;
 - (b) fire safety elements, including, but not limited to, smoke alarms; and
 - (c) fire protection systems, including, but not limited to, bushfire protection systems.



3 – Additional inspections

- (1) Clause 2 of Part 2 is not an exhaustive statement as to when a council should carry out an inspection.
- (2) A council should consider carrying out an inspection in addition to any specified in clause 2 of Part 2 (**additional inspection**) if it has information to indicate that the circumstances warrant it, having regard to the objects of this practice direction.
- (3) Circumstances that may warrant an additional inspection, having regard to the objects of this practice direction, include building work in relation to, but not limited to:
 - (a) a building intended for use or occupation by large numbers of people, particularly simultaneously;
 - (b) a building intended for use or occupation by vulnerable persons or persons with a disability;
 - (c) a building in respect of which the council has been made aware of a complaint or regulatory issue, whether directly or indirectly, relating to the building or any person involved in the building work;
 - (d) a building with energy efficiency requirements;
 - (e) a building constructed by a person who is not a licensed building work contractor under the *Building Work Contractors Act 1995*;
 - (f) a building subject to local environmental conditions in respect of which additional measures are required to protect the environment, the building and its occupants or users; or
 - (g) a building incorporating construction properties or products, including but not limited to fire-rated construction, fire safety elements or designated building products.

4 – Inspections generally

- (1) The proportion of developments in each council area to be inspected in accordance with the mandatory inspection requirements above and the tables at **Appendix 1** are to be calculated each year commencing 1 July and ending 30 June of the following year (**relevant reporting year**).
- (2) Where a council elects to carry out an inspection in accordance with the mandatory inspection requirements on completion of construction the inspection must be carried out:
 - (a) within 2 business days of receipt of the completed Statement of Compliance in respect of development within Metropolitan Adelaide; and
 - (b) within 3 business days of receipt of the completed Statement of Compliance for development outside Metropolitan Adelaide.
- (3) Building work listed in Schedule 7 of the Regulations is not subject to the mandatory inspection requirements, however, councils should consider if an additional inspection may be appropriate.



Part 3 – Authorised officers

1 – General requirements

- (1) Only authorised officers appointed by a council may carry out inspections for the purpose of this practice direction.
- (2) A council must ensure that an inspection under this practice direction and subsequent assessment of each of the applicable elements in sub-clause 2(2) of Part 2 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under this practice direction.
- (3) A person with the qualifications prescribed by r 112(1) of the Regulations may carry out an inspection under this practice direction. However, an assessment of the adequacy of applicable elements may require a person to hold particular knowledge, skills and qualifications and should be taken into account when applying this practice direction.

Part 4 – Other matters

1 – Record keeping

- (1) Councils must keep records of inspections carried out in accordance with this practice direction, and keep those records in a register that is available for inspection by the Commission upon 5 business days' notice.
- (2) Records of inspections should include, without limitation, the following details: date and time of an inspection, type of inspection, who undertook the inspection, elements inspected, breaches, issues, or faults found, rectification required, requirements for re-inspections (including timing) and enforcement action, as is appropriate in the circumstances.
- (3) This clause does not derogate from any authorisation to dispose of records under the *State Records Act 1997*.

2 – Counting inspections

- (1) The first inspection of a building under the mandatory inspection requirements is to be counted as one inspection.
- (2) Where a building is inspected at a particular stage, and any issue is detected requiring further inspection, any further inspection related to the particular issue is to be counted as part of the prior inspection related to that issue.
- (3) Except as provided by sub-clause 2(2) of Part 4 an inspection of a building at a later stage is to be counted as a separate inspection, even if the building was inspected at an earlier stage.

3 – Review

- (1) This policy will be reviewed after two years of operation or at an earlier time if appropriate.

Issued by the State Planning Commission on 12 March 2020



Appendix 1 – Mandatory Inspection Requirements

Table 1. Class 1 buildings

The inspection requirements in Table 1 apply to building work in relation to a class 1 building under the Building Rules.

Timing of inspection	Minimum number of inspections for each development	Proportion of developments in council area to be inspected
During construction or on completion An inspection may be carried out at any time during construction or on completion.	At least one inspection of each development.	Minimum 66% of building work commenced in the relevant reporting year.



Table 2. Farm buildings and farm sheds

The inspection requirements in Table 2 apply to building work in relation to a farm building or a farm shed with a floor area of 500m² or greater, under the Building Rules.

Timing of inspection	Minimum number of inspections for each development	Proportion of developments in council area to be inspected
During construction or on completion An inspection may be carried out at any time during construction or on completion.	At least one inspection of each development.	Minimum 50% of building work commenced in the relevant reporting year.



Table 3. Class 2-9 buildings

The inspection requirements in Table 3 apply to building work in relation to a class 2 to 9 buildings inclusive (other than a farm building or a farm shed) under the Building Rules.

Timing of inspections	Minimum number of inspections for each development	Proportion of developments in council area to be inspected
During construction or on completion An inspection may be carried out at any time during construction or on completion.	At least one inspection of development.	Minimum 90% of building work commenced in the relevant reporting year.



24.4 ESTABLISHMENT OF COUNCIL BUILDING FIRE SAFETY COMMITTEE – REPORT NO. AR21/9794

Committee:	Council
Meeting Date:	16 March 2021
Report No.:	AR21/9794
CM9 Reference:	AF20/446
Author:	Paul Gibbs, Building Officer
Authoriser:	Tim Coote, General Manager City Growth
Summary:	To establish a Building Fire Safety Committee under the Planning, Development and Infrastructure Act 2016
Strategic Plan Reference:	Goal 3: Our Diverse Economy Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR21/9794 titled 'Establishment of Council Building Fire Safety Committee' as presented on 16 March 2021 be noted.
2. That Council rescind the current Building Fire Safety committee and associated Terms of Reference as formed under section 71 of the Development Act 1993
3. That Council establish a Building Fire Safety Committee as required under section 157 of the Planning, Development and Infrastructure Act 2016



TYPE OF REPORT

Legislative

BACKGROUND

The current Building Fire Safety Committee was formed pursuant to section 71 of the Development Act 1993. On 19 March 2021, Council will no longer operate under the Development Act and Regulation, but under the new South Australian Planning regime. This planning regime is underpinned by the Planning, Development and Infrastructure Act 2016, with the associated regulations.

PROPOSAL

The purpose of this report is to establish a Building Fire Safety Committee as required by the Planning, Development and Infrastructure Act 2016. As part of the establishment of the Building Fire Safety Committee Council will need to:

1. To rescind the current standing City of Mount Gambier Building Fire Safety Committee including the adopted Terms of Reference.
2. Pursuant to Section 157(17) of the Planning, Development and Infrastructure Act (PDI Act), the Council establish a body known as the City of Mount Gambier Building Fire Safety Committee (BFSC).
3. The Building Fire Safety Committee to be established for the purpose of acting as the "appropriate authority" (as that term is defined in the PDI Act, section 157(16)) in respect of fire safety matters arising under the PDI Act

Section 157 (17) of the Planning, Development and Infrastructure Act states the following with respect to the membership of the Building Fire Safety Committee:

The appropriate authority will be constituted of -

- a) A person who holds prescribed qualifications in building surveying appointed by the Council or Councils; and
- b) An authorised officer under Part 3 Division 5 or section 86 of the Fire and Emergency Services Act 2005 who, depending on the location of the Council area or areas, has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority; and
- c) A person with expertise in the area of fire safety appointed by the Council or Councils; and
- d) If so determined by the Council or Councils – a person selected by the Council or Councils

The following persons hold the prescribed qualifications and have expertise in the area of fire safety and would therefore meet the requirements to be a Member of the Building Fire Safety Committee as specified within the PDI Act:

- Grant Riches (Professional Building Services Australia Pty Ltd), as a person who holds prescribed qualifications in building surveying
- Dave Vandborg (Councils consulting Building Surveyor), as a person with expertise in the area of fire safety
- Paul Gibbs as Councils Senior Building Officer, Accredited Building Surveyor Level 2



- A representative from both the Metropolitan Fire Service and the Country Fire Service each have been nominated by the Chief Officer of the relevant fire authority as a member of the Building Fire Safety Committee.

Planning SA has produced a guide for local government that is designed to assist Councils and Building Fire Safety Committee members to understand their roles and responsibilities with regard to fire safety of existing buildings. It also outlines suggested procedures and protocols that a Building Fire Safety Committee may follow. The guide is provided as an attachment to this report. The PDI Act also incorporates provisions for the Building Fire Safety Committee to determine its own procedures.

LEGAL IMPLICATIONS

It is a requirement of Part 11 Division 6, section 157(16) of the Planning, Development and Infrastructure Act 2016 that a body be established by Council and designated as an appropriate authority

STRATEGIC PLAN

2.1 Infrastructure development and managing our current assets

COUNCIL POLICY

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

Nil

VALUE FOR MONEY

Nil

RISK IMPLICATIONS

Nil

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

Nil

IMPLEMENTATION STRATEGY

Nil

CONCLUSION AND RECOMMENDATION

This report includes recommendations that Council resolve to do the following:



1. That Council Report No. AR21/9794 titled 'Establishment of Council Building Fire Safety Committee' as presented on 16 March 2021 be noted.
2. That Council rescind the current Building Fire Safety committee and associated Terms of Reference as formed under section 71 of the Development Act 1993
3. That Council establish a Building Fire Safety Committee as required under section 157 of the Planning, Development and Infrastructure Act 2016

ATTACHMENTS

1. Council Building Fire Safety Committees Guide [↓](#)

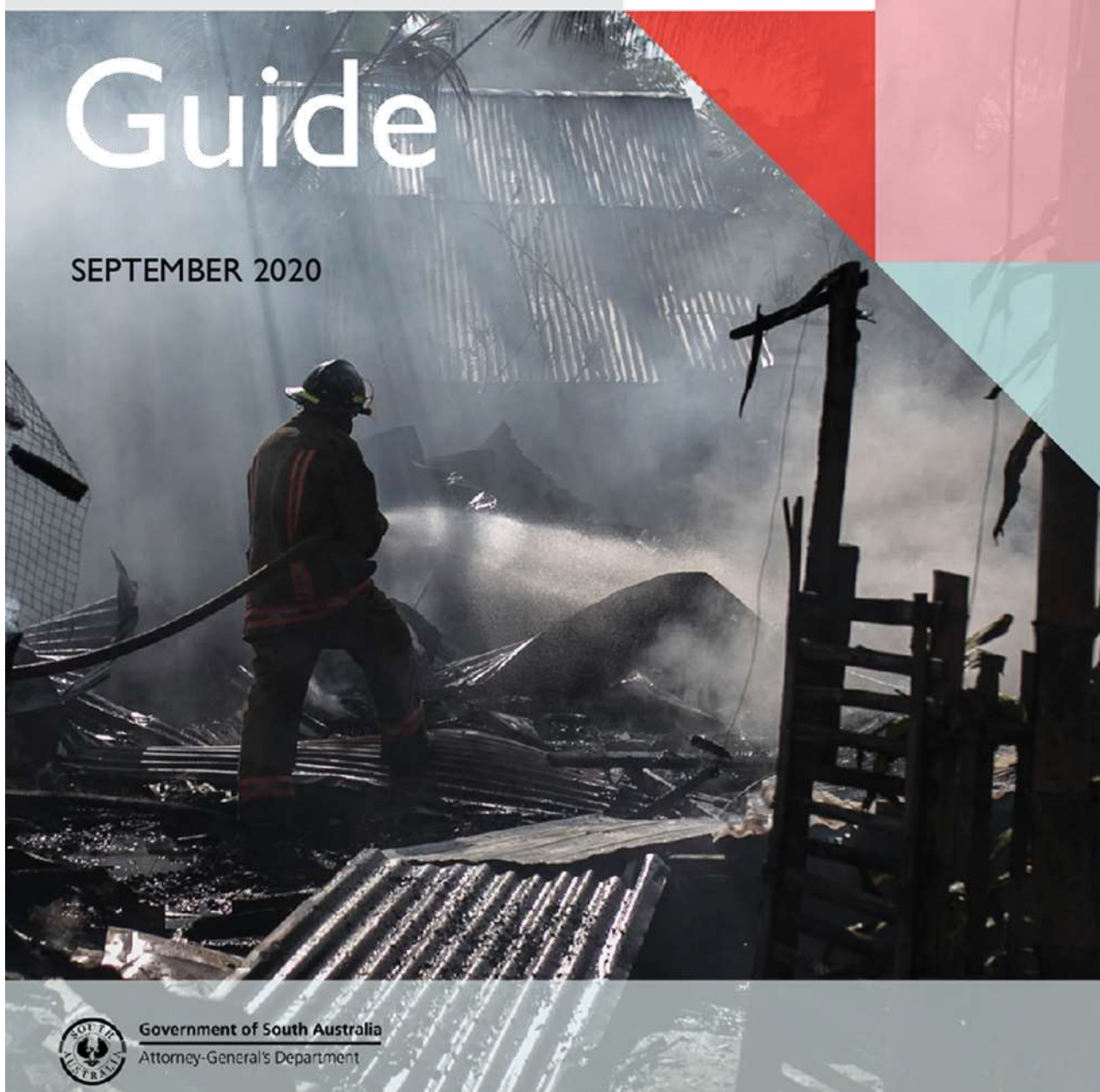




Council Building Fire Safety Committees

Guide

SEPTEMBER 2020



Government of South Australia
Attorney-General's Department

Attorney-General's Department

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#15919598

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Introduction

Local government councils play an important role in protecting the ongoing safety of building occupiers and users through the provisions of the *Planning, Development and Infrastructure Act 2016* (the PDI Act).

Section 157 of the PDI Act establishes the power for a council to investigate whether building owners are maintaining proper levels of fire safety in their buildings for the protection of all occupiers, whether they be residents and workers who use them regularly, or clients and visitors who only use them occasionally.

An appropriately qualified 'authorised officer' from a council or a member of a Building Fire Safety Committee, as an 'appropriate authority' under the PDI Act, can inspect existing buildings to check if the fire safety is adequate. If not, a Building Fire Safety Committee can take action to require the owner to upgrade the fire safety of the building to an appropriate level.

For the purposes of this Guide, the term 'Building Fire Safety Committee' means an 'appropriate authority' under section 157 of the PDI Act.

This guide is designed to -

- Assist councils and Building Fire Safety Committee members to understand their roles and responsibilities with regard to fire safety of existing buildings; and
- Outline suggested procedures and protocols that a Building Fire Safety Committee may follow.



Building Fire Safety Committee Protocols

What is the role of a Building Fire Safety Committee?

The role of a Building Fire Safety Committee includes -

- Developing appropriate building fire safety inspection policies for existing buildings based on the likely fire safety risks that could arise depending on the building use and occupant characteristics;
- Scrutinising the fire safety of buildings that have been identified as having fire safety provisions that are not adequate;
- Issuing of a notice to the building owner (where a Building Fire Safety Committee determines that the fire safety of a building is not adequate) identifying inadequacies that need to be addressed or rectified to an extent that will provide an adequate level of safety for the occupants;
- Forwarding information on any fire safety notices issued by the Building Fire Safety Committee to council administration for Section 7 enquiries (made by a vendor when a building is available for sale or lease - refer Appendix D);
- Where appropriate, negotiating a cost effective solution with a building owner that will reduce fire safety risks to an acceptable level and meet the required fire safety performance;
- Issuing notices that schedule rectification work that must be carried out in order to raise the building fire safety to an adequate level of safety or in high risk situations issuing notices that prohibit the occupation or use of a building until a fire hazard no longer exists;
- Initiating enforcement or other action to ensure a building owner complies with a section 157 notice; and
- Revoking or varying fire safety notices when appropriate.

How does Council establish a Building Fire Safety Committee?

The process for a council to establish a Building Fire Safety Committee is generally as follows -

1. Decide whether to have a stand-alone Building Fire Safety Committee to serve its council area, or to have an agreement with one or more adjoining councils to form a regional Building Fire Safety Committee;
2. Select and appoint appropriate Building Fire Safety Committee members;
3. Appoint the Building Fire Safety Committee under Section 157 of the PDI Act;
4. Note and support council inspection policies for building fire safety;
5. Appoint one or more appropriately qualified authorised officers, who may enter and inspect the fire safety of existing buildings; and
6. Provide administrative support to the Building Fire Safety Committee.

If a regional Building Fire Safety Committee is appointed, agreement will need to be reached on matters such as cost sharing arrangements for legal proceedings etc.



Who can be a member of a Building Fire Safety Committee?

A Building Fire Safety Committee is required to have at least 3 members, of whom-

- (a) One must be a person with prescribed qualifications in building surveying appointed by the council or councils;
- (b) One must be an authorised officer under Part 3 Division 5 or section 86 of the *Fire and Emergency Services Act 2005* who, depending on the location of the council or areas, has been approved by the Chief Officer of the relevant fire authority to participate as a member of the Building Fire Safety Committee; and
- (c) One must be a person with expertise in the area of fire safety appointed by the council or councils.

Councils have the option of appointing a fourth member to a Building Fire Safety Committee, who may be-

- (d) Any person the council or group of councils considers appropriate to nominate.

In relation to member (b) from the Fire Services, the council or group of councils will need to write to the Chief Officer relevant to its area of jurisdiction, asking that an officer be nominated for appointment to its Building Fire Safety Committee.

For areas under the jurisdiction of the Metropolitan Fire Services (MFS) contact -

The Chief Officer
SA Metropolitan Fire Service
GPO Box 98 ADELAIDE SA 5001
www.mfs.sa.gov.au

For areas under the jurisdiction of the Country Fire Services (CFS) contact -

The Chief Officer
SA Country Fire Service
GPO Box 2468 ADELAIDE SA 5001
www.cfs.sa.gov.au

For areas with dual jurisdiction (MFS and CFS), it would be advisable to contact both jurisdictions and ask that they collaborate with each other and nominate the most appropriate officer.

In relation to member (c), 'a person with expertise in the area of fire safety', this person would be expected to have significant practical and technical knowledge and experience in the principles of building fire safety, including (but not limited to) -

- Detection;
- Communication;
- Evacuation;
- Containment; and
- Extinguishment.

With regard to member (d), the Council has the option of appointing any person it considers appropriate under their particular circumstances. In some cases the Council may decide to appoint a fourth member on an as needs basis. For example, using a fire engineer or other expert to match knowledge with building types and complexity of fire safety issues.

The council may also specify a term of office of a member of a Building Fire Safety Committee.



Deputy members

Deputies can be appointed and it is recommended that a deputy for each member is nominated when the Building Fire Safety Committee is established to ensure that meetings are held at the appropriate times.

Conflict of interest

Under the PDI Act, a member of a Building Fire Safety Committee who has a personal interest or a direct or indirect pecuniary interest in any matter before the Building Fire Safety Committee must not take part in any deliberations or decisions of the Building Fire Safety Committee in relation to that matter.

What policies and procedures need to be considered and/or established by a Building Fire Safety Committee?

Once established, a Building Fire Safety Committee will need to determine its procedures and protocols. These are likely to include -

- Where and how often it will meet;
- How many members constitute a quorum;
- Who will chair the meetings;
- Who will act as the minute secretary;
- How records are to be kept, filed and stored;
- What types/classes of buildings are to be scrutinised;
- Who the Council has appointed as authorised officer to undertake inspections;
- Procedures for Building Fire Safety Committee inspections;
- Appropriate formats for fire safety notices, correspondence etc;
- Procedures for issuing, varying and revoking notices; and
- Procedures for prosecutions/appeals.

Meeting procedures and protocols

A Building Fire Safety Committee will need to meet on a regular basis to consider and determine matters such as -

- Appropriate action to take following a fire safety inspection;
- Whether upgrading works outlined in a fire safety report submitted by an owner are appropriate;
- Negotiating and agreeing appropriate performance solutions with building owners;
- Issuing, varying or lifting fire safety notices;
- Monitoring progress and checking if owners are complying with fire safety notices; and
- Procedures for instigating prosecution and/or enforcement action.

The Building Fire Safety Committee may decide to meet monthly until it has had an opportunity to assess the particular needs of the area.

Quorum

It is recommended that for a 3-member Building Fire Safety Committee, two members should constitute a quorum and that one of those members be the Fire Services representative.



For a 4-member Building Fire Safety Committee, it is recommended that three members should constitute a quorum and that one of those members be the Fire Services representative.

Each Building Fire Safety Committee will need to determine what to do if a majority decision cannot be reached. Some options include-

- Provisions for one particular member (e.g. the Chair) to have a second or casting vote; or
- Deferral until a majority decision can be reached.

Chair

It is recommended that each Building Fire Safety Committee has a Chairperson to preside at meetings. It may be that member (a) who has building surveying qualifications would be the most appropriate person for this role, however, this is not mandatory. In the absence of the Chair, the Committee should appoint the next most appropriate person to preside at meetings.

Secretarial and administrative support

A council or group of councils may provide a staff member to act as secretary to the Building Fire Safety Committee, or the Building Fire Safety Committee may decide that one of its members will undertake this function.

Regardless of the administrative support, it is important that proper, accurate minutes and records be kept of Building Fire Safety Committee proceedings and actions, as they may later form the basis of -

- Legal proceedings should an appeal be made against a decision of the Building Fire Safety Committee; or
- A history of sites with recurrent issues over long periods of time.

Irrespective of who will take minutes, additional administrative support will need to be provided by council(s) to -

- Prepare and issue correspondence and notices;
- Co-ordinate information for Section 7 enquiries;
- Track progress of actions; and
- File, store and retrieve records.

[Refer to Appendix D for details of Section 7 statements and Appendix E for examples of standard letters that may be useful]

Specialist support

The Building Fire Safety Committee will need to check if the council(s) has appointed an appropriately qualified authorised officer to undertake fire safety inspections of buildings in its area, and if procedures are in place for forwarding fire safety reports to the Building Fire Safety Committee.

Inspection policy

Once appointed, a Building Fire Safety Committee will need to develop a broad policy that sets out the basis for undertaking building inspections for fire safety purposes. Inspections must be carried out at the request of the fire authority, but may also be carried out when -

- (a) A complaint is received;
- (b) On an audit basis; or
- (c) On a targeted high risk basis.



In determining its policy, a Building Fire Safety Committee should have regard to the types of buildings and/or occupancies within its area of jurisdiction to identify those that may constitute a high fire safety risk and need to be systematically inspected. For instance-

- Buildings that provide overnight accommodation for unrelated persons; or
- Buildings where large crowds congregate during operating hours, such as shops or assembly buildings might be identified as a high-risk priority.

When a Building Fire Safety Committee has determined its policy on buildings to be scrutinised, it would be good practice to have that policy noted by the elected council member..

A fire safety inspection policy also needs to address how the policy is to be monitored.

What does a Building Fire Safety Committee consider when assessing if the fire safety of an existing building is adequate?

If an authorised officer or a fire authority has inspected a building and considers the fire safety is not adequate, the Building Fire Safety Committee will then need to identify what features of the building make the fire safety inadequate. Section 157 of the PDI Act, sets out the priorities for assessing and upgrading the fire safety risks of an existing building (in order of priority) as-

- Firstly, a reasonable standard of fire safety for the occupiers of a building
- Secondly, the minimal spread of fire and smoke
- Thirdly, an acceptable fire-fighting environment,

in accordance with the fire safety objectives and performance criteria of the *Building Code*.

The fire safety of an existing building is not considered adequate if-

- (a) building occupants are not able to evacuate safely during a fire, due to-
 - (i) blocked or obstructed exits;
 - (ii) obstructions in exits and paths of travel to exits;
 - (iii) width of exits and paths of travel to exits are not adequate to cater for the number of occupants;
 - (iv) fire and/or smoke spreading to exits and evacuation routes through unprotected openings, damage to fire resisting building elements or lack of smoke control features;
 - (v) fire hazards or excessive fire loads that could impede evacuation (which may include combustible floor coverings, ceilings, wall linings and wall claddings);
 - (vi) insufficient exits to cater for the number of occupants;
 - (vii) excessive travel distances to exits;
 - (ix) door hardware and/or direction of door swings in exits that are likely to impede safe evacuation;
 - (x) inadequate lighting is available for occupants to locate and use exits during an emergency;
 - (xi) no first attack fire-fighting facilities available for occupant use; or
 - (xii) building occupants will not receive adequate warning of a fire or other emergency to enable them to evacuate to a safe place;
- (b) occupants using exits and paths of travel to exits are not protected from the effects of smoke and fire (e.g. by fire resisting construction, by use of non-combustible materials, by use of materials that have low fire hazard properties, by use of a smoke control system or fire suppression system), and/or



- (c) the fire brigade cannot access or use existing fire services and equipment needed for fire-fighting operations and to assist safe evacuation.

When the fire safety of a building is not adequate, the role of a Building Fire Safety Committee is to work with the building owner to develop a cost effective solution that will make the fire safety of the building adequate.

Ministerial Building Standard MBS 001 – Upgrading health and safety in existing buildings outlines the general requirements for fire safety in existing buildings. Sections 301 to 331 of that Standard have performance requirements and deemed-to-satisfy provisions for fire safety in existing buildings and Appendix B4 of the Standard expands on the fire safety priorities required by the PDI Act, which are-

1. A reasonable standard of fire safety for the occupiers of a building

A reasonable standard of fire safety can be achieved where occupants are alerted to a fire in the building and are able to find and use exits and evacuation routes to evacuate to a safe place before being overcome by the effects of smoke or fire.

Safe evacuation can be achieved if-

- Occupants, particularly sleeping occupants, are alerted to a fire in the building as soon as possible;
- The number, dimensions, location, operation and visibility of exits and evacuation routes are sufficient to enable the number of occupants to evacuate safely;
- Occupants using exits and evacuation routes to evacuate are protected from the effects of smoke and/or fire during the time needed for safe evacuation; and
- The building will maintain structural stability for the period of time needed for building occupants to evacuate to a safe place before being overcome by smoke or fire.

Occupants can be protected during evacuation through the use of-

- non-combustible and/or fire or smoke resisting building elements where necessary to-
 - delay or prevent fire from damaging structural elements in exits and evacuation routes;
 - prevent smoke and/or fire spreading to exits and evacuation routes;
 - reduce travel distances and allow occupants more time to reach exits and evacuation routes;
 - contain or separate special fire hazards from exits and evacuation routes.
- additional exits to decrease travel times needed to reach an exit;
- fire extinguishers for occupants to use to undertake initial fire attack;
- fire hose reels where appropriate and available for occupants to use to undertake initial fire attack;
- fire hazard reduction strategies (eg reducing fire loads that could arise from storage of highly combustible materials or goods);
- early fire suppression systems such as sprinklers where appropriate to-
 - delay or prevent fire from damaging structural elements in exits and evacuation routes;
 - prevent smoke and/or fire spreading to exits and evacuation routes;
 - permit extended travel distances and still allow occupants time to reach exits and evacuation routes;
 - suppress a fire arising from an identified fire hazard;
- a smoke extraction system to keep smoke above a safe level within exits and evacuation routes.



2. Minimal spread of fire and smoke

Minimal spread of fire and smoke can be achieved if smoke and fire spread to evacuation routes is minimised to the extent necessary to enable occupants to reach exits and evacuation routes before being overcome by the effects of smoke or fire.

Smoke and fire spread can be minimised through the use of-

- fire or smoke resistant construction where necessary to-
 - delay or prevent fire from damaging structural elements in evacuation routes;
 - prevent smoke and/or fire spreading to and within evacuation routes, from one fire compartment to another, or from one storey to another storey;
 - allow occupants more time to use evacuation routes to reach exits.
- an early fire suppression sprinkler system where necessary to-
 - delay or prevent fire from damaging structural elements in evacuation routes;
 - reduce fire and/or smoke spreading within evacuation routes, from one fire compartment to another fire compartment, or from an identified fire hazard;
 - allow occupants more time to use evacuation routes to reach exits.
- a smoke extraction system to keep smoke above a safe level within evacuation routes, or from spreading from one fire compartment to another fire compartment.
- early fire brigade intervention where fire-fighting facilities are available and where the building or occupant characteristics are such that they need to rely on fire brigade intervention for safe evacuation.

3. An acceptable fire-fighting environment

An acceptable fire-fighting environment can be achieved if the fire brigade is able to safely access and use facilities needed for its fire-fighting operations.

Safe access and facilities needed for fire-fighting operations may include-

- Where provided, a fire hydrant system or other water supply system for fire-fighting purposes that is suitable for use by the fire brigade
- Where provided, fire monitoring connections to the fire brigade are working as required
- Where provided, a fire control centre/room is protected from fire/smoke spread and has working equipment suitable for use by the fire brigade for its fire-fighting operations
- The building maintaining structural stability and resisting the spread of fire and smoke to the extent necessary for the fire brigade to safely access and use facilities provided for its fire-fighting operations.

Issuing of Notices

A Council Building Fire Safety Committee can serve a notice under section 157(3) of the PDI Act on the owner of the building (in a form similar to the Notice of Fire Safety Defect as provided in Appendix A of this Standard) if it believes that the fire safety of a building is not adequate.

It is advisable for a Building Fire Safety Committee to inspect a building before issuing a Section 157(3) notice so that it can make better informed decisions regarding the fire safety adequacy and extent of upgrading work it may require.

Before undertaking an inspection, the Building Fire Safety Committee should advise the building owner in writing of its intention to do so, to give the owner the opportunity to be present during the inspection.

Under the PDI Act, the Building Fire Safety Committee can authorise the following fire safety notices to be served on a building owner -



- Section 157(3) Notice of Fire Safety Defect; and
- Section 157(7) Notice of Building Work or Other Actions Required.

In order to reduce exposure to criticism or legal challenge it would be advisable to have at least two members of a Building Fire Safety Committee sign notices issued under Section 157 of the PDI Act.

It may also be appropriate to seek legal advice regarding any notices before they are issued to ensure technical and procedural soundness and avoid exposure to actions in relation to due process.

The Building Fire Safety Committee can vary or revoke a fire safety notice at any time if it is satisfied that it is appropriate to do so. For example, the Building Fire Safety Committee should revoke a Notice of Building Work or Other Actions Required once it is satisfied that the prescribed works scheduled in the notice have been completed.

Both the building owner and the council administration responsible for providing information for Section 7 enquiries must be notified of any change to a fire safety notice.

Why are Fire Safety Notices issued and what should they include?

Section 157(3) Notice of Fire Safety Defect

A Notice of Fire Safety Defect (as issued under section 157(3) of the PDI Act) is issued to alert the building owner that the building fire safety is not considered adequate, and that certain work needs to be undertaken to rectify the situation.

The PDI Act stipulates that such a notice may require -

- The owner to report to the Building Fire Safety Committee on building work or other measures necessary to ensure that the fire safety of the building is adequate; or
- In the case of an emergency, require the owner to carry out a program of work, or other measures to overcome any fire hazard, which may include evacuation of the building or part of a building until the Building Fire Safety Committee is satisfied that the fire hazard no longer exists.

A list of building fire safety matters that the Building Fire Safety Committee considers are not adequate may be attached as a schedule to the Notice of Fire Safety Defect. The maximum amount of time allowed for an owner to report to council (as required by a Notice of Fire Safety Defect) is two months unless the Building Fire Safety Committee specifically agrees to a longer period. During this time the building owner can make representations to the Building Fire Safety Committee about the fire safety of the building and work or other measures to be carried out.

The Notice of Fire Safety Defect should also inform the owner of his/her right to appeal within 14 days to the Environment, Resources and Development (ERD) Court if he or she disputes anything in the notice or schedule.

A suggested format for a Section 157(3) Notice of Fire Safety Defect can be found in Appendix A.

Information regarding fire safety notices must be declared by the council if a Section 7 enquiry is made to the council. *[Refer to Appendix D]*

Section 157(7) Notice of Building Work or Other Actions Required

A Notice of Building Work or Other Actions Required (as issued under section 157(7) of the PDI Act) is issued to require a building owner to undertake appropriate upgrading work to rectify the fire safety of the building.

The PDI Act stipulates that such a notice may -



- Require the owner to seek development authorisation to carry out a program of work or other measures to make the fire safety of the building or structure adequate; or
- Prohibit occupation of the building, or part of the building, until the Building Fire Safety Committee is satisfied that the fire hazard no longer exists.

Ministerial Building Standard MBS001 – Upgrading health and safety in existing buildings provides performance requirements and deemed-to-satisfy provisions for achieving acceptable levels of fire safety in existing buildings, against which a program of work or other proposed measures can be assessed.

In addition, a schedule detailing the program of work or other measures to be undertaken must be attached as a schedule to a section 157(7) Notice of Building Work or Other Actions Required.

A section 157(7) Notice of Building Work or Other Actions Required must also stipulate a period of time in which the prescribed works are to be completed. The specified time period may include time for the owner to obtain development approval (if required).

It is recommended that when issuing a section 157(7) Notice of Building Work or Other Actions Required, the Building Fire Safety Committee informs the owner of the right to appeal within 14 days to the ERD Court if they disputes anything in the notice or schedule.

A suggested format for a section 157(7) Notice of Building Work or Other Actions Required is included in Appendix B.

Information regarding fire safety notices must be declared by the council in Section 7 statements. *[Refer to Appendix D]*

Prescribed building work

When determining what work is appropriate to include in a schedule or program of prescribed building work (forming part of a section 157(7) Notice of Building Work or Other Actions Required), it is recommended that the Building Fire Safety Committee take a performance approach and take the following into consideration-

- Any representation made by the building owner;
- Any report/s submitted by the building owner;
- Any risk analysis undertaken of the building by the building owner;
- Any action plans previously prepared by the building owner to eliminate or minimise identified risks at the earliest opportunity, including those identified by the Building Fire Safety Committee; and
- The possible staging of the work to minimise possible financial hardship for the building owner.

Staged works

A Building Fire Safety Committee may allow an owner to undertake fire safety rectification work in stages, provided that the agreed program of work eliminates or minimises risks that threaten the life safety of occupants as a first priority.

Staging the works can reduce the cost burden for an owner to a manageable level. It may also be useful in cases where the building owner elects to take the opportunity to progressively upgrade the whole building to meet current Building Code requirements (i.e. over and above the elimination of urgent high priority risks).



What rights and obligations does a building owner have in relation to actions by a Building Fire Safety Committee?

Fire safety notices

A building owner served with a Section 157(3) Notice of Fire Safety Defect has two months (or a longer period if a time extension is negotiated with the Building Fire Safety Committee) in which to develop an appropriate upgrading proposal and report to the Building Fire Safety Committee on work or measures proposed to be undertaken to make the fire safety of the building adequate.

A building owner can -

- During that period make representations to the Building Fire Safety Committee about the fire safety of the building and the work or other measures that need to be carried out;
- Apply to the Building Fire Safety Committee at any stage to have a fire safety notice varied or revoked; or
- Appeal to the ERD Court against the service of a notice under Division 6 of the PDI Act.

An owner must comply with a fire safety notice or risk prosecution and/or enforcement action through the ERD Court.

On completion of any work required by a fire safety notice, the owner must notify the Building Fire Safety Committee in writing that the work has been completed.

Appeals with the ERD Court

Appeals are lodged with and determined by the ERD Court.

An appeal must be lodged within 14 days after a notice is given unless the Court allows longer time.

The operation of a fire safety notice is not suspended pending the determination of an appeal, unless the ERD Court orders otherwise.

To initiate an appeal the applicant must -

- Submit a notice of appeal with the ERD Court; and
- Pay the prescribed fee.

A notice of appeal must be in writing, in a form determined by the ERD Court, setting out the grounds of the appeal, with a copy of the disputed notice attached.

The Building Fire Safety Committee may only become aware of the appeal when the notice of appeal is served on them by the ERD Court.

What does a Building Fire Safety Committee do if a building owner fails to comply with a notice?

If a building owner fails to comply with a notice, the Building Fire Safety Committee can apply to the ERD Court for an enforcement order, and/or apply for a summons to be issued for the defendant to appear at a prosecution hearing (both procedures can run concurrently).

Prosecution

A building owner is guilty of an offence if he/she contravenes or fails to comply with a fire safety notice. The maximum penalties are -



- Failure to comply with a notice under section 157(4)(b) or 157(7) is an offence with a maximum penalty of \$20,000 and a default penalty of \$200 (payable for every day that the owner continues to fail to comply).
- A maximum penalty of \$2500 applies for-
 - failure to comply with a notice and provide a report within 2 months to the Building Fire Safety Committee as required under section 157(4)(a) of the PDI Act; and
 - failure to notify the Building Fire Safety Committee that the work has been completed as required under section 157(8) of the PDI Act.

Offences under the PDI Act lie within the criminal jurisdiction of the ERD Court. A prosecution may be commenced within 3 years after the date of the alleged offence or at a later date with the authorisation of the Attorney General.

With any ERD Court activities the Building Fire Safety Committee must provide reasonable information to the Court as to the nature of the charge including a statement of the specific offence with reference to the relevant section of the PDI Act.

A summons for appearance of defendant (in duplicate) will -

- Be directed to the defendant charged by the information;
- State shortly the matter charged; and
- Require the defendant to appear before the Court at a specified time and place to answer the charge.

Enforcement of notices

The Building Fire Safety Committee may apply to the ERD Court for an order to remedy or restrain a breach of the PDI Act.

If the Court is satisfied on the balance of probabilities that the respondent has breached the PDI Act, the Court may make an order requiring the respondent to comply with the order or take any other action as the Court thinks fit under the circumstances. This can include ordering the respondent to pay penalties for failing to comply with a notice as prescribed in the regulations.

Application to Court for an enforcement order

A Building Fire Safety Committee can commence proceedings for an enforcement order by filing the following documents with the ERD Court -

- (a) An application seeking leave to serve a summons;
- (b) The summons in respect of which leave is sought;
- (c) One or more supporting affidavits; and
- (d) Where the applicant brings the proceedings in a representative capacity, a memorandum.

Every application must -

- Be in writing and give the full name of the applicant;
- Identify the person or persons on whom it is sought to serve the summons;
- Specify the address for service of the applicant and, if available, the telephone and facsimile numbers of the applicant; and
- Be signed by the applicant, or on his or her behalf by a solicitor, agent or other representative.

Every summons must be in a format prescribed by the ERD Court Rules. An example of a summons is given in Appendix C.



Every accompanying affidavit must set out -

- The facts and circumstances upon which the applicant relies; and
- The name, address, telephone and facsimile numbers of any person who, in the opinion of the deponent, either has or might reasonably be expected to have a legal or equitable interest in the land the subject of the application.

Every memorandum must specify all the people or organisations upon behalf of whom or which the proceedings are brought and signed by all the people or organisations in such manner as shows that all the people or organisations consent to the proceedings being brought on their behalf.

Leave to serve a summons

On hearing an application to serve a summons, the ERD Court may refuse to grant the application or amend or strike out part of the summons.

If leave is granted by the Court to serve a summons it must be issued within one month of the leave being granted, and once issued it remains in force for three months unless the Court extends such period.

As soon as is reasonably practicable after a summons and accompanying affidavits have been served, the applicant must file an affidavit verifying such service.

Non Compliance with Court order

A person who fails to comply with a Court order shall be guilty of contempt of Court and be liable to imprisonment or a fine or both.



Appendix A

Example of a Section 157(3) Notice of Fire Safety Defect

Section 157(3) NOTICE OF FIRE SAFETY DEFECT

In the matter of the *Planning, Development and Infrastructure Act 2016* and the premises situated at *[insert name and location of premises]*

TO: The Owner/s

[Insert name of premises]

c/-*[Insert name of owner's representative]*

[Insert postal address of owner's representative]

TAKE NOTICE that whereas the *[insert name of council or council region]* Building Fire Safety Committee (hereinafter referred to as 'the Committee') or an authorised officer of the council has inspected the building situated at *[insert location details of premises]*;

TAKE NOTICE that the said Committee is satisfied that the fire safety of the building so inspected is not adequate and, pursuant to Section 157(3), (4) and (5) of the said *Planning, Development and Infrastructure Act 2016*, hereby gives notice that you are required to report within two months to the Committee on the work or other measures necessary to ensure that the fire safety of the building is adequate.

PURSUANT TO the provisions of Section 157(6) of the said *Planning, Development and Infrastructure Act 2016* you may, during the period of two months commencing upon the date of issue of this notice, make representations to the Committee about the fire safety of the building and the work or other measures to be carried out or taken.

PURSUANT TO the provisions of Section 157(10) of the said *Planning, Development and Infrastructure Act 2016*, if you dispute the propriety of any requisition contained in this notice, you have 14 days in which to lodge an appeal with a registry of the Environment, Resources and Development Court.

Dated at.....thisday of.....in the year two thousand and.....

CHAIR:

MEMBER:

MEMBER:



Appendix B

Example of Section 157(7) Notice of Building Work or Other Actions Required

SECTION 157(7) NOTICE OF BUILDING WORK OR OTHER ACTIONS REQUIRED

In the matter of the *Planning, Development and Infrastructure Act 2016* and the premises situated at [insert name and location of premises]

TO: The Owner/s

[Insert name of premises]

c/- [Insert name of owner's representative]

[Insert postal address of owner's representative]

TAKE NOTICE that whereas the [insert name of council or council region] Building Fire Safety Committee (hereinafter referred to as 'the Committee') did, by notice dated [insert relevant date] advise that it considered that the fire safety of the building situated at [insert location details of premises], was not adequate, and required you to report to the Committee on the work or other measures necessary to ensure that the fire safety of the building is adequate; and

TAKE NOTICE that during the period of two months, commencing upon the date of issue of the said notice, such representations as were made on your behalf were considered by the Committee, now therefore

TAKE NOTICE that pursuant to the provisions of Section 157(7) of the said *Planning, Development and Infrastructure Act 2016*, the Committee hereby gives you notice of building work or other measures, which it requires you to carry out within [insert appropriate period of time] from the date of issue of this notice. The building work or other measures required are set out in the attached schedule.

The building work required is to be completed in the following stages-

Stage 1 [insert date by which stage 1 must be completed]

Stage 2 [insert date by which stage 2 must be completed]

Stage 3 [insert date by which stage 3 must be completed]

Before commencing any building work you are required to obtain a development approval from the council. Time has been allowed in the program of work for obtaining development approval.

PURSUANT TO the provisions of Section 157(10) of the said *Planning, Development and Infrastructure Act 2016*, if you dispute the propriety of any requisition contained in this notice, you have 14 days in which to lodge an appeal with a registry of the Environment, Resources and Development Court.

Dated at.....thisday of.....in the year two thousand and.....

CHAIR:

MEMBER:

MEMBER:



Appendix C

Information required in an application to the ERD Court to serve a summons:

SOUTH AUSTRALIA FDN IN THE ENVIRONMENT, RESOURCES & DEVELOPMENT COURT No of 20..... BETWEEN Applicant -and- Respondent
SUMMONS
Summons issued at the request of the Applicant (Name of applicant) Solicitor for the Applicant: (Law firm's name) (Law firm's address) (Telephone) (Email) Date of filing: Summons issued at the request of the Applicant, (Name of applicant) of (Address), South Australia. To: (Name of Responder) of (Address) [Set out text of relevant judgment/order] [If applicable specify grounds in successively marked and numbered paragraph] [Set out relief sought in successively numbered paragraphs] The facts upon which the applicant relies are set out in the affidavit of (Name of the person on the Affidavit) served with this Summons. If you wish to be heard or to oppose the making of any of these orders, you or your solicitor must file a Notice of Address for Service within 14 days after service of this Summons on you. This Notice of Address for Service must be filed at a Registry of the Court. If you do not have a solicitor, you may attend personally at a Registry to do this. If a Notice of Address for Service is not filed within the time stated, orders may be made against you in your absence. DATED the day of This summons remains in force for three months only after its date of issue unless it has been extended by order of the Court. Registrar



Appendix D

Land and Business (Sale and Conveyancing) Act 1994 - Section 7 enquiry

Under Section 12 of the *Land and Business (Sale and Conveyancing) Act 1994*, if a council receives a Section 7 enquiry from a vendor, requesting information regarding any charge or prescribed encumbrance over land within the council area, or regarding insurance under Division 3 of Part 5 of the *Building Work Contractors Act 1995*, the council must provide the information to the applicant within eight clear business days after receiving the request.

Form 1 of Schedule 1 of the *Land and Business (Sale and Conveyancing) Regulations 2010* lists information relating to property and land for sale that must be provided by a council to the vendor for inclusion in a Section 7 statement provided to the purchaser, which includes -

4.10 Fire safety notice under section 157 of the *Planning, Development and Infrastructure Act 2016*.

Date of notice:

Name of authority giving notice:

Requirements of notice:

Building work (if any) required to be carried out:
[attach in a schedule if appropriate]

Amount payable (if any):

4.13 Proceedings under Division 1 of Part 16 (disputes, reviews and appeals) of the *Planning, Development and Infrastructure Act 2016*.

Date of commencement of proceedings:

Date of determination or order (if any):

Terms of determination or order (if any):



Appendix E

Standard Letters

1. Letter to owner that the Building Fire Safety Committee wishes to inspect premises

Date

[Insert name of property owner] [Insert name of property]

[Insert postal address for property owner]

Dear Sir/Madam

[Insert property name, and property location] – **Building Fire Safety Inspection**

[Insert as appropriate - 'an authorised officer from the council' or 'an authorised officer from the Fire Services'] has inspected the fire safety of the above premises and reported to the *[insert name of council or regional council area]* Building Fire Safety Committee that the fire safety of the building is not considered adequate to protect the safety of the occupants should a fire occur in the building.

Where the fire safety of a building is not considered adequate, a Building Fire Safety Committee is empowered under Section 157 of the *Planning, Development and Infrastructure Act 2016* to serve notice on the building owner requiring the owner to undertake actions to improve the fire safety to an adequate level.

Before serving any such notice, the Building Fire Safety Committee wishes to undertake its own inspection of fire safety of the above premises. Could you please contact *[insert details]* on *[insert details]* to arrange a convenient time for this inspection.

Yours sincerely

[Insert name of Chairperson]

CHAIR

BUILDING FIRE SAFETY COMMITTEE

[Insert name of council or regional council area]



2. Letter associated with issuing a Section 157(3) Notice of Fire Safety Defect

Date

*[Insert name of property owner] [Insert name of property]
[Insert postal address for property owner]*

Dear Sir/Madam

[Insert property name, and property location] – **Building Fire Safety**

The *[insert name of council or regional council area]* Building Fire Safety Committee inspected the fire safety of the above premises on *[insert date]*. The Building Fire Safety Committee determined that the fire safety of the building is not adequate to protect the safety of the occupants should a fire occur in the building.

Where the fire safety of a building is not considered adequate, a Building Fire Safety Committee is empowered under Section 157 of the *Planning, Development and Infrastructure Act 2016* to serve notice on the building owner requiring the owner to undertake actions to improve the fire safety to an adequate level.

The *[insert name of council or regional council area]* Building Fire Safety Committee met on *[insert date]* to consider appropriate action. In this case the Building Fire Safety Committee resolved to serve you with the attached Section 157(3) Notice of Fire Safety Defect.

This notice requires you to report within two months to the Building Fire Safety Committee on the work or other measures necessary to ensure that the fire safety of the building is made adequate. During that period, you may make representation(s) to the Building Fire Safety Committee about the fire safety of the building and the work or other measures to be carried out.

If you dispute any of the details of this notice, you have 14 days in which to lodge an appeal with the Registrar of the Environment, Resources and Development Court. For more information contact the Court administration on 8204 0289 or by email at erdcourt@courts.sa.gov.au

Yours sincerely

[Insert name of Chairperson]

CHAIR
BUILDING FIRE SAFETY COMMITTEE
[Insert name of council or regional council area]



3. Letter associated with issuing a Section 157(7) Notice of Building Work or Other Actions Required

Date

[Insert name of property owner] [Insert name of property]

[Insert postal address for property owner]

Dear Sir/Madam

[Insert property name, and property location] – **Building Fire Safety Notice**

In accordance with the *Planning, Development and Infrastructure Act 2016*, a Section 157(3) Notice of Fire Safety Defect was issued on the above premises on *[insert date]*. The notice required that you report to the Building Fire Safety Committee on work or other measures necessary to ensure that the fire safety of the building is made adequate.

Following an inspection of the above premises on *[insert date]* the *[insert name of council or regional council area]* Building Fire Safety Committee met on *[insert date]* to consider appropriate action. The Building Fire Safety Committee has considered all reports or representations made by you, or on your behalf, in relation to the fire safety of these premises, and has resolved to serve you with the attached Section 157(7) Notice of Building Work or Other Actions Required. This notice requires you to undertake the scheduled building work within the time prescribed, to ensure that the fire safety of the building is made adequate.

If you dispute any of the details of this notice, you have 14 days in which to lodge an appeal with the Registrar of the Environment, Resources and Development Court. For more information contact the Court administration on 8204 0289 or by email at erdcourt@courts.sa.gov.au.

Yours sincerely

[Insert name of Chairperson]

CHAIR

BUILDING FIRE SAFETY COMMITTEE

[Insert name of council or regional council area]



24.5 COUNCIL ADVERTISING AND SIGNAGE POLICY A170 – REPORT NO. AR21/9953

Committee:	Council
Meeting Date:	16 March 2021
Report No.:	AR21/9953
CM9 Reference:	AF20/446
Author:	Elisa Solly, Property Support Officer
Authoriser:	Barbara Cernovskis, Acting Chief Executive Officer
Summary:	This report re-presents Council's Advertising and Signage Policy A170 for Council owned grounds leased to sporting and community tenants and other supporting information.
Strategic Plan Reference:	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

REPORT RECOMMENDATION

1. That Council Report No. AR21/9953 titled 'Council Advertising and Signage Policy A170' as presented on 16 March 2021 be noted.
2. That, having considered its position on the erection of advertising and sponsorship signage on leased properties, Council hereby revokes Advertising and Signage Policy A170.
3. That Council grants 'deemed consent' for the installation of signage by community and sporting lessees occupying land owned by Council.

For clarity, 'deemed consent' applies only to occupants with exclusive possession, and does not apply to licensees, permit holders, casual users, or any occupants of Crown Land.



TYPE OF REPORT

Corporate

BACKGROUND

At the Council meeting held on 19 May 2020, Report No. AR20/27104 titled 'Council Advertising and Signage Policy A170' (refer Council website [here](#)) was considered in relation to some 744 signs located at ten Council owned sites, of which the majority were placed without landowner consent and contrary to the adopted Council Policy A170 (**Attachment 1**), and with some 89 requiring development approval.

Council Report No. AR20/78297 as presented to the Council meeting held on 15 December 2020 (refer Council Website [here](#)) summarises the subsequent actions associated with this matter and recommended that Council Policy A170 be revoked and that Council grant 'deemed consent' for the installation of signage by exclusive sporting and community lessees of Council land.

At the meeting held on 15 December 2020 Council resolved as follows:

"Moved: Cr Steven Perryman

Seconded: Cr Christian Greco

- 1. That Economic and Environment Committee Report No. AR20/71013 titled 'Review of Advertising and Signage Policy A170' as presented on 02 November 2020, and Report No. AR20/78297 be received and noted.*
- 2. Council write to occupants of all council owned properties and provide a copy of Council's Advertising and Signage Policy A170, and where relevant, provide a list which includes a description and image of each non-complying sign located on the land tenanted by that occupant.*
- 3. Council also inform each occupant that:*
 - a) As an occupant of Council land, Council is the Landlord and therefore Council consent is required to erect any signage on such land.*
 - b) Council has undertaken an audit of signage on council owned land and found that across the council area there are a number of signs that do not comply with Council's Policy A170.*
 - c) Council wishes to work with all occupants of council owned land to ensure compliance with Policy A170.*
 - d) Council requires the removal of all non-complying signs at the end of their existing sponsorship period, and in any case prior to 01 December 2021.*
 - e) Council requires the occupant to advise Council in writing not later than 15 February 2021 of the expiry date of any sponsorship agreements that exist as of 15 February 2021 which relate non-complying signs.*
 - f) Advise that if a response is not received by 15 February 2021, Council will remove the offending signs.*
 - g) In addition to requiring Council approval to erect advertising signage, occupants may require Development Approval under Development Act.*
 - h) Council Planning staff are available by appointment, to meet on-site with club representatives to work through these matters and provide advice regarding compliance with the Development Act.*

CARRIED"

Information specific to each occupying group including a letter outlining the abovementioned Council Resolution (**Attachment 2**), a copy of Council's [Advertising and Signage Policy A170](#), a spreadsheet detailing the unapproved signs and which require landowner consent and/or development approval, and photographs of the relevant signs.



On the 6th and 7th of January 2021 emails were sent and hardcopies mailed by post to each occupying group requesting information about sponsorship details and expiry dates be returned to Council no later than 15 February 2021 in accordance with the 15 December Council Resolution.

Occupiers have subsequently provided the requested information with some including additional commentary regarding their reliance upon sponsorship signage revenue (**Refer Attachments 3-23**).

The following table summarises the responses received:

RESPONSES RECEIVED

Sites where signage identified	Date Received	Attachment No.
Blue Lake Sports Park		
Mount Gambier and District Baseball League	21/01/2020	3
Lower South East Hockey Association	19/01/2020	4
South Gambier Football Club (includes South Gambier Netball Club & Saints United Tennis Club)	03/02/2021	5
Mount Gambier Softball League (includes Limestone Coast Football Ass'n)	28/2/2021	24
Corriedale Park		
Uniting Church Tennis Club	16/02/2021	6
Hastings Cunningham Reserve		
Apollo Soccer Club	19/02/2021	7
Blue Lake BMX Club	20/01/2021	8
Reidy Park Tennis Club	19/02/2021	9
Icehouse Stadium		
Basketball Mount Gambier	19/01/2021	10
Malseed Park Reserve		
Blue Lake Sports (Soccer) Club	5/02/2021	11
West Gambier Football Club & West Gambier Cricket club	15/02/2021	12
West Gambier Netball Club	15/02/2021	13
West Gambier Tennis Club	08/02/2021	14
Blue Lake Gymnastics Club	01/02/2021	15
Olympic Park		
Mount Gambier Netball Association	07/01/2021	16
Mount Gambier & District Tennis Association	13/02/2021	17
Vansittart Park		
Mount Gambier Bowls Club	13/01/2021	18
North Gambier Football Club	25/01/2021	19
McDonald Park Reserve		
East Gambier Sportsmens Club	11/02/2021	20
East Gambier Cricket Club	12/02/2021	21
Grant Avenue		
Blue Lake Golf Club	22/02/2021	22
Frew Park & Blue Lake Sports Park		
Mount Gambier and District Cricket Association	24/02/2021	23

Sites Where **NO** Signs Identified - Letter sent but **No Action Required**

- Mt Gambier Cycling Club - Blue Lake Sports Park
- Blue Lake Archers - Corriedale Park
- Mount Gambier Croquet Club - Malseed Park Reserve
- Mount Gambier Touch Association - McDonald Park Reserve

PROPOSAL

Previous assessment and Member discussion in relation to the current [Advertising and Signage Policy A170](#) seemed to indicate that Members are no longer concerned with the existence and number of (or landowner consent for) signs on land that is leased to a sporting tenant.



The Council resolution dated 15 December 2020, whilst seeking information on signage sponsorship arrangements and inferring that Council support will be provided toward compliance, does not clarify the extent to which landowner consent is required, the intended manner for landowner consent to be granted (by Council resolution or under delegation), nor any parameters within which development assessment support will be provided.

The information requested in the 15 December 2020 Council resolution is provided for consideration in providing further direction in this matter.

LEGAL IMPLICATIONS

Several legal implications arise in relation to the matter of signage on Council property:

- Lease/Landowner consent
- Development (regulatory) requirements, addressed under relevant legislation
- Safety (including WHS and public liability) requirements, addressed in relevant legislation and a shared obligation.
- The requirement for consultation and landowner consent for Crown Land development.

STRATEGIC PLAN

Nil

COUNCIL POLICY

This report relates to Council's [Advertising and Signage Policy A170](#).

ECONOMIC IMPLICATIONS

There are no direct economic implications for Council associated with the proposed revocation of Council's [Advertising and Signage Policy A170](#).

Indirect financial implications associated with any illegal or unapproved development associated with signs installed at variance to the Council Policy and Development Act (Development Plan and Building Code) requirements are beyond the scope of the Council Policy and this report.

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Refer Council Report No. AR20/78297 of 15 December 2020 (refer Council Website [here](#)).

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

Resource implications will be dependent on the direction arising from a Council resolution associated with this matter.

VALUE FOR MONEY

Nil

RISK IMPLICATIONS

Refer Council Report No. AR20/78297 of 15 December 2020 (refer Council Website [here](#)).

EQUALITIES AND DIVERSITY IMPLICATIONS

Refer Council Report No. AR20/78297 of 15 December 2020 (refer Council Website [here](#)).

ENGAGEMENT AND COMMUNICATION STRATEGY

Engagement and communication will be dependent on the direction arising from a Council resolution associated with this matter.



IMPLEMENTATION STRATEGY

Implementation will be dependent on the direction arising from a Council resolution associated with this matter.

CONCLUSION AND RECOMMENDATION

This report presents the further information sought by resolution at the 15 December 2020 Council meeting in relation to this matter.

It is recommended that Council provide clear direction to the administration and tenants on its position in relation to granting (or not) of lease/landowner consent for signs, whether or not they constitute development requiring additional development approval.

Previous reports have presented a proposed regime of 'deemed consent' that would resolve the current lack of lease/landowner approval for a substantial proportion of existing unapproved signs.

Signs requiring development approval (planning and/or building) would be assessed on a case by case basis, either by Council by resolution or under delegation (within specified parameters).

In the absence of an alternative proposal this report re-presents the recommendations as previously made to the November and December 2020 Council meetings in relation to this matter.

ATTACHMENTS

1. Council Policy A170 - Advertising and Signage [↓](#)
2. Council Resolution - Report No. AR20/78297 - Council Advertising and Signage Policy A170 Council 15/12/2020 [↓](#)
3. Response from Mount Gambier and District Baseball League - Blue Lake Sports Park - Signage Audit - Sporting Grounds [↓](#)
4. Response from Lower South East Hockey Association - Blue Lake Sports Park - Signage Audit - Sporting Grounds [↓](#)
5. Response from South Gambier Football Club (Includes Saints United Tennis & South Gambier Netball Club) - Blue Lake Sports Park - Signage Audit - Sporting Grounds [↓](#)
6. Response from Uniting Church Tennis Club - Corriedale Park - Signage Audit - Sporting Grounds [↓](#)
7. Response from Apollo Soccer Club - Hastings Cunningham Reserve - Signage Audit - Sporting Grounds [↓](#)
8. Response from Blue Lake BMX Club - Hastings Cunningham Reserve - Signage Audit - Sporting Grounds [↓](#)
9. Response from Reidy Park Tennis Club - Hastings Cunningham Reserve - Signage Audit - Sporting Grounds [↓](#)
10. Response from Basketball Mount Gambier - Icehouse Stadium - Signage Audit - Sporting Grounds [↓](#)
11. Response from Blue Lake Sports (Soccer) Club - Malseed Park - Signage Audit - Sporting Grounds [↓](#)
12. Response from West Gambier Football Club (includes West Gambier Cricket Club) - Malseed Park - Signage Audit - Sporting Grounds [↓](#)
13. Response from West Gambier Netball Club - Malseed Park - Signage Audit - Sporting Grounds [↓](#)
14. Response from West Gambier Tennis Club - Malseed Park - Signage Audit - Sporting Grounds [↓](#)
15. Response from Blue Lake Gymnastics Club - Malseed Park - Signage Audit - Sporting Grounds [↓](#)
16. Response from Mount Gambier Netball Association - Olympic Park - Signage Audit - Sporting Grounds [↓](#)
17. Response from Mount Gambier and District Tennis Association - Olympic Park - Signage Audit - Sporting Grounds [↓](#)



18. Response from Mount Gambier Bowls Club - Vansittart Park - Signage Audit - Sporting Grounds [↓](#)
19. Response from North Gambier Football Club - Vansittart Park - Signage Audit - Sporting Grounds [↓](#)
20. Response from East Gambier Sportsmens Club - McDonald Park Reserve - Signage Audit - Sporting Grounds [↓](#)
21. Response from East Gambier Cricket Club - McDonald Park Reserve - Signage Audit - Sporting Grounds [↓](#)
22. Response from Blue Lake Golf Club - Grant Avenue - Signage Audit - Sporting Grounds [↓](#)
23. Response from Mount Gambier and District Cricket Association - Frew Park - Blue Lake Sports Park - Signage Audit - Sporting Grounds [↓](#)
24. Response from Mount Gambier Softball League including Limestone Coast Football Ass'n - Blue Lake Sports Park - Signage Audit - Sporting Grounds [↓](#)



 <p>City of Mount Gambier</p>	<p>A170 ADVERTISING AND SIGNAGE</p>		Version No:	4
			Issued:	November, 2017
			Next Review:	November 2020

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for advertising and sponsorship signage.

2. ALL BUSINESS PREMISES AND PROPERTIES

- a) All advertisements on the site of any business premises/property should be restricted to advertisements which directly concern:
 - (i) the actual business; and,
 - (ii) any other approved activity on the premises/property.
- b) Council does not support third party advertising on any business premises/property.
- c) Formal Development Approval is required from Council for most advertising signs.

3. COUNCIL LAND

- a) Under no circumstance shall any advertising signage (permanent or temporary) be permitted to be displayed, installed or erected on any memorial or commemorative structure on any land under the care, control and management of the City of Mount Gambier.
- b) Any signage that is detected in contravention of this Policy to be removed by Council forthwith in accordance with Council Policy regarding the removal of objects.

4. RESERVES (SPONSORSHIP AND ADVERTISING SIGNS)

- a) Permission for advertising and/or hoarding signs to be erected on Council owned reserves, etc., which are formally leased and/or occupied by sporting organisations may be granted to the occupier. For the purpose of this Policy a 'sign' is defined as:

A 'sign' may be a two (2) dimensional advertisement displayed on an existing surface (e.g. building wall, solid fence etc) or a flat panel which is affixed such that it can be read by passing traffic. Similarly a sign may be three (3) dimensional and placed so as to be seen by passing traffic.

Self supporting, three (3) dimensional signs are not permitted by this policy unless specifically approved in accordance with this policy.

- b) Council has established the following guidelines which sporting organisations must follow:
 - (i) Any sign erected by a facility occupier that is an advertisement for a sponsor shall not be clearly or directly visible from adjacent roadways or private property and must generally face towards visitors to the facility. It is expected that a visitor to the sporting facility would generally be able to see an advertising sign from somewhere within the Reserve area. For example, if a visitor within the Reserve can only see the reverse side of a sign on a boundary fence then this sign would not meet the intentions of this Policy. In all circumstances, Council reserves the right to determine if any particular sign contravenes this policy.

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 <p>City of Mount Gambier</p>	<p>A170 ADVERTISING AND SIGNAGE</p>		Version No:	4
			Issued:	November, 2017
			Next Review:	November 2020

- (ii) Any proposed sign that will be clearly visible to the public from adjacent roads or private land and does not conform with 4(b)(i) of this policy will be subject to normal Development Approval processes in accordance with the provision of the Development Act 1993 (and fees for any application will not be waived). Prior to lodgement of a Development Application, the occupier of the Reserve must first obtain Council concurrence (noting that Council is the owner of the land) for the Application to proceed.
 - (iii) No advertising/sponsorship signage whatsoever to be installed or put on the fence or surrounds to Frew Park (noting the exception for the current scoreboard and sight screens).
 - (iv) Specific event signage associated with the use of a Reserve or Council Property, including Frew Park, will be considered on a case by case basis, with the Chief Executive Officer and/or a General Manager having delegated authority to determine such application, but in no case shall an event sign be in place for a period exceeding six (6) weeks.
- c) Sporting organisations occupying Council owned reserves etc. which request approval for the display of advertising and/or hoarding signs, will be treated on their merits and Council shall determine, on application, the following matters:
- (i) number of signs;
 - (ii) location of signs;
 - (iii) size of signs;
 - (iv) style of signs.
- d) In considering any existing or future applications, Council shall have regard to the following matters:
- (i) no advertising and/or hoarding sign shall be approved which could be a potential hazard to the general public or which could prohibit the free or safe flow of pedestrians and/or vehicular traffic;
 - (ii) no advertising and/or hoarding sign shall aesthetically detract from the character and amenity of the locality;
 - (iii) all advertising and/or hoarding signs shall be maintained in a manner to the satisfaction of Council and shall be approved and displayed at the pleasure of Council.
- e) Council has agreed that any sign displayed at a Council Reserve that contravenes the intent of this policy, at the date on which this policy is adopted, may remain as until the sponsorship arrangement between the particular sporting organisations and sponsor ceases, at which time the sign will be removed and will not be replaced unless specific approval is sought and gained as per this policy.
- f) Council does not support the concept of community based naming rights for any Council owned Reserve.


5. AVAILABILITY OF POLICY

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 City of Mount Gambier	A170 ADVERTISING AND SIGNAGE		Version No:	4
			Issued:	November, 2017
			Next Review:	November 2020

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website www.mountgambier.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

File Reference:	AF11/1746; AF111/1857; AF11/1885; AF11/2022; AF11/2212
Applicable Legislation:	Development Act 1993; Local Government Act 1999
Reference: Strategic Plan – Beyond 2015	Goal 1, Strategic Objective 3 & Goal 2, Strategic Objective 5;
Related Policies:	Removal of Objects from Council Land
Related Procedures:	
Related Documents:	Council By-Laws No.'s 1, 2 and 4

DOCUMENT DETAILS

Responsibility:	General Managers
Version:	4.0
Last revised date:	November, 2017
Effective date:	21 st November, 2017
Minute reference:	Council Meeting 21 st November 2017 - Strategic Standing Committee Item 13.17
Next review date:	November, 2020
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	18 th February, 1999 15 th April 2003; 19 th September 2006; 17 th February 2009; 16 th May, 2017; 21 st November 2017

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FOR ACTION

COUNCIL

15/12/2020

TO: Property Support Officer (Solly, Elisa)

COPY TO:

Subject: Council Advertising and Signage Policy A170
Target Date: 29/12/2020
Report Number: AR20/78297

Notes:

RESOLUTION 2020/394

Moved: Cr Steven Perryman

Seconded: Cr Christian Greco

1. That Economic and Environment Committee Report No. AR20/71013 titled 'Review of Advertising and Signage Policy A170' as presented on 02 November 2020, and Report No. AR20/78297 be received and noted.
2. Council write to occupants of all council owned properties and provide a copy of Council's Advertising and Signage Policy A170, and where relevant, provide a list which includes a description and image of each non-complying sign located on the land tenanted by that occupant.
3. Council also inform each occupant that:
 - a) As an occupant of Council land, Council is the Landlord and therefore Council consent is required to erect any signage on such land.
 - b) Council has undertaken an audit of signage on council owned land and found that across the council area there are a number of signs that do not comply with Council's Policy A170.
 - c) Council wishes to work with all occupants of council owned land to ensure compliance with Policy A170.
 - d) Council requires the removal of all non-complying signs at the end of their existing sponsorship period, and in any case prior to 01 December 2021.
 - e) Council requires the occupant to advise Council in writing not later than 15 February 2021 of the expiry date of any sponsorship agreements that exist as of 15 February 2021 which relate non-complying signs.
 - f) Advise that if a response is not received by 15 February 2021, Council will remove the offending signs.
 - g) In addition to requiring Council approval to erect advertising signage, occupants may require Development Approval under Development Act.
 - h) Council Planning staff are available by appointment, to meet on-site with club representatives to work through these matters and provide advice regarding compliance with the Development Act.

.CARRIED



[Open Item in Minutes](#) [Open Report](#)

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For ongoing actions: Please update the notes and the expected completion date.

Please continue to update the comments until the matter has been finalised.



Blue Lake Sports Park - Baseball

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Baseball Diamond 1 - shelter	4 x Club Contact Detail/ Sponsor signs (1 per Club)	2.4m x 1.2m	N	N	N	N	31/12/2031
	1 x Give Bev New Life sign (All external facing)	2.4m x 0.8m	N	N	N	N	31/12/2026
Baseball Diamond 1 - scoreboard	Sign Depot - internal facing	2.4m x 1.2m	N	N	N	N	31/12/2031
Baseball Diamond 1 - boundary fence	14 x sponsor signs - internal facing (see below)	2.4m x 1.2m	N	N	N	N	31/12/2026
	South Aussie Hotel	2.4m x 1.2m	N	N	N	N	31/12/2026
	PJ Pumps	2.4m x 1.2m	N	N	N	N	31/12/2026
	MIG Plasterers	2.4m x 1.2m	N	N	N	N	31/12/2026
	The South Eastern	2.4m x 1.2m	N	N	N	N	31/12/2026
	The Distributors	2.4m x 1.2m	N	N	N	N	31/12/2026
	Stuckey Electrical	2.4m x 1.2m	N	N	N	N	31/12/2026
	Bendigo Bank	2.4m x 1.2m	N	N	N	N	31/12/2026
	Pick Ave Deli/Bakery	2.4m x 1.2m	N	N	N	N	31/12/2026
	Cleanaway	2.4m x 1.2m	N	N	N	N	31/12/2026
	Wilson Security	2.4m x 1.2m	N	N	N	N	31/12/2026
	Elders	2.4m x 1.2m	N	N	N	N	31/12/2026
	Baxter Hire	2.4m x 1.2m	N	N	N	N	31/12/2026
	Landmark	2.4m x 1.2m	N	N	N	N	31/12/2026
	BKM Fabrications	2.4m x 1.2m	N	N	N	N	31/12/2026



Blue Lake Sports Park - Baseball

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Baseball Diamond 2	16 x sponsor signs - internal facing (see below)	1.5m x 0.75m	N	N	N	N	31/12/2026
	One Forty One	1.5m x 0.75m	N	N	N	N	31/12/2026
	OK Pie Shop	1.5m x 0.75m	N	N	N	N	31/12/2026
	Tasman Trading	1.5m x 0.75m	N	N	N	N	31/12/2026
	Blue Lake Bistro	1.5m x 0.75m	N	N	N	N	31/12/2026
	Endless Cup	1.5m x 0.75m	N	N	N	N	31/12/2026
	Eddie Kuhl Tyres	1.5m x 0.75m	N	N	N	N	31/12/2026
	Baxter Hire	1.5m x 0.75m	N	N	N	N	31/12/2026
	Carlin & Gazzard	1.5m x 0.75m	N	N	N	N	31/12/2026
	Godrik Constructions	1.5m x 0.75m	N	N	N	N	31/12/2026
	K&S Corporation	1.5m x 0.75m	N	N	N	N	31/12/2026
	Collins Court Butcher	1.5m x 0.75m	N	N	N	N	31/12/2026
	W F C Contracting	1.5m x 0.75m	N	N	N	N	31/12/2026
	deBruin Engineering	1.5m x 0.75m	N	N	N	N	31/12/2026
	Harrington Feed Destructor	1.5m x 0.75m	N	N	N	N	31/12/2026
	Metalwork	1.5m x 0.75m	N	N	N	N	31/12/2026
	Zobel	1.5m x 0.75m	N	N	N	N	31/12/2026



Blue Lake Sports Park - Baseball

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Baseball Diamond 3	1 x Club Contact Detail/Sponsor signs - external facing	2.4m x 0.8m	N	N	N	N	31/12/2031
Baseball Diamond 3	6 x sponsor signs - external facing (see below)	2.4m x 0.8m	N	N	N	N	31/12/2026
	Laurice White	2.4m x 0.8m	N	N	N	N	31/12/2026
	Precision Security	2.4m x 0.8m	N	N	N	N	31/12/2026
	The Sign Depot	2.4m x 0.8m	N	N	N	N	31/12/2026
	Jupiter Limousines	2.4m x 0.8m	N	N	N	N	31/12/2026
	O'Brien Electrical	2.4m x 0.8m	N	N	N	N	31/12/2026
	Bendigo Bank	2.4m x 0.8m	N	N	N	N	31/12/2026
Baseball Diamond 3	1 x sponsor signs - internal facing (see below)	1.8m x 1.6m	N	N	N	N	31/12/2026
	Best Western	1.8m x 1.6m	N	N	N	N	31/12/2026
Baseball Diamond 3	8 x sponsor signs - internal facing (see below)	2.4m x 1.2m	N	N	N	N	31/12/2026
	South East Funerals	2.4m x 1.2m	N	N	N	N	31/12/2026
	South East Windscreens	2.4m x 1.2m	N	N	N	N	31/12/2026
	Hylandfox	2.4m x 1.2m	N	N	N	N	31/12/2026
	Henri Post Jeweller	2.4m x 1.2m	N	N	N	N	31/12/2026
	Wilson Security	2.4m x 1.2m	N	N	N	N	31/12/2026
	The Tile Place	2.4m x 1.2m	N	N	N	N	31/12/2026
	Rentlo Reinvested	2.4m x 1.2m	N	N	N	N	31/12/2026
	PJ Pumps	2.4m x 1.2m	N	N	N	N	31/12/2026



Blue Lake Sports Park - Baseball

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Baseball Diamond 4	1 x Club sign - internal facing	2.4m x 1.2m	N	N	N	N	31/12/2031
Baseball Diamond 4 - scorers box	1 x Club sign - internal facing	2.4m x 1.2m	N	N	N	N	31/12/2031



Blue Lake Sports Park - Baseball

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Baseball Diamond 5 - scorers box	1 x Club sign - external facing	2.4m x 1.2m	N	N	N	N	31/12/2031
Baseball Diamond 5	1 x sponsor signs - external facing (see below)						
	Chemist King	2.0m x 0.8m	N	N	N	N	31/12/2026
Baseball Diamond 5	11 x sponsor signs - external facing (see below)	1.0m x 0.8m	N	N	N	N	31/12/2026
	Paradise Pizza	1.0m x 0.8m	N	N	N	N	31/12/2026
	Forty Winx	1.0m x 0.8m	N	N	N	N	31/12/2026
	Gambier Seeds	1.0m x 0.8m	N	N	N	N	31/12/2026
	Gambier Earth Movers	1.0m x 0.8m	N	N	N	N	31/12/2026
	She's Apples	1.0m x 0.8m	N	N	N	N	31/12/2026
	Koppers	1.0m x 0.8m	N	N	N	N	31/12/2026
	Swallow Drive Meat	1.0m x 0.8m	N	N	N	N	31/12/2026
	Elders	1.0m x 0.8m	N	N	N	N	31/12/2026
	Nick Aston	1.0m x 0.8m	N	N	N	N	31/12/2026
	Sinclair Wilson	1.0m x 0.8m	N	N	N	N	31/12/2026
	Sugar and Spice	1.0m x 0.8m	N	N	N	N	31/12/2026



Blue Lake Sports Park - Hockey

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Hockey pitch fence	Advertise Here!		N	N	N	N	removed 19/1/21
	35 x sponsor signs		N	N	N	N	season 2021, expiry March 2022: none to be removed pre Dec 01 2021.
Hockey Canteen	Coke/Oak		N	N	N	N	no sponsorship, advertising only. To be removed.



From: [South Gambier Football Club](#)
To: [City of Mount Gambier - Property Support](#)
Subject: RE: Council Resolution - Advertising and Signage Policy
Date: Tuesday, 2 February 2021 9:51:14 PM
Attachments: [image001.png](#)
[Blue Lake Sports Park - SGFC - Non-Complying Signs.xlsx](#)

Hi Elisa

Please find attached the required spreadsheet with our club's information. We try to lock in our sponsors for 3-year terms as much as possible to give more certainty and predictability to future cash flows.

If we as a club have not abided by council rules please accept our sincere apologies, it was through ignorance not arrogance. Sponsorship at football clubs is incredibly important - without the monies raised through sponsorship (of which signage is the main element) our club could not operate and over 150 senior plus 250 junior players would not be able to play football and netball for South Gambier Football Netball Club. Like most country sporting clubs our club is run by volunteers doing the best we can with limited resources to provide as good a facility and sporting program as we can for the benefit of the community. In the past the City of Mount Gambier has been extremely helpful with maintenance of our ground and premises for which we are very grateful.

Thank you for your help with this matter. If you need anything else please let me know.

Regards,

Wayne Glynn
President
SGFNC



Blue Lake Sports Park - South Gambier Football Club

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Football entrance booth	MG Plasterers	3.0m x 1.5m	N	N	N	N	Dec-23
	Bendigo Bank	1.5m x 800mm	N	N	N	N	WBFL sponsor - Dec-23
Football - oval fence	76 x sponsor signs	4.8m x 800mm	N	N	N	N	16 signs - Dec-21, 30 signs - Dec-22, 30 signs - Dec-23
Netball - clubroom	8 x sponsor signs	800mm x 800mm; 1.5m x 800mm	N	N	N	N	Dec-22
Football - scoreboard	MG Plasterers	6.0m x 1.5m	N	N	N	N	Dec-23
	Lennons on Lake Terrace	4.0m x 1.8m	N	N	N	N	Dec-23
Tennis Court hut	MG Plasterers		N	N	N	N	Dec-21
	Stuckey's electrical		N	N	N	N	Dec-21
	Tennis		N	N	N	N	Dec-21
	Not legible		N	N	N	N	Dec-21
Footy Grandstand/shed	3 x sponsor signs	3.5m x 2.0m	N	N	N	N	Dec-23
	3 x sponsor signs (fascia)	3.5m x 800mm	N	N	N	N	Dec-23



From: [Uniting Church Tennis Club](#)
To: [City of Mount Gambier - Property Support](#)
Subject: Re: Council Resolution - Advertising and Signage Policy
Date: Tuesday, 16 February 2021 9:12:23 PM
Attachments: [image001.png](#)

Hi Elisa,

Our committee have decided to remove the signs.

Ashlea Dunn
Uniting Church Tennis Club



From: [Jerome England](#)
To: [admin@apollofootballclub.org.au](#)
Cc: [City of Mount Gambier - Property Support: Andrew](#)
Subject: Re: Follow Up Email - Council Resolution - Advertising and Signage Policy
Date: Friday, 19 February 2021 4:34:40 PM

Hi Elisa,

As per the phone conversation. Most of the sponsors signs at Apollo football Club are for a period of 1 year with the exemption of the following that have a 3 year sponsorship. These companies are
mount gambier frozen foods
thats yarnis
hr & lm zaadstra
Donehue Leisure
Commerish
Carlin and Gazzard
Wilson Security
chemist king
mount gambier hospital kiosk
trident tyres
cooper brewery
degaris lawyers

Regards Jerome



Hastings Cunningham Reserve - BMX Club							
Location of Sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued	Sponsorship Details / Expiry Date
Timing Hut	Wilson Security	1.2 m * 0.7 m	N	N	N	N	yearly 2021
Finish Line (BMX)			N	Y - structural d	N	N	
	Jib Irrigation		N	As above	N	N	4 year ongoing 2024
	SS Jones		N	As above	N	N	4 year ongoing 2024
	EB Photographics		N	As above	N	N	4 year ongoing 2024
	Fasta Pasta		N	As above	N	N	4 year ongoing 2024
	Ballentine Backhoes		N	As above	N	N	life member and sponsor ongoing
	Promac		N	As above	N	N	4 year ongoing 2024
	Sports Power		N	As above	N	N	4 year ongoing 2024
	Empak Homes		N	As above	N	N	4 year ongoing 2024
	Stuckey Electrical		N	As above	N	N	4 year ongoing 2024
	Colorkote		N	As above	N	N	4 year ongoing 2024
	Paint Place		N	As above	N	N	4 year ongoing 2024
	Kalganyi Caravan Park		N	As above	N	N	4 year ongoing 2024
	Daktari		N	As above	N	N	4 year ongoing 2024
	Muffin Break		N	As above	N	N	4 year ongoing 2024
	WFC		N	As above	N	N	inkind track work and support
	PJ Pumps		N	As above	N	N	4 year ongoing 2024
	City of Mount Gambier		N	As above	N	N	yearly feir 1 support past support on going
	Gambier Earth Movers		N	As above	N	N	4 year ongoing 2024
	Hyland Fox		N	As above	N	N	4 year ongoing 2024
	Sims engineering		N	As above	N	N	expired 2021
	Blue Lake Cranes		N	As above	N	N	expired 2021
	The Distributors		N	As above	N	N	4 year ongoing 2024
BMX Spectator shelter	Fasta Pasta	2.2m x 1.0m	N	N	N	N	expired 2021
BMX race gate	City of Mount Gambier/Gambier Earth Movers	5.2m x 1.2m	N	N	N	N	inkind track work and support
	City of Mount Gambier/Steve Merret Doping	5.2m x 1.2m	N	N	N	N	inkind track work and support
BMX Clubrooms	She's Apples	800mm x 450mm	N	N	N	N	expired 2021
	Club Sponsor board (multiple sponsors)	1.2m x 1.0m	N	N	N	N	yearly 2022



From: [Reidy Park Tennis Club](#)
To: [City of Mount Gambier - Property Support](#)
Subject: Re: Follow Up Email - Council Resolution - Advertising and Signage Policy
Date: Friday, 19 February 2021 3:25:40 PM
Attachments: [image001.png](#)
[image001.png](#)

We have received all signage



From: [Basketball Mount Gambier](#)
To: [City of Mount Gambier - Property Support](#)
Subject: RE: Council Resolution - Advertising and Signage Policy
Date: Tuesday, 19 January 2021 1:43:50 PM
Attachments: [image002.gif](#)
[image003.jpg](#)
[image004.png](#)

Hello,

Thank you for your email. The signage referred to in your letter is not sponsorship signage and has no expiry date. Kirk Health Solution hire office and gym space from Basketball Mount Gambier at the stadium. This signage is to let customer's know that is the entrance to his business.

Thank you and look forward to hearing from you once discussed at Council meeting.

Regards,

Teresa Stewart

Administration Officer

BASKETBALL MOUNT GAMBIER INCORPORATED

ABN 88 141 577 814

The Icehouse: Commercial St West Mount Gambier

PO Box 656, Mount Gambier, SA 5290

Phone (08) 8723 2050 Fax (08) 8723 1212

Email: admin@basketballmtgambier.com.au

www.mountgambier.basketball.net.au



From: [Koala](#)
To: [City of Mount Gambier - Property Support](#)
Subject: Blue Lake Soccer Club Sponsorship Signs for Approval
Date: Thursday, 4 February 2021 10:56:55 PM
Attachments: [Malseed Park - Blue Lake Sports \(Soccer\) Club - Non-Complying Signs.XLSX](#)
Importance: High

Sender: bluelakesoccerclub@outlook.com

Hi Elsia

Please find attached our Sponsorship Signs for Blue Lake Soccer Club at Malseed Park for approval.
I hope I have provided everything you need.


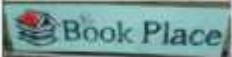
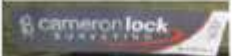

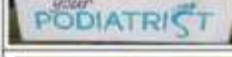






If you need anything else please let me know on 0418 250 459, if I don't answer please send a text and I will return your call ASAP

What do we need to do to have new Sponsorship signs approved?
We hope to have another 2 - 4 to come on board this year; they will be the same size and plan to fill in the gaps along the Northern playing park fence line. Obviously we don't want to get them made up and then find out they are not approved.

Hear from you soon
Thanks Heaps
Cheers
Caro

Secretary
Blue Lake Soccer Club
PO Box 324, Mount Gambier, SA 5290
ABN: 28 736 209 156



Malseed Park - Blue Lake Sports (Soccer) Club @ January 2021								
Location	Description of Sign	Sign Dimension	Development Approval Required (Y/N) - (SPPC (Planning))	IBC Building	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsor Expiry Date	Sponsorship Details
Soccer Oval - Free-standing	Score Board	4.0m x 2.4m	N	Y	N	N	30/11/2021	
Northern Inside Playing Park Boundary Fence	1 Sponsor Sign	0.66m x 2.3m	N	N	N	N	30/11/2021	
Northern Inside Playing Park Boundary Fence	2 Sponsor Signs	0.66m x 2.3m	N	N	N	N	30/11/2021	
Northern Inside Playing Park Boundary Fence	3 Sponsor Signs	0.66m x 2.3m	N	N	N	N	30/11/2021	
Northern Inside Playing Park Boundary Fence	4 Sponsor Signs	0.66m x 2.3m	N	N	N	N	30/11/2021	
Northern Inside Playing Park Boundary Fence	5 Sponsor Signs	0.66m x 2.3m	N	N	N	N	30/11/2021	
Northern Inside Playing Park Boundary Fence	6 Sponsor Signs	0.66m x 2.3m	N	N	N	N	30/11/2021	
Northern Inside Playing Park Boundary Fence	7 Sponsor Signs	0.66m x 2.3m	N	N	N	N	30/11/2021	
Northern Inside Playing Park Boundary Fence	8 Sponsor Signs	0.66m x 2.3m	N	N	N	N	30/11/2021	
Northern Inside Playing Park Boundary Fence	8 Sponsor Signs	0.66m x 2.3m	N	N	N	N	30/11/2021	
Southern Outer Boundary Soccer Hall	Teletex	1.3m x 1.9m	N	N	N	N	30/11/2021	

Please Note: Score Board Footings footings 600 deep x 600mm square for a 250 mm post concrete & rammed dirt.



Malseed Park - WGFC

Location	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued	Sponsorship Details / Expiry Date
Internal Facing - outside oval							
Toilet block	Banner Mitre 10	4.9 m * 0.86 m	N	N	N	N	3 Years - 2023
Freestanding	Mossup	6.0 m * 1.0 m	N	Y	N	N	5 Years - 2024
Freestanding	Sport Centre	6.0 m * 1.0 m	N	Y	N	N	Replaced 2020 for skiwif sings 5 years 2025
Scoreboard	Barry Maney/Foodbank	6.0 m * 1.0 m	N	Y	N	N	5 years 2025
Freestanding	MG Plasterers	6.0 m * 1.5 m	N	Y	N	N	10 Years 2027
Freestanding	HD Refrigeration	3.0 m * 1.5 m	N	Y	N	N	5 years 2025
Freestanding	Green Triangle Electronics	3.0 m * 1.5 m	N	Y	N	N	5 Years - 2024
Freestanding	MGA Insurance	3.0 m * 1.5 m	N	Y	N	N	5 Years - 2024
Freestanding	JL Communication and Collins Cour Butchers	9.2 m * 1.5 m	N	Y	N	N	5 years 2025
Freestanding	Quick Mix and Envirocycle	9.2 m * 1.5 m	N	Y	N	N	5 years 2025
Fence above players run (double sided)	MG Plasterers	2.4 m * 0.85 m	N	N	N	N	10 Years 2027
Hut	Sign Depot	2.5 m * 1.2 m	N	N	N	N	yearly 2021
Hut	Steelene	0.90 m * 0.65 m	N	N	N	N	yearly 2021
Clubrooms	Hudson Plumbing	0.60 m * 0.45 m	N	N	N	N	3 Years - 2023
Clubrooms	MG Plasterers	1.5 m * 1.2 m	N	N	N	N	10 Years 2027
Front of Gym	Blue Lake Gymnastics	irregular (approx 4.5 m * 1.5 m)	N	N	N	N	
Boundary Fence	Advisory Signage	0.20 m * 0.30 m	N	N	N	N	
Cricket Oval Boundary Fence	17 * Sponsors Signs	0.66 m * 2.3 m each	N	N	N	N	Most are 3 yearly 2023 expiring some are yearly 2022
Internal Facing Entry Booth	Salts of the Earth	1.6 m * 1.6 m	N	Y	N	N	3 Years - 2023
Internal Facing Entry Booth	Subway	1.6 m * 0.50 m	N	N	N	N	
Internal Facing Entry Booth	Buslink SA	0.80 m * 0.40 m	N	N	N	N	3 Years - 2023
Internal Facing Entry Booth	Buslink SA	0.80 m * 0.40 m	N	N	N	N	3 Years - 2023
Internal Facing Entry Booth	Bendigo Bank	1.0 m * 0.60 m	N	N	N	N	Ongoing - WBFL Major Sponsor
Freestanding Inward Facing to Oval	Empak	9.0 m * 1.5 m	N	Y	N	N	5 Years - 2024
Footy Shelter	Tony Pasi	2.8 m * 1.5 m	N	N	N	N	Yearly 2021
Footy Shelter	Sims Engineering	2.8 m * 1.2 m	N	Y	N	N	3 Years - 2023
Scoring Stand	Barry Maney	3.0 m * 1.4 m	N	N	N	N	3 Years - 2023
Footy Hut	South Aussie Hotel	2.5 m * 1.2 m	N	N	N	N	yearly 2021
Footy Hut	Beachport Liquid Minerals	2.5 m * 1.2 m	N	N	N	N	No longer a sponsor sign removed
Football Oval Boundary Fence - Inward Facing	59 * Sponsors Signs	4.8 m * 0.80 m	N	N	N	N	Most are 3 yearly 2023 expiring some are yearly 2022
Tennis/Netball Courts - inward facing to courts	10 * Sponsors Signs	1.2 m * 1.0 m approx	N	N	N	N	
Tennis/Netball Courts - inward facing to courts	13 * Sponsors Signs	1.2 m * 1.0 m approx	N	N	N	N	
External Facing	Gabriel Electrical	6.0 m * 6.0 m	Y	N	N	N	5 Years - 2024
External Facing - Cricket Nets	Quickmix	3.0 m * 0.8 m	Y	N	N	N	5 years 2025
Entrance Statement	MG Plasterers	4.8 m * 0.80 m	Y	N	N	N	10 Years 2027
Entrance Statement	MG Plasterers	4.8 m * 0.80 m	Y	N	N	N	10 Years 2027
Entrance Booth	Salts of the Earth	1.6 m * 1.6 m	Y	Y	N	N	3 Years - 2023
Entrance Booth	Blue Lake Cranes/ Sims	2.0 m * 0.80 m	Y	Y	N	N	3 Years - 2023
External Facing - Cricket Nets	AK Geddes Plumbing	1 m * 1 m	Y	N	N	N	
External Facing - Cricket Nets	Lake City Outboards	1 m * 1 m	Y	N	N	N	
External Facing entrance	Chemist King	2.4 m * 0.8 m	Y	N	N	N	yearly 2021
External Facing entrance	Helloworld	2.4 m * 0.8 m	Y	N	N	N	No longer a sponsor sign removed



Malseed Park - WCCC

Location	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued	Sponsorship Details / Expiry Date
Internal Facing - outside oval							
Toilet block	Banner Mitre 10	4.9 m * 0.85 m	N	N	N	N	
Freestanding	Mossup	6.0 m * 1.0 m	N	Y	N	N	
Freestanding	Sport Centre	6.0 m * 1.0 m	N	Y	N	N	
Scoreboard	Barry Maney/Foodbank	6.0 m * 1.0 m	N	Y	N	N	
Freestanding	MG Plasterers	6.0 m * 1.5 m	N	Y	N	N	
Freestanding	HD Refrigeration	3.0 m * 1.5 m	N	Y	N	N	
Freestanding	Green Triangle Electronics	3.0 m * 1.5 m	N	Y	N	N	
Freestanding	MGA Insurance	3.0 m * 1.5 m	N	Y	N	N	
Freestanding	JL Communication and Collins Court Butchers	9.2 m * 1.5 m	N	Y	N	N	
Freestanding	Quick Mix and Envirocycle	9.2 m * 1.5 m	N	Y	N	N	
Fence above players run (double sided)	MG Plasterers	2.4 m * 0.85 m	N	N	N	N	
Hut	Sign Depot	2.5 m * 1.2 m	N	N	N	N	
Hut	Steelene	0.90 m * 0.65 m	N	N	N	N	
Clubrooms	Hudson Plumbing	0.60 m * 0.45 m	N	N	N	N	
Clubrooms	MG Plasterers	1.5 m * 1.2 m	N	N	N	N	
Front of Gym	Blue Lake Gymnastics	irregular (approx 4.5 m * 1.5 m)	N	N	N	N	
Boundary Fence	Advisory Signage	0.20 m * 0.30 m	N	N	N	N	
Cricket Oval Boundary Fence	17 * Sponsors Signs	0.66 m * 2.3 m each	N	N	N	N	Currently sponsors paid up until end of season - end March
Internal Facing Entry Booth	Salts of the Earth	1.6 m * 1.6 m	N	Y	N	N	
Internal Facing Entry Booth	Subway	1.6 m * 0.50 m	N	N	N	N	
Internal Facing Entry Booth	Buslink SA	0.80 m * 0.40 m	N	N	N	N	
Internal Facing Entry Booth	Buslink SA	0.80 m * 0.40 m	N	N	N	N	
Internal Facing Entry Booth	Bendigo Bank	1.0 m * 0.60 m	N	N	N	N	
Freestanding Inward Facing to Oval	Empak	3.0 m * 1.5 m	N	Y	N	N	
Footy Shelter	Tony Pasin	2.8 m * 1.5 m	N	N	N	N	
Footy Shelter	Sims Engineering	2.8 m * 1.2 m	N	Y	N	N	
Scoring Stand	Barry Maney	3.0 m * 1.4 m	N	N	N	N	
Footy Hut	South Aussie Hotel	2.5 m * 1.2 m	N	N	N	N	
Footy Hut	Beachport Liquid Minerals	2.5 m * 1.2 m	N	N	N	N	
Football Oval Boundary Fence - Inward Facing	39 * Sponsors Signs	4.8 m * 0.80 m	N	N	N	N	
Tennis/Netball Courts - inward facing to courts	10 * Sponsors Signs	1.2 m * 1.0 m approx	N	N	N	N	
Tennis/Netball Courts - inward facing to courts	13 * Sponsors Signs	1.2 m * 1.0 m approx	N	N	N	N	
External Facing	Gabriel Electrical	6.0 m * 6.0 m	Y	N	N	N	
External Facing - Cricket Nets	Quickmix	3.0 m * 0.8 m	Y	N	N	N	Currently sponsors paid up until end of season - end March
Entrance Statement	MG Plasterers	4.8 m * 0.80 m	Y	N	N	N	
Entrance Statement	MG Plasterers	4.8 m * 0.80 m	Y	N	N	N	
Entrance Booth	Salts of the Earth	1.6 m * 1.6 m	Y	Y	N	N	
Entrance Booth	Blue Lake Cranes/ Sims	2.0 m * 0.80 m	Y	Y	N	N	
External Facing - Cricket Nets	AK Geddes Plumbing	1 m * 1 m	Y	N	N	N	Currently sponsors paid up until end of season - end March
External Facing - Cricket Nets	Lake City Outboards	1 m * 1 m	Y	N	N	N	Currently sponsors paid up until end of season - end March
External Facing entrance	Chemist King	2.4 m * 0.8 m	Y	N	N	N	
External Facing entrance	Hellworld	2.4 m * 0.8 m	Y	N	N	N	



From: [West Gambier Netball Club](#)
To: [City of Mount Gambier - Property Support](#); [West Gambier Football Club](#)
Subject: Re: Council Resolution - Advertising and Signage Policy
Date: Monday, 15 February 2021 6:15:31 AM
Attachments: [Outlook-red1m1ts.png](#)
[Outlook-0d_image0.png](#)
[Makeed Park - WGFC & Sub-Tenants - Non-Complying Signs X0-Sy](#)

Hi Elisa,

Hoping all is well.

Please find attached the information required for our Sponsorship signage that is currently on the fences facing inwards to the West Gambier Netball Club Courts.

We would also like to know as soon as possible if we are able to have new sponsors that come on aboard after today's date if we are able to have their company names printed on canvas and tied to the fencing for the entirety of each home day game then removed at the end of the day so they are not left on the fences. Ideally it would be great if we could still have them printed on the metal signs for this season to save additional costs to the Netball club.

If you are please also able to provide clarification that we will be able to continue to have the West Gambier Netball Club sign and the two scoreboards remain on the fences during the 2021 season as soon as possible as we will need to make alternative arrangements to display these to our spectators.

Thank you for your time today and please don't hesitate to be in contact with me if you require anymore information.

Kind Regards,

Kate Carrail
President



Malseed Park - WGNC

Location	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC	BRC (Building)	Development Approval Issued (Y/N)	Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
						N	
						N	
						N	
						N	
Collins Court Butchers	Sponsor Sign	1.2 x 1.0 m approx	N	N	N	N	Entirety of 2021 Season
Renny Hunter Transport	Sponsor Sign	1.2 x 1.0 m approx	N	N	N	N	Entirety of 2021 Season
Taberfel Trading	Sponsor Sign	1.2 x 1.0 m approx	N	N	N	N	Entirety of 2021 Season
Dave Stephens Crash Repairs	Sponsor Sign	1.2 x 1.0 m approx	N	N	N	N	Entirety of 2021 Season
GT Bobcat	Sponsor Sign	1.2 x 1.0 m approx	N	N	N	N	Entirety of 2021 Season
Mechanised Logging Pty Ltd	Sponsor Sign	1.2 x 1.0 m approx	N	N	N	N	Expired - will be removed
Limestone Coast Imaging	Sponsor Sign	1.2 x 1.0 m approx	N	N	N	N	Expired - will be removed
RTC Group	Sponsor Sign	1.2 x 1.0 m approx	N	N	N	N	Expired - will be removed
						N	
West Gambier Netball Sign	Club Name	1.2 x 1.0m approx	N	N	N	N	No end date as Club name and logo
Scoreboards x 2	Scoreboards needed during the game	1.2 x 1.0m approx	N	N	N	N	No end date as needed for home games to provide scoring to spectators
						N	
						N	
						N	
						N	
						N	
						N	
						N	
						N	
						N	
						N	
						N	
Netball Courts - inward facing to courts	18 * Sponsors Signs	1.2 m * 1.0 m approx	N	N	N	N	



From: [West Gambier Tennis Club](#)
To: [City of Mount Gambier - Property Support](#)
Subject: Sporting club signs
Date: Monday, 8 February 2021 12:06:15 PM

Hi Elisa I have enclosed a photo of signs that belong to the west gambier tennis club the photo that was emailed to us that face the tennis courts, these signs actually belong to the netball club. Our signs are paid up until October 14 th 2021. We would like to meet with someone at our club to discuss these signs as the revenue we get for this is used to maintain our facility to its high standard. Thanking you

Joanne Sealey on behalf of the WGTC

Sent from my iPhone





Malseed Park - Blue Lake Gymnastics Club

Location	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued	Sponsorship Details / Expiry Date
Front of Gym	Blue Lake Gymnastics	Irregular (approx 4.5 m * 1.5 m)	N	N	N	N	No sponsorship/no expiry



Olympic Park - Netball Courts

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued	Sponsorship Details / Expiry Date
Internal fence	The BorderWatch		N	N	N	N	Will remove
	The Distributors	1000x1500	N	N	N	N	Sponsorship - expire end of 2021
	8 x Club signs	1000x1500	N	N	N	N	Not really advertising - they are the clubs that are based at the site
Canteen	Coke/Oak product		N	N	N	N	Supplied by City Council to promote recycling - can remove if required



Olympic Park - Tennis Courts

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Required	Land Owner Consent Issued	Sponsorship Details / Expiry Date
Tennis boundary fence	Slazenger (rear courts)		N	N	N		N	Slazenger wind breaks aren't part of a sponsorship deal. These are just a branded essential product.
Tennis nets (all nets)	KIA x 2		N	N	N		N	Sponsorship expires 27/03/2021. OGR KIA signs have all been approved.
Tennis boundary fence	OGR KIA (numerous)		N	N	N	Y	Y	Expires 27/03/2021
	Mitre 10		N	N	N		N	No longer a sponsor. Sign will be removed in due course.
	MG Plasterers		N	N	N		N	No longer a sponsor. Sign will be removed in due course.
	Mitre 10		N	N	N		N	No longer a sponsor. Sign will be removed in due course.
	OGR KIA (numerous)		N	N	N	Y	Y	Expires 27/03/2021
	Mitre 10		N	N	N		N	No longer a sponsor. Sign will be removed in due course.
	Elite carpet		N	N	N		N	No longer a sponsor. Sign will be removed in due course.
	OGR KIA		N	N	N	Y	Y	Expires 27/03/2021



MOUNT GAMBIER BOWLS CLUB INC.

(The Pioneer Country Bowling Club in South Australia.)

P.O. Box 985, Mount Gambier, S.A. 5290.

Club Phone (08) 8725-2523 email: sec@mgbowls.com

ABN 61 492 775 841 www.mgbowls.com

12-01-2021

Ref AF20/6, AR21/649

Dear Michael,

The Mount Gambier Bowls Club has always tried to comply with the signage regulations of Council and have as your details indicate no signs with direct sight from the Street. Most are inside shelter sheds or on the South Boundary Wall. When our new building is in place the majority of our sponsors signs are proposed to be moved to the inside of the Building.

The policy outline in the letter of 5th January 2021 states that all signs shall be approved by Council. We would request advice as to whether this policy has changed to include internal signs. The Mount Gambier Bowls Club like most Clubs in the region depend on Sponsors generosity to assist in providing facilities for our members and the Community. At present we are trying to sell the low wall on the South end of "B" Green Cover as internal display for our sponsors. Should the policy include these internal signs as "by approval" is it possible to obtain a blanket approval for this display.

At present we are committed to installing a low wall on the South end of the Cover, removing the hedge and installing new landscaping, and relocating most of the current signs onto the new wall.

We would appreciate the opportunity to discuss in more detail with Council Officers the landscaping and signage proposal preferably on site in the near future as we anticipate conclusion of "B" Green Cover in mid-February 2021.

As always The Mount Gambier Bowls Club wants to be a responsible tenant to serve the best interests of the Community.

Yours Sincerely,



Ian von Stanke,
President.
MGBC

Mount Gambier Bowls Club Inc.

Ref W01-21 12/01/2021

Vansittart Park - Mount Gambier Bowls Club

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Bowling Club huts	6 x sponsor sign (1 per hut)	2.1 x .600	N	N	N	N	Ongoing Yearly June To June
"B" Green Cover	15 x Sponsor Sign	2.1 x .600	N	N	N	N	Ongoing Yearly June To June
"A" Green	6 x sponsor sign (Per Green)	.600 x.300	N	N	N	N	Ongoing Yearly June To June
"B" Green	6 x sponsor sign (Per Green)	.600 x.300	N	N	N	N	Ongoing Yearly June To June



From: [David Bruhn](#)
To: [City of Mount Gambier - Property Support](#)
Subject: RE: Council Resolution - Advertising and Signage Policy
Date: Sunday, 24 January 2021 9:36:59 PM
Attachments: [North Gambier Football Netball Club - Non-Complying Signs .xlsx](#)

Michael,

We refer to your letter of 5 January 2021 and advise following my subsequent discussion with Elisa Solly, I attach your spreadsheet detailing our signs, with the expiry dates of our sponsorship agreements.

The majority of our agreements are annual, normally confirmed in the first quarter of each year. Many of our sponsors were not in a position to sponsor in 2020, due to Covid-19, however we elected to leave up their signs, hopeful that the majority will come back on board for 2021, which is why I have detailed the expiry date for the majority as being 31/12/21. Any that don't renew this year will have their signs removed, noting there are already some signs to be removed for businesses that have gone out of business.

The North Gambier Football and Netball Club rely on our sponsors, as do many other sporting clubs/organisations in Mount Gambier. Accordingly sponsor signs, and any restrictions on signage at Vansittart Park (where we have had signs for decades), will have severe consequences on our viability, particularly due to the ongoing impacts of Covid-19.

Given our signs only require Land Owner consent, can you please confirm the process to obtain same, for both existing and any proposed future signage. If consent is not granted for whatever reason, can I please request a meeting to discuss the implications.

I look forward to your response.

Kind regards

David Bruhn

President

North Gambier Football Club



Vansittart Park - North Gambier Football Netball Club

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Scoreboard	MGA Insurance	2.0m x 600mm	N	N	N	N	31/12/2021
Scoreboard	Birch's Restaurant	2.0m x 800mm	N	N	N	N	31/12/2021
Scoreboard	Stuckey's Electrical	9.0m x 1.5m	N	N	N	N	31/12/2023
Football spectators shelter	Sponsors sign	3.0m x 3.0m	N	N	N	N	31/12/2021, apart from Stuckeys and KFC, which are 31/12/23
Football oval fence	95 x Sponsors sign	4.8m x 800mm	N	N	N	N	31/12/2021
Canteen	Stuckey's Electrical	1.5m x 1.2m	N	N	N	N	31/12/2023
Canteen	Fasta Pasta	1.5m x 1.2m	N	N	N	N	31/12/2021
Canteen	The Distributors	1.5m x 1.2m	N	N	N	N	31/12/2021
Canteen	Powerade	1.5m x 0.5m	N	N	N	N	31/12/2021
Oval fence adjacent to grand stand	Bendigo Bank	1.0m x 800mm	N	N	N	N	31/12/2021 - WBFL sponsor
Netball spectators shelter	Delicia Coffee (irregular shape)	2.5m x 2.0m	N	N	N	N	31/12/2021
Netball Court fence	7 x sponsors signs	various sizes	N	N	N	N	31/12/2021
Netball court retaining wall	Asphalting	Irregular	N	N	N	N	31/12/2021





East Gambier Sports Club
PO Box 1065
Mount Gambier
SA 5290

Michael McCarthy
Manager Governance & Property

Dear Michael

Please find attached copy of signage agreements regards your correspondence January 5th 2021.
At East Gambier Sports club we have undertaken a full audit of all signs a number of which have already been removed prior to your correspondence as sponsorship agreements had expired and we no longer had dealings with the sponsors.

All remaining signs are now renewed on an annual basis and therefore will expire at the end of 2021.

As a community sporting organization providing a variety of community sports and club facilities we rely almost exclusively on volunteers and business sponsorships to keep the club financially viable and open for the community to enjoy these facilities.

East Gambier Sports club is keen to work with Mount Gambier City council to gain approval required and a resolution on current sponsorship signs that will provide a clear and transparent understanding moving forward working within council guidelines while enabling sponsors to get maximum exposure and dollar value from their generous commitment to our community organization.

East Gambier Sports Club has a proud history of sporting achievements over many years producing many successful sporting teams and individuals along with outstanding business and community leaders. We believe there is an exciting future ahead as we develop the club further making our facilities and environment inclusive for all members of the Mount Gambier community.

We look forward to an exciting and prosperous relationship for both East Gambier Sports club and the Mount Gambier City Council

Kind regards

Robert Johncock
President
East Gambier Sports Club
M: 0432 037 290
E: robert@johncock.com.au



McDonald Park

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Rainwater tanks (external facing JHE/Davison St)	Little Ripper	2.0m x 1.5m	Y	N	N	N	Dec-21
	Wirth Plumbing	2.0m x 1.5m	Y	N	N	N	Dec-21
Netball court shelter (external facing JHE/Davison St)	McDonalds	3.2.0m x 2.0m	Y	N	N	N	Dec-21
Fence (external facing JHE/Davison St)	Baxter Hire	3.0m x 2.0m	Y	N	N	N	Dec-21
	Jagah	3.0m x 2.0m	Y	N	N	N	Dec-21
	Mount View Motel	2.0m x 800mm	Y	N	N	N	Dec-21
Internal driveway fence (visible to JHE)	Irrigation guys	1.5m x 1.0m	Y	N	N	N	Dec-21
	P2 Pumps*	1.5m x 1.0m	Y	N	N	N	Dec-21
	MJ Plasterers*	1.5m x 1.0m	Y	N	N	N	Dec-21
	Somerfields carpet*	1.5m x 1.0m	Y	N	N	N	Dec-21
	South Eastern Hotel	1.5m x 1.0m	Y	N	N	N	Dec-21
	Sementos	1.5m x 1.0m	Y	N	N	N	Dec-21
* denotes double sided sign	Kuchel*	1.5m x 1.0m	Y	N	N	N	Dec-21
	Sportspower*	1.5m x 1.0m	Y	N	N	N	Dec-21
	Willow	1.5m x 1.0m	Y	N	N	N	Dec-21
	Trident Tyres	1.5m x 1.0m	Y	N	N	N	Dec-21
	Presidential Motel	1.5m x 1.0m	Y	N	N	N	Dec-21
	Pick Avenue Deli*	1.5m x 1.0m	Y	N	N	N	Dec-21
	Baxter Hire	1.5m x 1.0m	Y	N	N	N	Dec-21
	Truck factory	1.5m x 1.0m	Y	N	N	N	Dec-21
	Pleathmoving*	1.5m x 1.0m	Y	N	N	N	Dec-21
	BioDro	1.5m x 1.0m	Y	N	N	N	Dec-21
	Factory Direct	1.5m x 1.0m	Y	N	N	N	Dec-21
	Wans SuperDry	1.5m x 1.0m	Y	N	N	N	Dec-21
	South Aussie Hotel	1.5m x 1.0m	Y	N	N	N	Dec-21
	Jip Jip Rocks	1.5m x 1.0m	Y	N	N	N	Dec-21
	Wirth Plumbing	1.5m x 1.0m	Y	N	N	N	Dec-21
	Blue Lake Tour*	1.5m x 1.0m	Y	N	N	N	Dec-21
	Commodore on the Park	1.5m x 1.0m	Y	N	N	N	Dec-21
	Chemist King	1.5m x 1.0m	Y	N	N	N	Dec-21
Freestanding screen southern end of oval	Workshops x 2	2.0m x 1.0m	N	N	N	N	Sign removed
	DGR	3.0m x 4.0m	N	as above	N	N	Sign removed
	Margaret Street Storage	1.5m x 1.0m	N	as above	N	N	Sign removed
Football scoreboard	Scotts Transport	3.0m x 1.5m	N	N	N	N	Sign removed
	BioDro	6.0m x 1.5m	N	N	N	N	Dec-21
Cricket net fence	Chemist King	3.0m x 1.5m	N	N	N	N	Dec-21
Freestanding screen northern end of oval	Woods	1.5m x 1.0m	N	N	N	N	Sign removed
	The RunderWatch	3.0m x 1.5m	N	as above	N	N	Sign removed
	Scotts Transport	3.0m x 1.5m	N	as above	N	N	Sign removed
	Chemist King	3.0m x 1.5m	N	as above	N	N	Sign removed
Football clubroom	Oyster Construction	3.0m x 1.5m	N	N	N	N	Dec-21
	Bakers Delight	4.0m x 1.5m	N	N	N	N	Dec-21
Football oval boundary fence	SS x sponsor signs (x 6 unified signage spaces)	4.8m x 800mm	N	N	N	N	Dec-21
	My Pod	2.0m x 1.5m	N	N	N	N	Dec-21
Netball court	Players Gym	2.0m x 800mm	N	N	N	N	Dec-21
Football spectator hut/shelter	Steelcase	1.5m x 800mm	N	N	N	N	Dec-21
	Banner	800mm x 800mm	N	N	N	N	Dec-21
Interchange bench	Dominos Pizza	2.0m x 1.0m	N	N	N	N	Dec-21
Back of hut	Steelcase	2.0m x 1.5m	N	N	N	N	Dec-21
	Blue Lake Homes	2.0m x 1.5m	N	N	N	N	Dec-21
Cricket Clubroom wall	JM & M. Vaughan	2.0m x 1.5m	N	N	N	N	Dec-21
Freestanding at cricket clubroom	Chemist King	2.0m x 1.5m	N	Y	N	N	Dec-21



McDonald Park- East Gambier Cricket Club							
Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - OPC (Planting)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Cricket net fence	Chemist King	1.0m x 1.5m	N	N	N	N	
Cricket Clubroom wall	IM & Mc Vaughan	2.0m x 1.5m	N	N	N	N	
reestanding at cricket clubroom	Chemist King	2.0m x 1.5m	N	N	N	N	
							<u>SPONSORSHIP TO MARCH 2022</u>
							<u>SPONSORSHIP AT THE PLEASURE</u>
							<u>OF E.G.C.C. (AT PRESENT TO MARCH '22</u>
							<u>AS FOR 1. ABOVE</u>
							<u>(DEVELOPMENT (BUILDING) APPROVAL</u>
							<u>TO BE SOUGHT IF REQUIRED ??)</u>



East Gambier Cricket Club
Attention: Secretary Grant Humphries

Dear Grant,

Please note:

East Gambier Sports Club are happy to endorse and approve signs referred to in the Mount Gambier City council letter dated 5th January 2021, these being.

Chemist King Sign – Cricket Nets

Chemist King Sign – free standing scoreboard

JM & ML Vaughan – Canteen

Kind regards

Robert Johncock
President
East Gambier Sports Club
M: 0432 037 290
E: robert@johncock.com.au



Blue Lake Golf Club Incorporated
PO Box 2671
Mount Gambier SA 5290

22nd February 2021

Mr Michael McCarthy
Manager Governance & Property
City Of Mount Gambier
Mount Gambier SA 5290

Dear Michael,

Signage to and Around the Blue Lake Public Golf Course

Reference: Letter Dated 5th January 2021, and titled Council Advertising and Signage Policy A170

The Blue Lake Golf Club is currently in receipt of the Reference, whereby Council advise that installed signage in and around the external perimeters of the public golf course are yet to receive approval. In the correspondence received a spreadsheet lists down certain signage, and what requirements are to be met: i.e. planning only, or planning and building.

The club has met and discussed the issue of signage, and determined that the installed signage as identified within the Reference is essential to the club's operation, and as a consequence of these discussions are now:

1. Seeking approval from Council, as lessor of the land for the signage to be installed, and
2. With the attached documentation is now seeking to gain approval for same.

Please find attached to this letter 3 x development application for Planning Consent only, and 1 for Planning and Building Rules consent.

Should there be any queries regarding the above, and attached please advise.

Yours sincerely

Stephen Smith
Secretary of the Blue Lake Golf Club

Attachments: 4 x Development Applications



From: [David Pick](#)
To: [City of Mount Gambier - Property Support](#)
Subject: Sponsorship Signage - Mt Gambier & District Cricket Association
Date: Wednesday, 24 February 2021 8:38:27 AM
Attachments: [Frew Park - Non-Complying Signs - Mount Gambier and District Cricket Association.xlsx](#)
[Blue Lake Sports Park - Cricket - Non-Complying Signs.xlsx](#)

Dear Sir/Madam,

Please below confirmation of sponsorship expiry per your request dated 5 January 2021, in form of provided attachments.

Can you please forward to me via email a copy of policy 'Council Policy A170 – Advertising and Signage'

I apologise for non compliance to policy.

We as association are very thankful for council facilities and the condition in which they are presented and maintained.

I will forward policy once received to provide clubs within association guidance to signage and subsequent revenue streams the clubs utilise to assist in funding the operating costs of the ovals to the quality condition they are maintained.

Thank you

David Pick
Secretary Mt Gambier & District Cricket Association



Frew Park

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
2 x double sided moveable cricket screens	OGR	4.5m x 0.8m	Y - Due to be visual from land outside the property and the scoreboards	N	N	N	No OGR sign exists.
	Carlin & Gazzard	4.5m x 0.8m	y - as above	N	N	N	31.03.21



Blue Lake Sports Park - Cricket

Location of sign	Description of Sign	Dimension of Sign	Development Approval Required (Y/N) - DPC (Planning)	BRC (Building)	Development Approval Issued (Y/N)	Land Owner Consent Issued (Y/N)	Sponsorship Details / Expiry Date
Cricket nets	QuickMox	400mm x 400mm	N	N	N	N	31.03.2021
	Dan's Lawn mowing	400mm x 400mm	N	N	N	N	31.03.2021
	Absolute	400mm x 400mm	N	N	N	N	31.03.2021
	Somerfield's maintenance	400mm x 400mm	N	N	N	N	31.03.2021
	Kuhl family	400mm x 400mm	N	N	N	N	31.03.2021
	Baxter Hire	400mm x 400mm	N	N	N	N	31.03.2021
	Steeline	400mm x 400mm	N	N	N	N	31.03.2021



From: [Secretary LCFA](#)
To: [City of Mount Gambier - Property Support](#)
Cc: [HPE CM: Fwd: FW: Follow Up Email - Council Resolution - Advertising and Signage Policy](#)
Subject: [image001.png](#)
Date: Sunday, 28 February 2021 8:27:34 PM
Attachments: [image001.png](#)
[letter to South East Womens Football Association - Sub-Tenant - Blue Lake Sports - Advertising and Signage Policy A170.pdf](#)
[Blue Lake Sports Park - Mount Gambier Softball League - Photographs - Signage Audit - January 2020.PDF](#)
[Blue Lake Sports Park - Softball - Non-Complying Signs, K5X](#)
[Council Policy A170 - Advertising and Signage.pdf](#)

Hello Elisa

Your email regarding signage at Blue Lake Sports Park has been forwarded by the President of SEWFA to myself, Secretary of the Limestone Coast Football Association (LCFA).

I can advise that on Sunday the 23rd of February, the signage on the two Coaches boxes at Blue Lake Sports Park were removed. This was advised to Sonia Wilson from the Softball Association at the time. She was going to advise the Council on our behalf.

Please be advised that the LCFA has spoken with the Softball Association and is intending on taking over the sub-lease at Blue Lake Sports Park from SEWFA. In future, it would be appreciated if all correspondence relating to Blue Lake Sports Park or the lease with the Softball Association, be directed to the LCFA, using our Secretary email of secretary.lcfa.2021@gmail.com.

Kind regards,

Naomi Ashenden-Tye

Secretary
Limestone Coast Football Association

secretary.lcfa.2021@gmail.com



24.6 REGIONAL PUBLIC HEALTH PLAN 2021 - 2026 FEEDBACK – REPORT NO. AR21/14424

Committee:	Council
Meeting Date:	16 March 2021
Report No.:	AR21/14424
CM9 Reference:	AF20/446
Author:	Georgina Davison, Manager Library
Authoriser:	Barbara Cernovskis, Acting Chief Executive Officer
Summary:	A report providing Council with feedback received from the public consultation for the Regional Public Health Plan 2021-2026 and to endorse the amended plan as final.
Strategic Plan Reference:	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

REPORT RECOMMENDATION

1. That Council Report No. AR21/14424 titled 'Regional Public Health Plan 2021 - 2026 Feedback' as presented on 16 March 2021 be noted.
2. That Council endorse the final Regional Public Health Plan 2021-2026 as attached.



TYPE OF REPORT

Legislative

BACKGROUND

At the Council meeting on 15 December 2020, Council endorsed the draft Regional Public Health Plan 2021-2026 for the purposes of public consultation in accordance with Council Policy P195 Community Consultation and Engagement.

PROPOSAL

At the conclusion of the advertised public consultation period, Council received a total of 2 submissions via the 'Have Your Say Mount Gambier'.

Engagement statistics via the "Have Your Say Mount Gambier" consultation page are as follows:

- 41 Visits
- 2 Submissions
- 15 Downloads of the draft Regional Public Health Plan 2021-2026

Feedback

This consultation sparked submissions regarding playground equipment in open spaces. While these responses will be referred as part of Council's Open Spaces Strategy, they are examples of the Regional Public Health Plan in action.

There were no suggested changes to the plan.

Proposed Changes

The proposed final standard version of the Regional Public Health Plan 2021-2026 (**Attachment 1**) is attached to this report for Members reference noting that the plan will be graphically treated following endorsement.

LEGAL IMPLICATIONS

This consultation has been undertaken in accordance with The South Australian Public Health Act 2011.

STRATEGIC PLAN

The City of Mount Gambier, in its Strategic Plan 2020-2024 aspires to be "*an inclusive city where people lead fulfilling lives*". An essential contribution toward achieving this vision is to have an effective public health plan to promote, protect, prevent and progress community health and wellbeing requirements ensuring the continued effectiveness of Council's projects and operational activities in addressing the current and future needs of the Community.

The following goals and objectives have been identified as relevant to this plan:

Goal 1: Our People: 1.1, 1.2, 1.3, 1.4.

Goals 2: Our Location: 2.1, 2.2, 2.4, 2.5

Goal 3: Our Diverse Economy: 3.2, 3.3, 3.5

Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage: 4.1, 4.2, 4.3, 4.4

COUNCIL POLICY

Community Engagement was completed in accordance with P195 Community Consultation and Engagement Policy.

ECONOMIC IMPLICATIONS

This plan will be delivered within current operational budget.



ENVIRONMENTAL IMPLICATIONS

Nil.

SOCIAL IMPLICATIONS

12 areas of focus have been identified for improvement including poor nutrition and diet, obesity and overweight, physical inactivity, potentially avoidable hospital admissions, degenerative and mobility for the aged, substance abuse (tobacco, illicit drugs and alcohol), mental health, suicide prevention, domestic violence, delayed early childhood development, environmental sustainability, accessibility (disability access and inclusion).

CULTURAL IMPLICATIONS

Nil.

RESOURCE IMPLICATIONS

Nil.

VALUE FOR MONEY

Nil.

RISK IMPLICATIONS

Nil.

EQUALITIES AND DIVERSITY IMPLICATIONS

Accessibility has been identified as an area of focus and actions align with the Disability Access and Inclusion Plan.

Creation and implementation of the Reconciliation Action Plan has been referred as an action within the Regional Public Health Plan 2021-2026.

ENGAGEMENT AND COMMUNICATION STRATEGY

Community Engagement was completed in accordance with P195 Community Consultation and Engagement Policy.

The draft Regional Public Health Plan 2021-2026 was out for public consultation for 21 days from Friday 12 February 2021 until Friday 05 March 2021.

The public consultation process involved notices and articles in local print media, radio interviews, promotion on the City of Mount Gambier Facebook page and a consultation page on the 'Have Your Say Mount Gambier' website.

The draft plan was available to download from 'Have Your Say Mount Gambier' and hard copies of were available from the Civic Centre, Riddoch Arts and Cultural Centre, Mount Gambier Library and Mount Gambier Visitor Centre.

IMPLEMENTATION STRATEGY

Implementation of the plan will be monitored and recorded through Council's reporting structures.

CONCLUSION AND RECOMMENDATION

The Regional Public Health Plan 2021–2026 identifies the key emerging focus areas for Mount Gambier's public health and the determinants of health that are specific to our local population. The public consultation yielded positive responses with no suggested changes.

Council endorsement is sought for the implementation of this plan.

ATTACHMENTS

1. Final Draft - Regional Public Health Plan 2021-2026 [↓](#)





MAYOR'S MESSAGE

I am pleased to present you with the City of Mount Gambier's Regional Public Health Plan 2021-2026.

The City of Mount Gambier has a long history of working collaboratively with the community and this all-inclusive approach has multiple benefits for the community's public health. Through a variety of events, services and projects, Council supports volunteering opportunities, recreational activities, youth sports programs, clubs and more. These activities go beyond just involving the community and can assist in increasing social connectedness, reducing social isolation, supporting good mental health, nurturing early childhood development and increasing physical activity.

Essential to the success of implementing the plan is developing and sustaining partnerships with our communities, business sector, tiers of government and their agencies and non-government organisations, to secure high quality public health for the community. This in turn, ensures the continued effectiveness of Council's projects and operational activities to address the current and future needs of the community.

Our Regional Public Health Plan identifies Council as the relevant local public health authority for its area and outlines the work currently undertaken in this field. Along with the SA Public Health Act 2011, this plan recognises that Council is in an ideal position to identify areas of concern within our own local community. The twelve priority areas acknowledged in this document specifically affect residents of the community and will become a focus over the next five years.

OVERVIEW

The City of Mount Gambier Regional Public Health Plan 2021-2026 has been developed in accordance with the South Australian Public Health Act 2011.

This is the second plan, updating the Regional Public Health Plan 2015-2020, developed under the legislation which identifies that Council is the relevant local public health authority for its area. Under this Act Council is delegated functions to take action to preserve, protect and promote public health within its area.

The SA Public Health Act 2011 defines public health as:

1. Public health means the health of individuals in the context of the wider health of the community;
2. Without limiting the definition of public health in subsection (1), public health may involve a combination of policies, programs and safeguards designed –
 - (a) to protect, maintain or promote the health of the community at large, including where one or more persons may be the focus of any safeguards, action or response; or
 - (b) to prevent or reduce the incidence of disease, injury or disability within the community.

The City of Mount Gambier's Regional Public Health Plan has been developed to align with the State Public Health Plan 2019-2024 and follows four key priority areas identified:



1. Promote: Build stronger communities and healthier environments,
2. Protect: protect against public and environmental health risks and respond to climate change,
3. Prevent: prevent chronic disease, communicable disease and injury, and
4. Progress: strengthen the systems that support public health and wellbeing.



Diagram 1: Public health planning system

This plan identifies the key focus areas for Mount Gambier's public health and the determinants of health that are specific to our local population. Combined with Council's other forward planning documents such as the Strategic Plan 2020-2024, Disability Access and Inclusion Plan, City Development Framework and the Futures Paper, this plan will ensure the continued effectiveness of Council's projects and operational activities in addressing the current and future needs of the community. This plan is based on an integrated approach to achieving common goals and does not emphasise public health as a separate area of action.

Mount Gambier is the major service centre for the Limestone Coast. Located on a dormant volcano Mount Gambier has an approximate population of 27,000 and services a regional population of almost 65,000 people inclusive. Often referred to as 'the Mount' by locals, the city is one of the fastest growing cities in South Australia.

The age structure of the City of Mount Gambier highlights the diversity we must achieve with service provision and resources. The 2016 Census shows the median age is 40 years with the largest group within Mount Gambier in the 0-14 year old age group (19.8%). The 65 years old and over (18.5%) is similar to the State percentage for this cohort with a higher percentage in Mount Gambier for the 0-19 year old age group.

A thriving, progressive community, residents enjoy a quality lifestyle with city facilities and services, many attractions, a wide range of accommodation providers, shopping and entertainment. The city is surrounded by volcanic craters, lakes, limestone and underground aquifers.

Famous for its 'Blue Lake', the city also boasts beautiful parks and gardens, caves and sinkholes. An interesting mix of galleries, museums, sporting activities and markets provide an insight into the culture and arts of the town.

The City of Mount Gambier is responsible for providing an increasingly diverse range of facilities and services to achieve our vision of creating an inclusive city where people lead fulfilling lives, where people in the community are secure, prosperous, healthy and valued. New economic and environmental pressures demand that our city re-invent itself to sustain our present lifestyle and ensure a future for the next generation.

POPULATION PROFILE

The current residential population of Mount Gambier is approximately 27,000. Council acknowledges that the City of Mount Gambier services a wider regional cross State border community inclusive of approximately 65,000 people.

The population of Mount Gambier is growing and ageing. Over the past 6 years (2014-2019) the city has experienced a growth rate of +4.24% (565 persons). Overall, this represents an average annual population change of +0.70% per year for the period. The population aged 60+ is increasing.

The number of recent arrivals in the area has continued to increase. The evolving groups for change in the reported ancestries and overseas place of birthplace include India and Burmese. As the makeup of the local community changes it is recognised that public health needs to also evolve.



SOCIO-ECONOMIC STATUS

There is a well-established link between socio-economic disadvantage and poor health outcomes. A summary measure of disadvantage is the Index of Relative Disadvantage (IRSD), this is one of four Socio-Economic Indexes for Areas (SEIFA's). The table indicates the differing levels of disadvantage in the areas of the City of Mount Gambier. The lower the score, indicated the higher the disadvantage. Therefore, Mount Gambier North East has the lowest disadvantage and Mount Gambier East the highest levels of disadvantage. Mount Gambier has an overall disadvantage score of 925, compared to 979 for South Australia. Mount Gambier has the highest level of disadvantage when compared to the other Limestone Coast Council areas.

Within the Mount Gambier local government area there is a large disparity in socioeconomic status. 28% of residents in Mount Gambier hold a Pensioner Concession Card or a Health Care Card from Centrelink, which is lower than the Regional SA level.

DETERMINANTS OF HEALTH

The social determinants of health and wellbeing are the circumstances in which people are born, grow up, live, work and age, and the systems put in place to deal with illness. Different groups in society face different life circumstances, and most determinants are not in the direct control of the health sector.

Index of Relative Socio-economic Disadvantage in Mount Gambier (2016)

Mount Gambier (East)	733.2
Mount Gambier (Central North)	831.1
Mount Gambier (West)	902.4
Mount Gambier (Central)	921.7
Mount Gambier (North West)	991.5
Mount Gambier (Lakes)	996.9
Mount Gambier (North East)	1021.1

UNEMPLOYMENT

In the 2020 March quarter, Mount Gambier had an unemployment rate of 6.2%, 1% higher than the national average. In June and July 2020, 11.8% of the eligible population aged 15 to 64 years in Mount Gambier were in receipt of an 'unemployment benefit', either Youth Allowance or Job Seeker. This is an increase since the last plan, with COVID-19 influencing unemployment rates Australia wide during 2020.

EDUCATION

During the last Census, almost 12% of 15-24 year old age group were disengaged with either work or education in Mount Gambier. Approximately 14% of the 16 year old age group in Mount Gambier were not participating in full-time secondary education, notably lower than the regional South Australia level of 17%.



HOUSING

The proportion of low-income households experiencing rental stress in Mount Gambier was 28.4%, similar to the national average (28%), however higher than regional South Australia percentage of 25.8%. Houses rented from Housing SA at the 2016 Census in Mount Gambier was at 9.1%, dropping from 11.1% in 2011. The same period saw an increase in private renters and homeowners.

The proportion of residents in receipt of rent relief in Mount Gambier is 17.6%, higher than the level in regional South Australia, with 15.6%. The 2016 Census estimated that there were just under 100 persons homeless in Mount Gambier.

ACCESS TO SERVICES

An estimated 1.6% of people over the age of 18 years in Mount Gambier, had difficulty accessing health care. While this may appear low, it is above the regional South Australia rate of 1.2%. The 2014 model estimate for 18 years and over shows 3.2% had difficulty or could not get to their chosen place due to transport.

The Child and Adolescent Mental Health Services in Mount Gambier has approximately 16% more clients than overall rate in regional South Australia. This high rate indicates the important role these services provide the local community.

Over a third (35%) more clients aged over 15 years in Mount Gambier access the government-funded community mental health services when compared to overall regional South Australia. This not only reflects demand for these important services, but also their availability locally and in Adelaide where residents would travel for support.

During 2016 internet services were accessed from 75% of Mount Gambier's private dwellings, however, over 8% of children (under 15 years old) were living in dwellings where internet could not be accessed.

EARLY LIFE AND CHILDHOOD

The rate of immunisation of infants at one year of age in Mount Gambier in 2017 was 92%, and fully immunised children at 5 years of age increased to a rate of 94.6%. This is an increase of fully immunised 5 year old's since the last plan.

In June 2016, approximately a quarter of all children under the age of 16 years old in Mount Gambier lived in low-income families receiving welfare payments from Centrelink.

In 2015, 28.6% of children in their first year of school were considered to be 'developmentally vulnerable' on one or more of the Australian Early Development Census (AEDC), as a proportion of all children assessed. This was a significant increase from 15.4% in 2009. The latest data released in 2018 indicates this has slightly reduced to 26.3%.

MORTALITY

The median lifespan for males and females in Mount Gambier is 78 and 84 years respectively. These are both comparable to the non-metropolitan averages. Premature mortality at the ages of 15-24 years has a rate of 37.6 deaths per 100,000 population, this is two thirds of the rate in Regional SA (56.2 deaths per 100,000) overall estimate in 2015.

Over a five year period (2013 - 2017) the annual average infant mortality rate was 3.6 per 1,000 population. In the same period the youth mortality (15 - 24 year old age group) had an annual average of 64.3 per 1,000 population.



PERSONAL HEALTH AND WELLBEING

According to the 2017/2018 National Health Survey, Mount Gambier was estimated to have 17.6% of people aged 15 years and above, rate their own health as fair or poor. This is a slight increase (1%) over the 10-year period. 13% of adults in Mount Gambier are estimated to have experienced high or very high levels of psychological distress, an increase from 11.7% in 2007/2008 survey. This is comparative with levels in regional South Australia.

Residents reported high levels of community connectedness in 2014, with 94.2%, feeling able to get support in times of crisis. An increase from 90.2% in 2010.

The level of volunteering can indicate the cohesiveness of the community and how readily individuals are able to contribute to that community. In 2016, 22.1% of Mount Gambier's population (over 15 years of age) reported as being involved in volunteer work. This is a similar contribution to the community by volunteers as recorded in 2011 of 22.2%.

In 2014, over 30% of people 18 years older were providing support to a family member or relative outside of their household. Unpaid assistance from carers, 15 years and over, for people with a disability was provided by 11.8% of the local population in 2016.

BURDEN OF DISEASE

In 2017/2018, admissions for potentially preventable conditions totalled 900 people which equates to 3,059 people per 100,000 population. The highest age bracket for preventable hospital admissions was 65 years of age and over and the lowest was in the 15 - 24 year old age group.

Avoidable mortality statistics for Mount Gambier in 2013/2014 resulted in men (134) nearly doubling women (73) with cancer being the highest cause. There were 61 cases of potentially preventable hospitalisation from vaccine preventable conditions in 2017/2018. Admissions to hospital for acute dental conditions during 2017/2018 was 116 persons.

UNINTENTIONAL INJURIES

This category represents unintentional injuries including; preventable hospital admissions due to road traffic accidents, falls, fire/burns/ scalds, striking/crushing accidents and other transport accidents. The rate of admissions for these avoidable conditions in Mount Gambier was 5% lower than Regional SA overall, during 2016/2017.

DIABETES MELLITUS

Type 2 Diabetes in Mount Gambier has an estimated prevalence of 4.7% of the population, similar to regional South Australia overall in 2014/2015. In Mount Gambier in 2017/2018, 1,296 people were being treated which is 4.7% of the population.

ALCOHOL AND OTHER DRUGS

4,186 people die from alcohol related injuries, illness and accidents and an estimated 144,000 people are hospitalised due to alcohol every year in Australia.

Legislation in many states including SA and NSW prohibits the supply of alcohol to young people without parental permission. However high levels of alcohol consumption occur both in the home and the home of others.



Tobacco smoking is the greatest single cause of premature death and a leading preventable cause of morbidity in Australia. In the National Health Survey 2017/2018, Mount Gambier's smoking rate for 18 year old's and over was estimated at 14.7%, representing a drop from 22.7% over the ten year period.

However, the rate of pregnant women who reported smoking during pregnancy was still almost a fifth (18.1%) of pregnant woman surveyed. Despite this, both sets of statistics are notably lower than the statistics for regional South Australia.

Planet Youth is an evidence-based prevention program from Iceland, internationally renowned for producing significant reductions in alcohol and other drug use among young people. Data is collected through a survey of year 10 school students questioning family structure, parental and peer support, structured and unstructured activities and pastimes, substance use and academic achievements. The Limestone Coast results from 2019 are indicated below.

Young people with a peer group that drinks alcohol are more likely to also drink in comparison to young people whose friends do not drink alcohol.

Among young people who drink sometimes or often, the two most common places they drank were at home or in the home of others.

Parents and older siblings are the major suppliers of alcohol to young people.

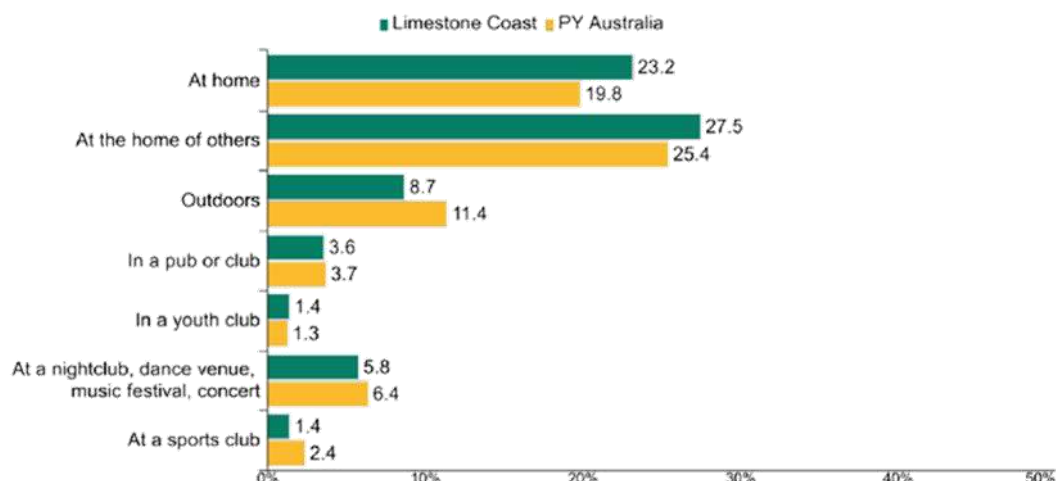
Substance use – Key Findings



Peer group effects - Key findings



Proportion of adolescents in Limestone Coast who drink alcohol sometimes or often in the following places:



OBESITY & OVERWEIGHT

The 2014/2015 National Health Survey Estimates Obesity in Mount Gambier to be over a third for males (35%) and females (38.1%). These figures are consistent with Regional SA overall, however, indicate a growing incident of obesity when compared with the previous survey in 2007/2008 (up from 20.1% & 17.7% respectively).

PHYSICAL INACTIVITY

Mount Gambier has an increasing estimated percentage for physical inactivity among adults. Data modelled from the 2014/2015 National Health Survey estimates 73.3% of adults are inactive, an increase from approximately 40.1% of adults in the 2007/2008 survey.

POOR NUTRITION & DIET

Only 45.8% of adults in Mount Gambier meet the recommended daily intake of two fruit servings per day, however two thirds of children 4 - 17 years old are estimated to meet the recommended fruit consumption.

MENTAL HEALTH

Mental health is a major contributor to the burden of disease including behavioural disorders, depression and suicide. Mental health is identified as a priority issue and acts as a determinant of health as mental health has the ability to influence many aspects of an individual's life such as homelessness, substance abuse and domestic violence. In 2017/2018, 255 persons were admitted to hospital for mental health related conditions.

Mental health problems were estimated to have affected 18.9% of males in 2014/2015 surveys compared to 10.7% in 2007/2008, and 20.8% for females, almost doubling from 10.6% in Mount Gambier. This is another risk factor that has seen a substantial increase from previous data collection.

SUICIDE

In 2019, total suicide deaths in South Australia was 251, an increase of 39 from 2018. Across Australia, total suicide deaths increased by approximately 300 from 3,000 in 2018 to 3,318 in 2019.

The Mount Gambier & Districts Suicide Prevention Network have developed an action plan in line with the South Australian Suicide Prevention Plan.

FOCUS AREAS

The following topics have been identified as focus areas affecting the public health of the Mount Gambier community. These focus areas have been identified using statistical research and local knowledge of the population profile, burden of disease and social determinants of health in the community. This will allow Council to focus its public health contribution and partnerships toward improving these areas over the duration of this five-year plan. They include (in no particular order):

- Poor Nutrition and Diet
- Obesity & Overweight
- Physical Inactivity
- Potentially Avoidable Hospital Admissions
- Degenerative & Mobility for the Aged
- Substance Abuse (tobacco, illicit drugs and alcohol)
- Mental Health
- Suicide Prevention
- Domestic Violence
- Delayed Early Childhood Development
- Environmental Sustainability
- Accessibility (Disability Access & Inclusion)



SUMMARY

Council currently undertakes all prescribed functions as listed under the SA Public Health Act 2011 and addresses each of the four key State Public Health Plan priorities.

Current work being undertaken by Council in various forms such as regulatory roles, major projects, provision of information, event promotion, support and delivery of public health programs comprehensively supports and promotes public health. The holistic approach to public health planning and implementation is consistent with the objectives of the SA Public Health Act.

The State Public Health Plan 2019-2024 identifies the following:

"This plan's vision is for a South Australia where communities are friendly, safe and sustainable with well-designed places that support physical and mental health and wellbeing. This includes being able to walk or cycle to local services, easily access public transport to larger centres, make nutritious food choices and enjoy being active in parks and other recreational facilities. This vision also sees South Australia's rich diversity celebrated, community activities accessible to everyone and residents participating and having a say in community life." – State Public Health Plan – 2019-2024 - A Healthy, liveable and connected community for all South Australians.

The following is a summarised version of objectives which should be taken into consideration when implementing administration of the SA Public Health Act and influencing public health planning processes;

Promote: build stronger communities and healthier environments,
Protect: against public and environmental health risks and respond to climate change,
Prevent: chronic disease, communicable disease and injury, and
Progress: strengthen the systems that support public health and wellbeing.

OPPORTUNITIES IDENTIFIED

MONITORING CONDITIONS OF PUBLIC HEALTH SIGNIFICANCE / INFORMATION ON PREVALENCE / ACTION FOR PUBLIC HEALTH.

Since the introduction of the requirement for Regional Public Health Plans, SA Health and the Local Government Association (LGA) have worked to build capacity and support the public health goals of local government. This has included the provision of various public health profiles of local government areas which have allowed focus areas to be identified.

These statistics can be collaborated with existing information sources utilised by Council to provide evidence-based application of broad operational activities for the most effective target of public health priority issues.

The following strategies show how the current activities in Council's Strategic Management Plans are already influencing public health focus areas in the community.

Strategies have been segregated under four headings to show how they specifically align with the key priorities identified in the State Public Health Plan. Extracts from the City of Mount Gambier Strategic Plan 2020 – 2024 have been incorporated into each area with examples of how the current broad operational activities directly influence public health. This not only reflects Council's current capacity in addressing focus areas within the community, it shows Council's adaptive ability to apply projects as the community's health needs evolve.



Maintaining our current strategic plans and operational activities will allow projects and services to be adapted as the community public health needs change. The identification of developing trends and focus areas for the public health of the Mount Gambier population will allow for an evidence-based approach in developing and implementing community health projects.

The City of Mount Gambier acknowledges the Limestone Coast Regional Public Health & Wellbeing Plan prepared by the following Councils located in the Limestone Coast Local Government Association (LCLGA):

- Tatiara District Council,
- Kingston District Council,
- District Council of Robe,
- Naracoorte Lucindale Council,
- Wattle Range Council, and
- District Council of Grant.

Current and potential partnerships for public health action have been identified for each focus area highlighted in this plan. When considering future work, partners should be considered to ensure programs and services are not duplicated and instead value added. A comprehensive list of potential partners and relevant focus areas for action can be found at the end of this document.



Promote: Build stronger communities and healthier environments

As outlined in the State Public Health Plan: "The environment where we live, learn, work and play have a major influence on our physical, social and emotional health and wellbeing across the life course". The following projects are examples for City of Mount Gambier which fit within this State priority.

SPORT AND RECREATION CAPITAL WORKS PROGRAM GRANTS

The aim of the City of Mount Gambier Sport and Recreation Capital Works Program is to foster and assist in the development and/or capital renewal of sport and recreation infrastructure within the city. The development and renewal of this infrastructure promotes the long-term use of the facilities and encourages participation in our local sport and recreation activities.

LIBRARY SERVICES

The Mount Gambier Public Library is a vibrant hub that provides high quality services and facilities. The library is readily accessible and welcoming to all residents and recognises the diverse community it serves. Programs, resources and activities are provided for all ages and interests. Social connectedness and inclusion is supported by the Library; by acting as a meeting place, providing free access to the internet and volunteer opportunities. Examples of the wide range of services delivered for the community are:

- School holiday programs,
- Youth activities,
- STEAM programs (Science, Technology, Engineering, Arts and Mathematics),
- Author events,
- Lifelong learning opportunities,
- Digital literacy training,
- Under 5 early literacy programs, and
- A volunteer program.

COMMUNITY EVENTS

Various community events are organised or supported by Council throughout each calendar year. Most events are aligned with the focus areas highlighted in this Plan as well as community connectedness and social cohesion. Council has recently identified the need to deliver events that are inclusive and accessible to all people as part the Disability Access and Inclusion Plan (DAIP). Examples of such events are:

- Parkrun,
- Inside Line Downhill Mountain Bike race,
- Fringe Mount Gambier,
- Legends of the Lake Hill Climb,
- Blue Lake Fun Run, and
- Blue Lake Carols.

DISABILITY ACCESS AND INCLUSION

The City of Mount Gambier Disability Access and Inclusion Plan (DAIP) has been developed in consultation with the community and staff, to identify and address priority areas and create awareness of disability and equitable access and inclusion.



The plan outlines Council's commitment to the continuous review and development of information, services and facilities to ensure equitable access and inclusion for all.

Further to the DAIP, Council continues to demonstrate a commitment to providing well designed public spaces and developments that are safe, inclusive and accessible for all.

Through ongoing consultation and engagement, Council continues to work with the community to review and improve the environments where we live, learn and play. The valuable insights, learnings and relationships developed through consultations such as the Changing Places facility in 2018 have been integrated across other projects, departments and developments within Council such as the Wulanda Recreation and Convention Centre.

EARNING AND LEARNING

The City of Mount Gambier continues to adopt learning as a key theme and strategy in the current Strategic Plan. "Becoming an 'earning and learning' community" Council is driving the development of local career, education and entrepreneurship pathways that build skills to grow the economy, facilitate new businesses and provide exciting and relevant employment opportunities for all people as it transitions to an 'earning and learning' city.



PROMOTE

BUILD STRONGER COMMUNITIES AND HEALTHIER ENVIRONMENTS

Relevant sections from City of Mount Gambier Strategic Plan 2020-2024

Goal	Theme	Activity	Action
Our People	<p>1.1 Community based organisations and networks</p> <p>Community groups and networks develop and grow to achieve their aspirations.</p>	<p>1.1.1 Fostering and supporting community-based organisations.</p> <p>1.1.2 Supporting programs that allow the community groups to be more effective in achieving their goals.</p> <p>1.1.3 Developing a volunteer management plan to maximise the benefit of volunteering to the community for those who choose to donate their time to the Council.</p>	<ul style="list-style-type: none"> We will deliver our own volunteer management plan.
Our People	<p>1.2 Community growth</p> <p>We foster a sense of community by encouraging and supporting participation in community life.</p>	<p>1.2.1 Creating opportunities for existing and new businesses by being genuinely 'open for business' and ready for education, health and retirement opportunities.</p> <p>1.2.2 Helping community groups to help themselves by providing support for effective networks to develop and grow.</p>	<ul style="list-style-type: none"> We will implement our commitment outlined in the Small Business Friendly Council Charter. Active representation on Community Groups.



Goal	Theme	Activity	Action
Our People	<p>1.3 Sense of Community</p> <p>The community grows in real terms at a rate that helps sustain and grow the services available within the City and for the region.</p>	<p>1.3.1 Supporting community events and programs that bring people together, encourage interaction and promote a sense of community.</p> <p>1.3.2 Providing opportunities to enable the community to be supported and involved.</p> <p>1.3.3 Raising awareness of community accomplishments.</p>	<ul style="list-style-type: none"> • We provide a Small Wins Fund of \$25,000 that provides seed funding for community projects of up to \$2,000. • Provide in-kind support for community events eg. Fringe, New Year's Eve • Submission for awards eg. KESAB, Public Health Awards
Our People	<p>1.4 Care for the community:</p> <p>We will develop our service offering to the community to ensure all members have access to required levels of support.</p>	<p>1.4.1 Developing and delivering community safety initiatives that respond to local issues and concerns.</p> <p>1.4.2 Providing integrated services and facilities that encourage active living to improve health and wellbeing.</p> <p>1.4.3 Valuing and supporting our Boandik and multicultural communities.</p> <p>1.4.4 Planning, leading and facilitating high quality services to develop the potential of children and young people.</p> <p>1.4.5 Ensuring support services and recreational activities are accessible.</p>	<ul style="list-style-type: none"> • We will deliver the Wulanda Recreation and Convention Centre and will invest in ensuring that programs are available and accessible for the community. • Provide and maintain community facilities that encourage community health and wellbeing eg. Improvement to Parks and reserves, • Provision of community education programs eg. School Holiday Programs • Implementation of the Disability Access and Inclusion Plan • Deliver actions from the Reconciliation Action Plan



Goal	Theme	Activity	Action
Our Location	<p>2.1 Infrastructure development and managing our current assets:</p> <p>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.</p>	2.1.3 Consolidating, upgrading and seeking funding for a number of walking and cycling trails throughout the city, including the Rail Trail and the Crater Lakes precinct.	<ul style="list-style-type: none"> • We will finish the Rail Trail within the first two years of the Strategic Plan and will invest in cross links in the last two years of the plan. • Develop a passive transport strategic plan. • Increase the number of passive transport routes.
Our Location	<p>2.4 Recognition of our indoor and outdoor sporting assets and our adventurous opportunities:</p> <p>We will work on capitalising on the delivery of the Wulanda Recreation and Convention Centre 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.</p>	<p>2.4.1 Seeking to hold at least six regional standard community or sporting events in the new Wulanda Recreation and Convention Centre annually.</p> <p>2.4.2 Continuing to hold six regional standard sporting events (or higher) at our outdoor facilities.</p> <p>2.4.4 Work in partnership with our sporting clubs to improve their sporting and clubhouse facilities and to help them take advantage of accommodation opportunities for groups.</p>	<ul style="list-style-type: none"> • We will hold six regional standard community or sporting events in the new Wulanda Recreation and Convention Centre annually. • Provision of sport and recreation capital works program grants • Provide general advice for development applications to assist with compliance. • Attract one State / National event per annum.
Our Location	<p>2.5 Focusing on activation, revitalisation and placemaking in our CBD:</p> <p>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.</p>	2.5.2 Understanding the traffic impacts and the management of delivery needs within a more pedestrian friendly environment.	<ul style="list-style-type: none"> • Review the CBD traffic management plan. • CBD Activation Plan.



Goal	Theme	Activity	Action
Our Diverse Economy	3.2 Land use planning settings: Planning that provides for future economic and lifestyle changes and continued growth whilst protecting the natural environment.	3.2.3 Advocating and planning for road, train, airport and communications infrastructure that better connects us with the world. 3.2.4 Working with operators to deliver a public transport network that connects people to essential services, leisure activities and employment.	<ul style="list-style-type: none"> We will work with public transport providers to deliver a more relevant service to the city of Mount Gambier, including access to the new Wulanda Recreation and Convention Centre.
Our Diverse Economy	3.3 Appealing and affordable housing for growth: We have appealing and affordable housing appropriate to incomes, aspirations and cultures to attract and retain new residents.	3.3.5 Being prepared to use our powers under the Local Nuisance and Litter Control Act and the Development Act to deal with unsightly premises to maintain the standard of residential amenity.	<ul style="list-style-type: none"> Responding to and investigating complaints relating to maintaining the standard of residential, commercial and industrial amenity. Ensure compliance with relevant legislation including: Public Health Act.
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	4.2.1 Prepare a Sport, Recreation and Open Space Strategy and masterplans for our key reserves enabling effective and efficient multiple uses and the improvement of facilities. 4.2.2 Ensuring opportunities exist to access and experience natural areas. 4.2.3 Enhancing and promoting environmental experiences to encourage the involvement of our residents and attract visitors. 4.2.4 Seeking to improve connectivity between our reserves and the CBD by non-motorised forms of transport.	<ul style="list-style-type: none"> We will deliver a Sport, Recreation and Open Space Strategy and Masterplans within the first year. Enhancements to three key reserves over the life of the plan in accordance with Council's Disability Access and Inclusion Plan (DAIP).



Goal	Theme	Activity	Action
Our Climate, Natural Resources, Arts, Culture and Heritage	<p>4.4 Recreational and cultural pursuits:</p> <p>We will ensure that community members are provided with opportunities for cultural growth and development through provision of innovative services and programs.</p>	4.4.1 Delivering a network of safe and convenient walking trails and cycle paths linking relevant land uses and recreation opportunities.	<ul style="list-style-type: none"> • We will finish the Rail Trail within the first two years of the Strategic Plan and will invest in cross links in the last two years of the plan. • Construct/install additional cycling paths. • Strengthening cultural capacity through programmed activities.



PROTECT: Protect against public and environmental health risks and respond to climate change

As outlined in the State Public Health Plan: "Healthy living environments contribute to public health outcomes such as improved food safety and water quality and the safe and effective disposal of waste." The following projects are examples for City of Mount Gambier which fit within this State priority.

KESAB SUSTAINABLE COMMUNITY AWARDS

Each year Council enters the KESAB Sustainable Community Awards. It is an opportunity to showcase the great work that the community and Council are doing in the area of environmental sustainability. Council won the National Resource Recover and Waste Management category during the 2020 Australian Sustainable Communities Tidy Town awards.

WASTE EDUCATION STRATEGIES

Educational campaigns are conducted to encourage individuals to increase their sustainable use of resources. Waste education programs are delivered directly into schools and to community groups. During 2020 Council established the free Food Organics Green Organics (FOGO) collection to residential properties throughout the city and implemented the first bulky goods collection trial for the city area. Over 45% of the content of the average Mount Gambier rubbish bin is organic waste, mostly food waste. This results in hundreds of tonnes going to landfill each year, instead of being composted. The bulky waste trial has diverted over 330 tonnes, through over 1,200 collections.

ENVIRONMENTAL SUSTAINABILITY INITIATIVES

Council actively participates and advocates for environmental sustainability initiatives of importance such as Clean Up Australia Day, Earth Hour, Ride to Work Day, Walk to Work Day and National Recycling Week. Council encourages active involvement from the community and supports these annual events.

REUSE MARKET

The ReUse Market was opened in 2018, with patronage and support from the community at unexpectedly high levels. Residents have the opportunity to drop-off reusable items to the Waste Transfer Station for free, which are then resold through the ReUse Market. Since opening over 200 tonnes of waste have been diverted away from landfill.

WASTE SERVICES

When incorrectly disposed of, waste can cause public health issues. Council provides numerous waste services to alleviate this potential issue:

- Kerbside bin collections – General Waste, Recycling, FOGO (Food Organics Garden Organics).
- Bulky/Hard Waste on call collection trial.
- Waste Transfer Station – numerous items accepted free of charge.



FOOD SAFETY AND PUBLIC HEALTH PROMOTION AND PROTECTION

Council actively educates, regulates and assists businesses to meet compliance with relevant legislation. In 2019, City of Mount Gambier produced two publications to assist food business operators to navigate the fit-out and construction of a premise and the food safety operation of their food activity.



In collaboration with neighboring Councils, the regional Food Safety and the Hair, Beauty Skin Penetration newsletters are produced and distributed across the Limestone Coast which can be used as a free training tool by operators. These newsletters became a valuable source of communication for Council to provide updates to businesses during the COVID-19 pandemic.

Council supports registered training organisations in the provision of affordable and accessible food safety training for food handlers and subscribes to the Environmental Health Australia 'I'm Alert' online training platform to provide a free service for all users via the Council website. Authorised officers may commence enforcement of relevant legislation if community health is compromised, to prevent harm and injury. These preventative measures help reduce the burden on the medical system and the amount of time people are unable to go about their normal daily activities, including work and volunteering.



PROTECT

PROTECT AGAINST PUBLIC AND ENVIRONMENTAL HEALTH RISKS AND RESPOND TO CLIMATE CHANGE

Relevant sections from City of Mount Gambier Strategic Plan 2020-2024

Goal	Theme	Activity	Action
Our Diverse Economy	<p>3.5 Reusing, recycling and waste management:</p> <p>We will work with the community to ensure there is better understanding of the impacts and responsible options available for reuse, recycling and waste management, including investigations as to how the city and region can be more self-sufficient.</p>	<p>3.5.1 Seeking to procure or develop recycled or renewable materials for our services.</p> <p>3.5.2 Investing in sustainable waste management practices and progressive technology at the Council's Caroline Landfill facility including methane collection and solar power options.</p> <p>3.5.3 Invest in education programs to reach everyone in the community to enhance understanding of options and actions.</p> <p>3.5.4 Continuing to invest in Council's ReUse Market and the range of materials that Council accepts for recycling at the Waste Transfer Station.</p> <p>3.5.5 Working with partners across the Limestone Coast region to develop solutions to collective waste management and recycling issues, including an independent material recover option.</p>	<p>We will reduce our per capita tonnage of waste from the City going to the Caroline Landfill.</p> <p>We will be producing less waste and enabling greater tonnages of reuse, recycling and organic waste to be collected.</p> <p>Actively pursue the development of a regional waste facility.</p>



Our Climate, Natural Resources, Arts, Culture and Heritage	<p>4.1 Natural assets:</p> <p>We are effective at protecting and conserving the high-quality values of our natural environment.</p>	<p>4.1.1 Working in partnership with relevant organisations to ensure a sustainable environment.</p> <p>4.1.2 Protecting biodiversity for future generations and the creation of wildlife corridors through the Council's own works or in a new private development.</p> <p>4.1.3 Providing opportunities and funding for community involvement in projects aimed at developing environmental sustainability.</p>	<p>We will continue to fund community projects in the Crater Lakes and to develop a partnership with Cleland Wildlife Park and Glenelg Nature Trust.</p> <p>We will see a greater variety of native species, both flora and fauna, in the Crater Lakes precinct and better opportunities to engage the community in understanding our environment.</p>
Our Climate, Natural Resources, Arts, Culture and Heritage	<p>4.3 Planned reduction of our carbon footprint:</p> <p>Council will lead by example in the fields of sustainable development and resource efficiency</p>	<p>4.3.1 Managing water through conservation, reuse and water quality.</p> <p>4.3.2 Reducing the environmental impact of waste and maximising conservation of natural resource.</p> <p>4.3.3 Planning our response to climate change.</p> <p>4.3.4 Demonstrating Council's commitment to the environment by reducing our carbon emissions and increasing our use of renewable energy sources.</p>	<p>The Council will enter into agreements to provide more renewable energy from its assets.</p> <p>The community will see a reduction in our overall energy purchases and the implementation of improved sustainable energy supplies at the Caroline Landfill and the Wulanda Recreation and Convention Centre.</p>



PREVENT: Prevent chronic disease, communicable disease and injury

As outlined in the State Public Health Plan: "Preventable chronic and communicable diseases threaten our health, mental wellbeing and the productivity and vitality of our communities". The following projects are examples for City of Mount Gambier which fit within this State priority.

COMMUNITY SHARPS PROGRAM

Council offers several pathways for the safe disposal of sharps within the community. Sharps disposal units are located in various public toilet facilities, in addition to a 24-hour collection unit located near the main entrance of the Mount Gambier Civic Centre. Council also subsidises the cost of purchasing sharps containers that meet the Australian Standards and the disposal of the subsequent hazardous waste.

IMMUNISATION

The City of Mount Gambier Council supports the provision of public immunisation sessions to assist in maintaining appropriate immunisation rates and health within the community. Immunisation sessions are held by the Country Health Connect – Limestone Coast Local Health Network, utilising Council facilities. The public vaccination sessions provide for the vaccination of children in accordance with the Australian Immunisation Schedule free of charge and provide the opportunity for adults to be vaccinated under a user pay system.

MOUNT GAMBIER WULANDA RECREATION AND CONVENTION CENTRE

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.

This development will provide substantial year round indoor facilities, addressing many community needs including health and fitness and social inclusion.

ART GRANTS

Council endeavors to address a very important relationship which is being formed between the creative arts and health outcomes, and to generate deeper interest within the arts and health communities, as well as with the general public, about researching the complexities of engagement of arts and health. Namely, Council strongly believes that art-based interventions are highly effective in improving the overall wellbeing and the vitality of the community, by reducing adverse physiological and psychological outcomes.

At the Riddoch Arts and Cultural Centre as well as the Mount Gambier Library, Council is immersed in programs based on positive health effects of visual arts therapy and movement-based creative expression in projects such as virtual reality meditation & tai chi (in celebration of Mental Health Week). The precincts also embrace programs in expressive writing and music engagement.

Council is planning further research and presentation of projects exploring connections between art, technology, chronic diseases, injury and mental health; framing these connections not as particular problems on the fringes of society, but as overall social issues playing a big part in all of our lives. Some of these projects will include virtual reality & augments reality. An example of an artistic research project that could be presented; is exploring the impact that touch has in promoting stimulation and emotional connection in dementia care.



BICYCLE FACILITIES

Council is dedicated to making cycling as accessible as possible to the community and has provided a number of different types of cycling infrastructure. These facilities include a national standard BMX track, a cycling velodrome, two new pump tracks, the rail trail bike path and the gradual identification of bike lanes within road reserves. It is anticipated that all of these facilities will provide a range of choice that appeals to both the novice rider and the professional to enable the community to embrace cycling.

The cycling facilities now available within the city help to promote a healthy and active lifestyle and are designed to be as accessible as possible to encourage all generations to enjoy an active outdoor lifestyle.

Mountain bike and cycling tourism has been identified as a growing tourism sector which enables people to escape on their bikes and explore the world. Mount Gambier is able to take advantage of the unique Crater Lakes area to offer a mountain bike experience which is unique to the city.

SPORT, RECREATION AND OPEN SPACE PLAN

Council is currently undertaking a process to commence the preparation of a Sport, Recreation and Open Space Plan which is a strategic approach to manage Council's sporting, recreation and open space facilities. It is anticipated that this strategy will guide the strategic direction for Council's open space areas and recreational facilities into the future.

The development and implementation of the plan is intended to provide a more strategic approach to property management with the anticipated benefit for the community being the ability to access a range of facilities aimed at different levels of outdoor activity, whether active or passive. This project is anticipated to commence in early 2021.

CITY HERITAGE WALKS

Council, upon advice from the City of Mount Gambier Heritage Committee undertook the development of a number of heritage walks throughout the city. Not only do these walks assist in raising community awareness of heritage conservation, they also help to promote the benefits of walking in the outdoors.

THE RAILWAY LANDS AND RAIL TRAIL WALKING AND CYCLING PATH

The Railway Lands and Rail Trail walking and cycling path project enhances Mount Gambier's central activity spaces by providing an easily accessible place that encourages active participation and passive recreation, through activities such as cycling, walking and playing. The Railway Lands provides integrated spaces for public gatherings, concerts, markets and celebrations and promotes social inclusion for a growing community. The Rail Trail walking and cycling path provides a shared cycling/walking path along a section of rail corridor that runs approximately ten kilometres east-west through the City of Mount Gambier Local Government Area.

The Railway Lands and the Rail Trail walk and cycle path offers health value via a shared path through the centre of Mount Gambier. It has become the city's most popular communal meeting spot; creating a common thread that connects the entire city both physically and socially.

The Railway Lands and the Rail Trail walk and cycle path offers health value as it provides a



multipurpose community space and creates a sense of civic pride.

PARK AND STRIDE

The City of Mount Gambier introduced a branding project for the City in 2016 to encourage residents to walk instead of driving short distances in the central business area. The distance and time it would take to reach a destination by foot was identified on signs throughout the city. The aim of the project was to encourage a cultural change among residents towards a healthier lifestyle.

WORKS CONSTRUCTION PROGRAMS

In 2019/2020, Council invested \$338,000 in the construction of an additional 2.3 kilometres of concrete paths throughout the city, in addition to the maintenance of paved areas.

These projects form part of Council's 10 year rolling footpath program. In addition to the concrete paths Council also installed numerous new ramp openings as part of the footpath program to improve the safety of road crossing by the disabled, elderly and those with prams and spent approximately \$830,000 on resurfacing existing footpaths.

CHARTER FOR CHILDREN

The Mount Gambier Charter for Children is an important step in assisting us to become the most liveable city in Australia. The charter consists of nine aspirational principles which guide the work of Council, local businesses and services to assist our children to flourish in their earliest years.

ALCOHOL AND OTHER DRUGS

Council collaborates with the Substance Misuse Limestone Coast Local Drug Action Team to deliver the Planet Youth pilot program to the region. Planet youth is an evidence-based approach to increasing protective and preventative factors relating to substance use among adolescents. The Substance Misuse Limestone Coast deliver evidence based education programs such as Climate Schools through the Library. Council encourages and hosts 'smoke and alcohol free' community events.



PREVENT

PREVENT CHRONIC DISEASE, COMMUNICABLE DISEASE AND INJURY

Relevant sections from City of Mount Gambier Strategic Plan 2020-2024

Goal	Theme	Activity	Action & Target
Our People	1.5 Care for the community: We will develop our service offering to the community to ensure all members have access to required levels of support.	1.4.2 Providing integrated service and facilities to encourage active living to improve health and wellbeing.	<ul style="list-style-type: none"> We will deliver the Wulanda Recreation and Convention Centre and will invest in ensuring that programs are available and accessible to all in the community. Implementation of the Disability Access and Inclusion Plan actions.
Our Climate, Natural Resources, Arts, Culture and Heritage	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.	4.4.3 Adopting a Reconciliation Action Plan and working to implement it sensitively.	<ul style="list-style-type: none"> We will implement our first Reconciliation Action Plan. We will seek more Boandik input and output in the arts, culture and heritage across our city including more public art and the use of Boandik art in more Council publications and exhibitions.



PROGRESS: Strengthen the systems that support public health and wellbeing

As outlined in the State Public Health Plan: "Strengthening collaborative efforts across the health system and across government, non-government, business and community will result in a planned and consistent approach to addressing public health issues. Partnerships are essential to achieving improved health and wellbeing". The following projects are examples for City of Mount Gambier which fit within this State priority.

LIVING IN CHALLENGING CONDITIONS PROJECT

During 2020, Council took the opportunity to become involved with University of Adelaide Public Health students. As part of their studies, students would undertake a project for Council in a chosen public health topic. City of Mount Gambier commenced a project around challenging living conditions, with a focus on squalor and hoarding. It is envisaged this will be a long-term partnership, with part one of the project completed during 2020 being a literature review, looking at proactive city centric services that could be transferred into regional areas. Part two will be conducted going forward (in 2021), building on part one by beginning to develop sound principles and possible strategies for Council to implement.

ANNUAL NEIGHBOURHOOD ENGAGEMENT ACTIVITY

Generally centered around a public space or community reserve, Council annually undertakes a range of targeted strategic engagement activities to learn more about the needs and interests of pockets of the community. In response to the feedback received and themes identified, Council partners with key agencies and organisations to promote the availability of relevant key services, support and opportunities on a local level, increasing community connection and cohesion, enhancing community leadership and instilling greater community pride within a defined local neighbourhood.

AF SUTTON RESERVE COMMUNITY ENGAGEMENT PROJECT

The AF Sutton Memorial Park Neighbourhood Engagement Project engaged a neighbourhood surrounding a community reserve which, although once valued as a local meeting and recreational space for the surrounding community, had more recently been acknowledged to suffer from deteriorating facilities, vandalism and anti-social behaviour.

The AF Sutton Memorial Park Neighbourhood Engagement Project engaged almost 200 surrounding residents in articulating how they valued their neighbourhood and how Council could work with the community to make it an even better place to live or visit. The project empowered Council staff to work in partnership with local residents to make meaningful and efficient local improvements focusing on, but not limited to, the local reserve.

Through the delivery of a range of strategic community engagement activities, Council was not only able to prioritise a range of tangible improvements within the local reserve, surprisingly, there was also offers for help from neighbours. Furthermore, a range of additional local focus areas were highlighted in which Council was well-positioned to respond.



The project was awarded a commendation at the *Minister for Health and Wellbeing, Excellence in Public Health awards* in October 2020. This project will be used as an example when planning similar projects within Mount Gambier.

ADVOCACY

Council plays an advocacy role for our local community by petitioning State and Federal government, on a broad range of issues and services, such as: health services, education offerings, road safety, sustainable initiatives and innovation. This is often done in collaboration with industry and community groups.

RECONCILIATION ACTION PLAN (RAP)

Council's Reconciliation Action Plan (RAP) focusses on strengthening positive relationships, acknowledging and respecting Aboriginal and Torres Strait Islander cultures and providing opportunities to ensure our First Nations people have the same life opportunities as other Australians. Council's plan has been five years in the making, incorporating collaboration with Boandik Elders and community leaders to identify almost 80 deliverables over a period of two years. The plan has been endorsed by Reconciliation Australia as an 'Innovate' RAP.

CORPORATE ASSISTANCE TO VOLUNTEERING PROGRAM

Council has committed to providing ongoing assistance to a number of local services through a unique corporate volunteering program which connects staff to a range of key local service providers during times of need.

Initially developed as a direct response to volunteer shortages in local food-security services during COVID-19, Council provided emergency logistical assistance to Foodbank , Meals on Wheels and Spare Ya Change for Kids through deployment of staff and other resources to enable these services to continue to support the community.

This program not only supports local services, but also builds a direct relationship between Council staff and the community sector, increasing awareness and appreciation in this space.



PROGRESS

STRENGTHEN THE SYSTEMS THAT SUPPORT PUBLIC HEALTH AND WELLBEING

Relevant sections from City of Mount Gambier Strategic Plan 2020-2024

Goal	Theme	Activity	Action
Our People	1.2 Community growth: We foster a sense of community by encouraging and supporting participation in community life.	1.2.2 Helping community groups to help themselves by providing support for effective networks to develop and grow. 1.2.3 Working in partnership with service providers get them to select Mount Gambier as their location of choice for services provided for the South East of South Australia and South West Victoria.	<ul style="list-style-type: none"> We will implement our commitment outlined in the Small Business Friendly Council Charter. Community Strengthening and Small Wins Grants.
Our People	1.4 Care for community We will develop our service offering to community to ensure all members have access to required levels of support.	1.4.2 Providing integrated services and facilities that encourage active living to improve health and wellbeing. 1.4.3 Valuing and supporting our Boandik and multicultural communities. 1.4.4 Planning, leading and facilitating high quality services to develop the potential of children and young people. 1.4.5 Ensuring support services and recreational activities are accessible.	<ul style="list-style-type: none"> We will deliver the Wulanda Recreation and Convention Centre and will invest in ensuring that programs are available and accessible to all in community. From the day the Wulanda Recreation and Convention Centre opens a range of sporting and community activities will be subsidised to enable participation across community. In accordance with Council's Disability Access and Inclusion Plan (DAIP).



Goal	Theme	Activity	Action
Our Location	<p>2.1 Infrastructure development and managing our current assets:</p> <p>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.</p>	2.1.1 Working with the community to ensure our CBD, health and education precincts, our streets and public spaces are safe, inviting and support a positive image of the City of Mount Gambier.	<ul style="list-style-type: none"> • We will finish the Rail Trail within the first two years of the Strategic Plan and will invest in cross links in the last two years of the plan. • Deliver infrastructure projects in accordance with Council's Disability Access and Inclusion Plan (DAIP).
	2.2 Regional collaboration:	2.2.4 Working with other local government areas to develop cross-regional plans and initiatives.	<ul style="list-style-type: none"> • Establish efficiencies with shared service delivery in the region. • Collaborate with the implementation of the Regional Rail Trails project.



In addition to the current strategies, various stakeholders have been identified to engage as potential partners in further projects undertaken/supported by Council

FOCUS AREAS	POTENTIAL PARTNERSHIPS FOR ACTION	POTENTIAL CONTRIBUTION
Poor Nutrition & Diet	SA Health Department Education and Child Development (DECD) AC Care Trial projects in schools regarding education and availability of healthy food - utilise local specialists Continue partnerships with volunteer based organisations – lobby for funding Health Care professionals Country Health Connect	<ul style="list-style-type: none"> • Funding assistance • Value add to existing programs • Use of educational/health promotion resources • Provide expert advice, specialist services Council is not equipped to deliver (GP's, Nurses, Councillors etc.) • Assistance with statistics to measure changes of focus areas during / after implementation of the first Regional Public Health Plan. Help to develop subsequent plans as required.
Obesity & Overweight	Department Planning Transport and Infrastructure See Partners in Poor Nutrition & Diet and Physical Inactivity focus areas. Sporting Clubs and fitness providers Limestone Coast Local Government Association – Be Active Officer/sporting Clubs Health Care professionals Country Health Connect	



Physical Inactivity	<p>Peak sporting bodies in Mount Gambier</p> <p>Department of Health - SA Health</p> <p>Department Planning Transport and Infrastructure</p> <p>Department Education and Child Development (DECD)</p> <p>SAPOL – fear of exercising outside</p> <p>Early Childhood, AC Care, Centacare, Lifeline – family trends and behaviors</p> <p>GP's & gyms – education</p> <p>Country Health Connect</p>	
Potentially Avoidable Hospital Admissions	<p>LGAMLS - research common risks and trends - trips and falls</p> <p>Motor Accident Commission & SAPOL - driver safety</p> <p>Department Planning Transport and Infrastructure</p> <p>Self-assessed risk - early detection or home safety</p> <p>Health Care Professionals</p> <p>Mount Gambier and District Health Care Boards</p> <p>Country Health Connect</p>	
Degenerative & Mobility/Access for the Aged	<p>Partnerships with Aged Care and Supported Residential Facilities</p> <p>Advocate for Disability services - Department Communities Social Inclusion (DCSI)</p> <p>Dementia Australia</p> <p>Falls prevention program</p> <p>Department Planning Transport and Infrastructure</p> <p>Non-Government Organisations</p>	



FOCUS AREAS	POTENTIAL PARTNERSHIPS FOR ACTION	POTENTIAL CONTRIBUTION
Substance Abuse	State Government Department Education and Childhood Development Department Planning Transport and Infrastructure Drug and Alcohol Services of SA (DASSA) Uniting Communities Life Without Barriers General Practitioners/Allied Health Services Limestone Coast Drug Action Team Planet Youth Substance Misuse Limestone Coast Sporting Clubs Community Groups Non-Government Organisations	<ul style="list-style-type: none"> • Funding assistance • Value add to existing programs • Use of educational / health promotion resources • Provide expert advice, specialist services Council is not equipped to deliver (GPs, Nurses etc.) • Assistance with statistics to measure changes of focus areas during / after implementation of the first Regional Public Health Plan. Help to develop subsequent plans as required.
Mental Health	SA Health – service provision Mt Gambier Community and Service Directory The Junction Headspace/Uniting Communities Lifeboat Lifeline Migrant Resource Centre Sporting Clubs Community Groups Non-Government Organisations	



Suicide Prevention	<p>Mount Gambier & Districts Suicide Prevention Network</p> <p>StandBy</p> <p>Non-Government Organisations – Mental Health support</p> <p>Health Care Professionals</p> <p>Country Health Connect</p> <p>SA Health – Service Provision</p>	
Domestic Violence	<p>Limestone Coast Violence Against Women Collaboration</p> <p>Limestone Coast Domestic Violence Service</p> <p>SAPOL</p> <p>Department for Communities and Social Inclusion's</p> <p>Office for Women</p> <p>Department of Human Services</p> <p>Lifeline</p> <p>Mensline</p> <p>White Ribbon Australia</p> <p>1800RESPECT</p> <p>Kids Helpline</p>	



Delayed Early Childhood Development	<p>Mount Gambier AEDC Action Group</p> <p>Department for Education (DfE)</p> <p>Independent schools</p> <p>Non-Government Organisations</p> <p>Housing SA</p> <p>AC Care and Lifeline</p> <p>State Government – transport</p> <p>Melaleuca Hub</p> <p>North Gambier Hub</p> <p>Children's Centre</p>	
Environmental Sustainability	<p>Chamber of Commerce</p> <p>Nature Glenelg Trust</p> <p>Community Action for Sustainability</p> <p>Green Industries SA</p> <p>Environment Protection Authority</p> <p>Department for Environment and Water</p> <p>Department for Infrastructure and Transport</p> <p>Schools</p> <p>Service clubs</p> <p>Community groups</p> <p>Local businesses</p> <p>Non-Government Organisations</p>	



Accessibility (Disability Access Inclusion)	Limestone Coast Inclusion Reference Group Mission Australia NDIS Department for Education Aged Care Facilities Migrant Resource Centre ORANA Bedford Industries Non-Government Organisations (NGOs)	
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(NB: SA Health and LGA SA would be relevant partners to all focus areas).

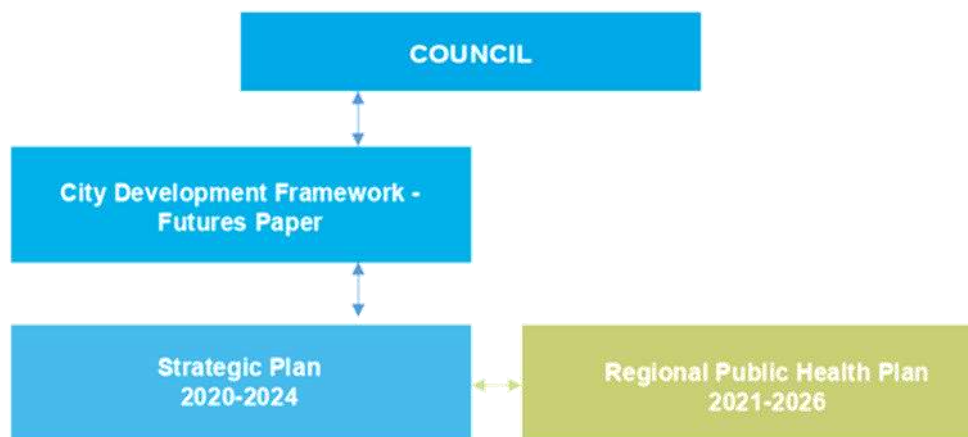


IMPLEMENTATION

GOVERNANCE STRUCTURE

The Regional Public Health Plan sits below Council's future planning document, the Strategic Plan 2020-2024. Implementation of the plan will be monitored and recorded through Council's reporting structures.

The diagram below represents how the health plan will influence Council's decision making.



EVALUATION

The SA Public Health Act 2011 requires Council to report on the progress of implementing the Regional Public Health Plan every two years to the Chief Public Health Officer. In a reporting year, the report must be provided to the Chief Public Health Officer on or before 30 September. The report must relate to a reporting period of two financial years ending on 30 June in the reporting year. By using current operational activities and strategies to address priority issues and risks identified to our public's health, annual reporting on the strategic plan will allow for accurate data on Council's tasks undertaken to be recorded and reported transparently.



REVIEW

Council may amend a Regional Public Health Plan at any time; however, it must be reviewed at least once in every five years.



REFERENCES

Legislation

- South Australian Public Health Act 2011
- South Australian Public Health (General) Regulations 2013

Council's Plans and Supporting Documents

- City Development Framework, the Futures Paper
- City of Mount Gambier Strategic Plan
- Profile.id – Community profile – City of Mount Gambier Census Results

SA Health Support Material

- Summary of the State Public Health Plan
- State Public Health Plan 2019 – 2024
- Chief Public Health Officer's Report

Local Government Association (LGA) of South Australia

- Local Government Community Health and Wellbeing Toolkit

Additional Support Material

- SEIFA Index (Socio-economic Indexes for Areas)
- LCLGA Regional Health Plan
- Public Health Information Development Unit (PHIDU)



24.7 CITY OF MOUNT GAMBIER SUBMISSION TO THE SOUTH AUSTRALIAN PUBLIC TRANSPORT AUTHORITY'S REGIONAL PUBLIC TRANSPORT REVIEW – REPORT NO. AR21/11054

Committee:	Council
Meeting Date:	16 March 2021
Report No.:	AR21/11054
CM9 Reference:	AF20/446
Author:	Jessica Porter, Strategy, Development and Research Co-ordinator
Authoriser:	Tim Coote, General Manager City Growth
Summary:	The purpose of this report is to present to the Elected Members, the submission prepared for the South Australian Public Transport Authority's Regional Public Transport Review.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR21/11054 titled 'City of Mount Gambier submission to the South Australian Public Transport Authority's Regional Public Transport Review ' as presented on 16 March 2021 be noted.
2. Council forward to the South Australian Public Transport Authority, the submission as attached to Report No. AR21/11054 by the extended submission date of 19 March 2021.



TYPE OF REPORT

Corporate

BACKGROUND

Council has been invited to provide a submission to the South Australian Public Transport Authority's (SAPTA) Regional Public Transport Review. As the closing date for submissions was Friday 26th February 2021, council staff had prepared a written submission based on the information presented at the Members workshop on 12th January 2021 and the recommendation presented to Council at its meeting held on 16th February 2021.

At its meeting held on 16th February 2021, Council resolved the following:

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. *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. *The CEO prepare a draft submission to Department of Infrastructure and Transport emphasizing the following points:*
 - *Access to effective public transport services in and around Mount Gambier and the Lower South East is important to the community.*
 - *The existing service is inadequate and in need of major change.*
 - *The current service delivery mode for mass passenger transport in Mount Gambier has historically been underfunded and remains underfunded, with supporting data from the sources quoted in report AR21/2815.*
 - *The absence of any inter-town public transport services in the region further compounds the inadequacy of existing public transport services, and further highlights the inadequate historical funding of public transport services in and around the regional centre Mount Gambier over many decades.*
 - *Calling for the department to review the suitability of the 'dial a ride' (or similar) concept as proposed by the Office for Public Transport around 2005.*
4. *The draft report be submitted to Council for amendment or endorsement prior to submission to the Department of Infrastructure and Transport.*

In light of Council's resolution, the Acting Chief Executive Officer sought an extension of time from SAPTA in which council can provide its submission. This allows Members to review the submission in accordance with Council resolution 4.

PROPOSAL

The purpose of this report is to present Members with the draft of Council's submission for the SAPTA Regional Public Transport Review.

The submission presents the key findings from the City of Mount Gambier's Public Bus Service Review, which will provide SAPTA with an informed representation and feedback about the current public bus service in Mount Gambier. The draft submission has been amended to reflect Council's resolution.

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 aspiration 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. In Mount Gambier, the Public Bus



Service provides the only affordable mode of transport to socially disadvantaged sections of our community; particularly migrants, unemployed, seniors and those with accessibility considerations. The following Strategic Plan goals are relevant to Council's submission to SAPTA's Regional Public Transport Review.

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.

2.5 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.

4.4 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

No council policies are applicable to this report.

ECONOMIC IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

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

SOCIAL IMPLICATIONS

These themes are detailed in the draft submission.

CULTURAL IMPLICATIONS

These themes are detailed in the draft submission.

RESOURCE IMPLICATIONS

No resource implications have been identified that are applicable to this report.



VALUE FOR MONEY

An assessment of the value for money is not required for this submission.

RISK IMPLICATIONS

The draft submission highlights the inadequacy of the current public bus service, which contributes to greater levels of inequality and social isolation than what was initially perceived. Noting that the existing service contract is due to expire in April 2021, the timing of Council's submission to SAPTA's 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

These themes are detailed in the draft submission.

ENGAGEMENT AND COMMUNICATION STRATEGY

An engagement and communication strategy is not required for this submission.

IMPLEMENTATION STRATEGY

An implementation strategy is not required for this submission.

CONCLUSION AND RECOMMENDATION

In summary, the draft submission as attached provides an overview of the City of Mount Gambier's review of the public bus service. The submission has been amended to include the points highlighted in Council's resolution from 16th February 2021.

It is recommended that the draft submission as attached, be endorsed by Council and submitted to SAPTA as part of their Regional Public Transport Review by the negotiated extended submission date of 19 March 2021.

ATTACHMENTS

1. Submission for the Regional Public Transport Services Review [↓](#)





Regional Public Transport Review

Submission by the City of Mount Gambier
March 2021



EXECUTIVE SUMMARY

The following submission is to be considered as part of the South Australian Public Transport Authority's (SAPTA) review of existing regional bus services, including the Mount Gambier Public Bus Service. Mount Gambier is the major centre for the Limestone Coast and services a regional population of over 100,000 people. With a population of over 27,000 the City of Mount Gambier is a thriving, community with residents enjoying a quality lifestyle with city facilities and services.

The City of Mount Gambier has not evaluated the Mount Gambier public Bus Service since 2005. Over the past five 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 and 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.

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 Mount Gambier Public 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 evidence collected through Council's review, strongly highlights the importance of the public bus service to the most vulnerable members of our community. The Mount Gambier Public Bus Service provides the only affordable mode of transport to socially disadvantaged sections of our community, particularly migrants, unemployed, seniors and those with accessibility considerations. The findings of the City of Mount Gambier's Public Bus Service review identified a significant disparity between the services offered to comparative communities elsewhere in Australia (and those in metropolitan Adelaide). Further, the current Mount Gambier Public Bus Service is inadequate and does not meet the needs or expectations of the community. The deficiencies within Mount Gambier's public transport system contributes to greater levels of inequality and social isolation within the community. This is supported by research undertaken by academic such as Stanley, Stanley and Hensher (see reference list for works)

Throughout the City of Mount Gambier's review, it was 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 the 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. Many respondents to the City of Mount Gambier review, expressed feelings of exclusion from community spaces and events, particularly on evenings and weekends or in accessing locations outside of the existing routes. 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).

Drawing on the Case Study of Regional Transport Models presented in a report prepared by the Bus Industry Confederation (BIC, 2017), it was noted that the current Mount Gambier Public Bus Services does not meet the service provision benchmark for a town that has a population size of 3,000 to 6,000 people. Given that Mount Gambier's population is in excess of 20,000, and that the Mount Gambier Public Bus Service has not been reviewed or modified for over 30 years, one of the key recommendations for the SAPTA Regional Public Transport Review is that the entire Mount Gambier Public Bus Service be evaluated and improved to meet the BIC benchmark, community needs and expectations.



INTRODUCTION

The purpose of this submission is to inform the South Australia Public Transport Authority (SAPTA) of the current status of the Mount Gambier Public Bus Service (existing SAPTA funded public transport service) from the perspectives of its users and other key stakeholders and the City of Mount Gambier. This submission forms part of the SAPTA Regional Public Transport Review and provides the findings of the City of Mount Gambier's own review of the current public bus transport service within Mount Gambier.

During 2020 both Troy Bell MP and the Hon Clare Scriven MLC lobbied for a review of all regional and township bus services, to identify how services to regional residents can best be provided, and potentially provide additional funding for regional bus services to extend their services where needed. It is acknowledged SAPTA is undertaking a review of existing regional bus services, which includes identifying opportunities to:

- Improve efficiency and sustainability of services;
- establish new contracting models; and
- develop an Integrated Transport Framework to guide future planning and delivery of regional bus services.

Given the economic and social importance of regional South Australia, it is vital that regional communities remain vibrant and sustainable, with access to efficient, affordable and sustainable transport connections. Regional public transport bus services are managed by the Department of Infrastructure and Transport (DIT). Under this arrangement, the various bus services are provided by a range of contractors within the regional locations, including Mount Gambier. 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 Mount Gambier's community.

While the City of Mount Gambier 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 Mount Gambier. During 2020, the City of Mount Gambier undertook a review of the current Mount Gambier Public Bus Service. Prior to the 2020 review, the last assessment of Mount Gambier's public transport services occurred in 2005.

The City of Mount Gambier's review of the Mount Gambier Public Bus Service identified that currently, the service provides:

- General access to the Mount Gambier CBD across three looped routes.
- Services are only provided Monday to Friday from 9am to 5.15pm.
- The service consists of two buses, rotating between the three looped routes, generally on the hour. Services are paused or altered to allow for driver lunch breaks and the afternoon school service.
- School bus service consists of twice-daily transport, exclusively for students on 3-4 separate routes connecting all schools within Mount Gambier.
- We know that disadvantage in access to quality public transport impacts those who are already the most vulnerable within our community. With over 80% of passengers in 2019 being non-student concessions, the current service is heavily relied upon by those with no alternative transport options.
- The sentiment of the community in describing the service as inadequate, is backed up by the regional public transport services benchmark, developed by Bus Industry Confederation



(2017). The BIC 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.

- 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 Mount Gambier.
- 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.

It is acknowledged that, despite Mount Gambier continuing to evolve and grow as a city, the structure and functionality of the service has remained largely unchanged for the past 30 years. As a result, increasingly, the service is falling short in its capacity to provide a suitable public transport option for the needs and interests of the Mount Gambier community.

The findings from Council's review has ensured the City of Mount Gambier can provide SAPTA with an informed representation about Mount Gambier Public Bus Service, as well as recommendations to improve the current basic service.



CITY OF MOUNT GAMBIER – PERFECTLY CENTRED

Mount Gambier is the major centre for the Limestone Coast and services a regional population of over 100,000 people. With a population of over 27,000 people the City of Mount Gambier is a thriving, community with residents enjoying a quality lifestyle with city facilities and services, many attractions, shopping and entertainment. Mount Gambier is surrounded by volcanic craters, lakes, limestone and underground aquifers and productive agricultural land.

Famous for the 'Blue Lake', Mount Gambier also boasts beautiful parks and gardens, caves and sinkholes. An interesting mix of café's and eateries, galleries, public art and outdoor events provide an insight into the culture and arts of the City. The broader Limestone Coast region hosts a diverse range of visitor experiences such as tuna fishing, wine tasting, adventure activities (cave diving, mountain biking, 4-wheel driving), hiking in volcanic areas and camping. The Limestone Coast region's economy is based on primary production, including horticulture/viticulture, dairy farming, forestry and associated processing and fishing.

The City of Mount Gambier is robust and aspirational in its endeavours. In the last 10 years, it's led several multi-million-dollar capital projects including the redevelopment of its Library, Gallery and Civic Precinct as well as a transformation of an unused rail corridor into award winning, high quality public amenity. The delivery of Wulanda Recreation and Convention Centre – a \$57m multi-purpose, all weather, intergenerational facility for Mount Gambier is one of the largest infrastructure projects ever undertaken in the region and is due to open in Autumn 2022.

The population of Mount Gambier is growing. Over the past 6 years (2014-2019) Mount Gambier has experienced a growth rate of +4.24% (565 persons). Overall, this represents an average annual population change of +0.70% per year. The age structure of the City of Mount Gambier highlights the diversity we must achieve with service provision and resources. The 2016 Census shows the median age is 40 years with almost one-third of Mount Gambier's population being in the 0-24 year old age group (32.4%).

The number of recent arrivals in the area has continued to increase. The evolving groups for change in the reported ancestries and overseas place of birthplace include India and Myanmar. As the makeup of the local community changes it is recognised that public transport services need to also evolve.

Within the Mount Gambier local government area there is a large disparity in socioeconomic status. 28% of residents in Mount Gambier hold a Pensioner Concession Card or a HealthCare Card from Centrelink, this is lower than the Regional SA level. A summary measure of disadvantage is the Index of Relative Disadvantage (IRSD), this is one of four Socio-Economic Indexes for Areas (SEIFA's). Mount Gambier has an overall disadvantage score of 925, compared to 979 for South Australia. Mount Gambier has the highest level of disadvantage when compared to the other Limestone Coast Council areas. In the 2020 March quarter, Mount Gambier had an unemployment rate of 6.2%, 1% higher than the national average.

During the last Census, almost 12% of 15-24 year old age group were disengaged with either work or education in Mount Gambier. Approximately 14% of the 16 year old age group in Mount Gambier were not participating in full-time secondary education, notably lower than the regional South Australia level of 17%.



CITY OF MOUNT GAMBIER STRATEGIC APPROACH TO PUBLIC TRANSPORT

The City of Mount Gambier was last actively involved in the Mount Gambier Public Bus Service through shared funding arrangement between the Provincial Cities Association and the State Government until December 2004. Since this time, the Mount Gambier Public Bus Service has been fully funded by the State Government.

Through its Strategic Plan 2020-2024, the City of Mount Gambier aspires 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.

In Mount Gambier, the public bus transport service provides the only affordable mode of transport to socially disadvantaged sections of the 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.
- 2.5 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.
- 4.4 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

Improvements to the Public Bus Service align with principles within the City of Mount Gambier's Disability Action and Inclusion Plan; Regional Public Health Plan; Reconciliation Action Plan; Public Art Strategy; Cultural and Heritage Plan; and Youth Engagement Plan.



MOUNT GAMBIER PUBLIC BUS SERVICE

Mount Gambier has maintained a fixed route public bus transport system for over 60 years. The current service has been in place for 30 years and is currently contracted to Mount Gambier Buslines (previously Buslink SA, McCormicks). The current contract for the Mount Gambier Public Bus Service expires on 30 April 2021. Mount Gambier Buslines utilises a fleet of five 42 seat buses; two of which are ex-Adelaide Metro buses (passenger use expires in March/April 2021) and three buses which were purchased new.

The Mount Gambier Bus Service provides a five day per week operation (Monday to Friday) offering three different loops, traversing various sectors of Mount Gambier from the North East, North West and South East. Each loop commences and terminates in Ferrers Street at the bus stop opposite the new Aldi/Coles shopping complex. Services run on the hour from 9:00am to approximately 5:15pm. The service does not operate on weekends or Public Holidays. The service consists of two buses, which rotate between three looped routes. Services are paused or altered to allow for driver lunch breaks and the afternoon school service. The school service consists of twice-daily transport exclusively for students on 3-4 separate routes connecting all schools within Mount Gambier. Maps identifying the current public bus service routes are shown in Appendix 1.

Ticket prices have largely remained unchanged and are shown in Image 1. It is noted that during COVID, the Mount Gambier Public Bus Service has not charged patrons to use the service.

Image 1: Current pricing schedule for the Mount Gambier Public Bus Service

Ticket prices:

	SINGLE	DAYTRIP	MULTI-TRIP
Adult	\$2.20	\$5.00	\$17.20
Adult Concession	\$1.10	\$2.50	\$8.60
Student	\$1.10	\$2.50	\$8.60
TPI/Blind	-	Free	-

*Contractor has advised that prices are due to rise in 2021.

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Table 1 highlights the type and number of patrons from 2013 until part way through 2020. Pensioners have remained the largest group accessing the Mount Gambier Public Bus Service. The number of pensioners utilising the service has remained steady through the time period. The second highest patrons' group are the seniors group. Overall, patron numbers began to decline in 2014, however have increased since 2019.

Table 1: Mount Gambier Public Bus Service patron numbers 2013-2020*

Passenger Numbers – General Public

	Patronage	Patronage	Patronage	Patronage	Patronage	Patronage	Patronage	
	Child <15 years	Pensioner	Regular/ Adult	Seniors	Student >15yrs	Primary/	Unemployed	Total
2013	3125	26768	4336	5553	2905	0	1396	44083
2014	2544	29507	3695	3582	3237	0	458	43023
2015	2269	27897	2951	2243	2975	680	174	39189
2016	2061	26032	3778	2331	2661	520	23	37406
2017	2159	26038	4106	2670	2315	201	153	37642
2018	2465	22554	5335	2688	2022	120	196	35380
2019	1716	26080	4916	3513	1537	240	242	38244
2020	841	10803	1213	1388	438	0	62	

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(*note: 2020 numbers are skewed due to COVID and data only being provided for the first half of 2020)

Table 2 details the type and number of students who have utilised the Mount Gambier Public Bus Service from 2013, until part way through 2020. Students aged over 15 years are the dominant user group of the Mount Gambier Public Bus Service. This may reflect the large number of migrant students who access the Mount Gambier TAFESA campus.

Table 2: Mount Gambier Public Bus Service student patron numbers 2013-2020*

Passenger Numbers – Student Service

	Patronage	Patronage	Patronage	
	Child <15 years	Student >15yrs	Primary/ Secondary Student	TOTAL
2013	33,602	25,183	4,480	63265
2014	28,942	23,273	6,520	58735
2015	25,877	24,911	3,565	54353
2016	31,182	22,568	11,040	64790
2017	30,282	20,437	10,640	61359
2018	30,230	20,256	7,240	57726
2019	26,934	19,554	8,160	54648
2020	3,705	7,001	2,080	12786

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(*note: 2020 numbers are skewed due to COVID and data only being provided for the first half of 2020)

NEED FOR REVIEW

As highlighted, the City of Mount Gambier has not evaluated the Mount Gambier public Bus Service since 2005. Over the past five 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 and 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.

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.

CITY OF MOUNT GAMBIER PUBLIC BUS SERVICE REVIEW

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 a mapping tool to capture information about specific sites throughout Mount Gambier.

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. The community engagement process ran from October to December 2020. Throughout the community engagement 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

- TAFESA
- University of South Australia

Community Services sector

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

Business/Tourism

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

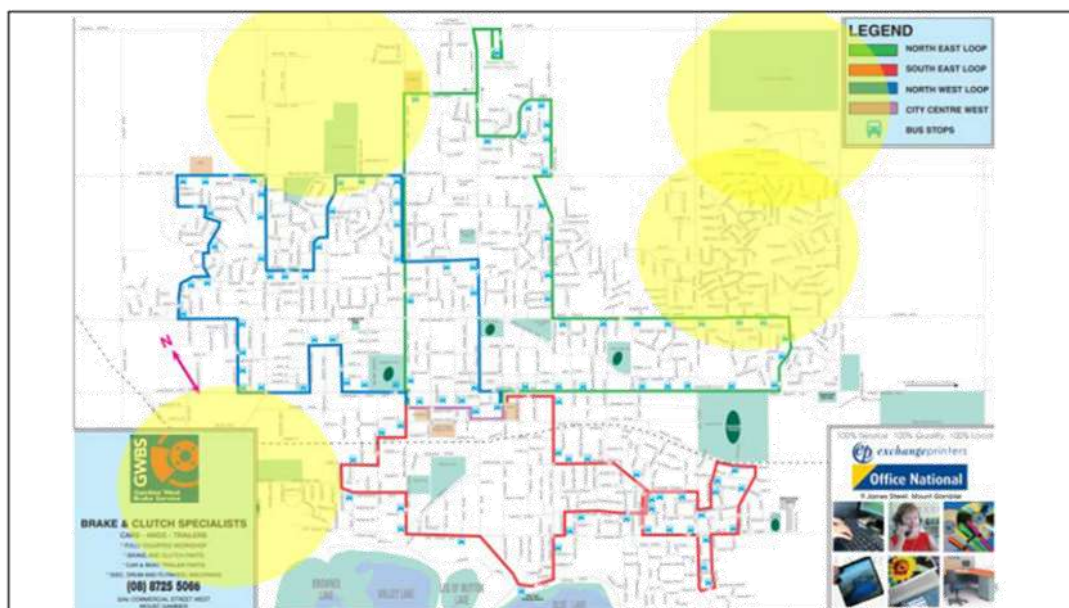
As a result of the engagement process:

- 89 digital and 7 handwritten survey responses were received;
- 18 separate interviews with individuals or key stakeholders were held;
- Written submissions were received;
- 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.
- Presentation to the City of Mount Gambier Executive Team.
- Presentation to the City of Mount Gambier elected members.
- Participation in the Limestone Coast Leadership Program 'Moving People around the Limestone Coast' Forum.

Mount Gambier has experience significant growth in its peri urban areas, these growth areas are identified in Map 1. Mount Gambier will continue to experience growth in these areas, particularly in the north east and north west areas.



Map 1: Key growth areas within Mount Gambier



A desktop review identified areas of interest, including recreation areas and facilities, tourism assets and other key locations with the City. As noted on Map 2, none of these facilities currently have access to the public bus service. There is currently one bus stop located at the Blue Lake, however the bus stop is not well sign posted or identified.

Map 2: location of key recreation facilities, tourism assets and other locations within Mount Gambier



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Through the "Have Your Say" engagement, 47% of survey respondents currently use the public bus transport service. The survey results revealed:

- 63% of respondents held a valid driver's licence; whereas
- Only 33% of current bus users held a valid driver's licence.
- 70% of respondents owned or had regular access to a vehicle; however
- Only 43% of current bus users owned or had regular access to a vehicle.
- 58% of respondents were currently employed; whilst
- 40.5% of current bus users are employed.
- 33% of respondents travel with young children; similarly
- 31% of current bus users travel with young children.
- 23% of respondents identified as living with a disability; and
- 38% of current bus users identified as living with a disability.
- 16% of respondents regularly provide care for someone with a disability; whilst
- 19% of current bus users regularly provide care for someone with a disability.
- 15% of respondents travel with someone who uses a mobility aid; whereas
- 24% of current bus users 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 highlighted 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%).

Whilst the environmental benefits of public transport are widely documented, there have been no specific environmental implications provided or defined in relation to the City of 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'.

The following images provide a graphic snapshot of the findings from the City of Mount Gambier Bus Service survey.



Image 2: Overview of survey results – of those who chose to respond

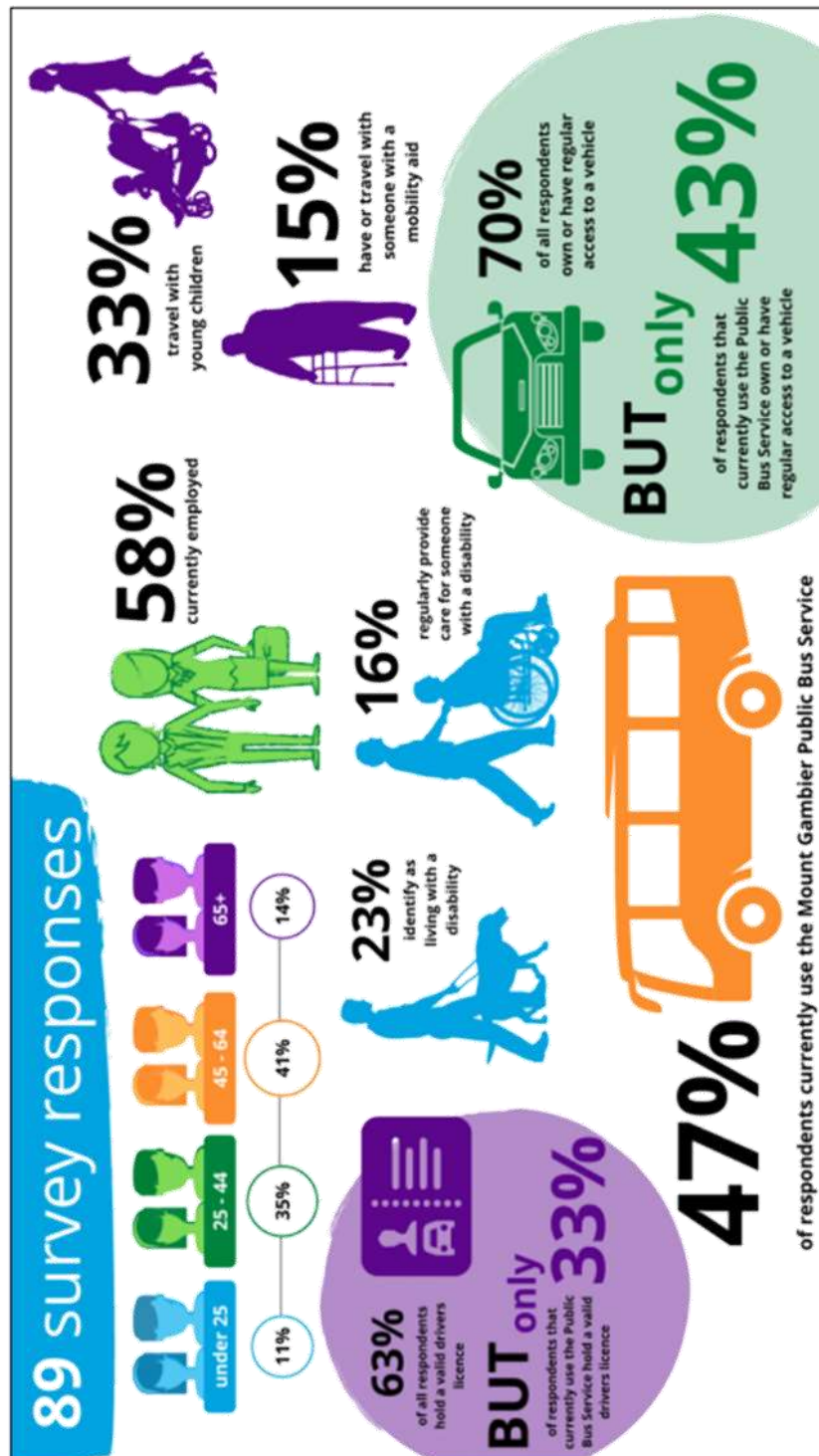


Image 3: Overview of Mount Gambier Public Bus Service usage – of those who chose to respond

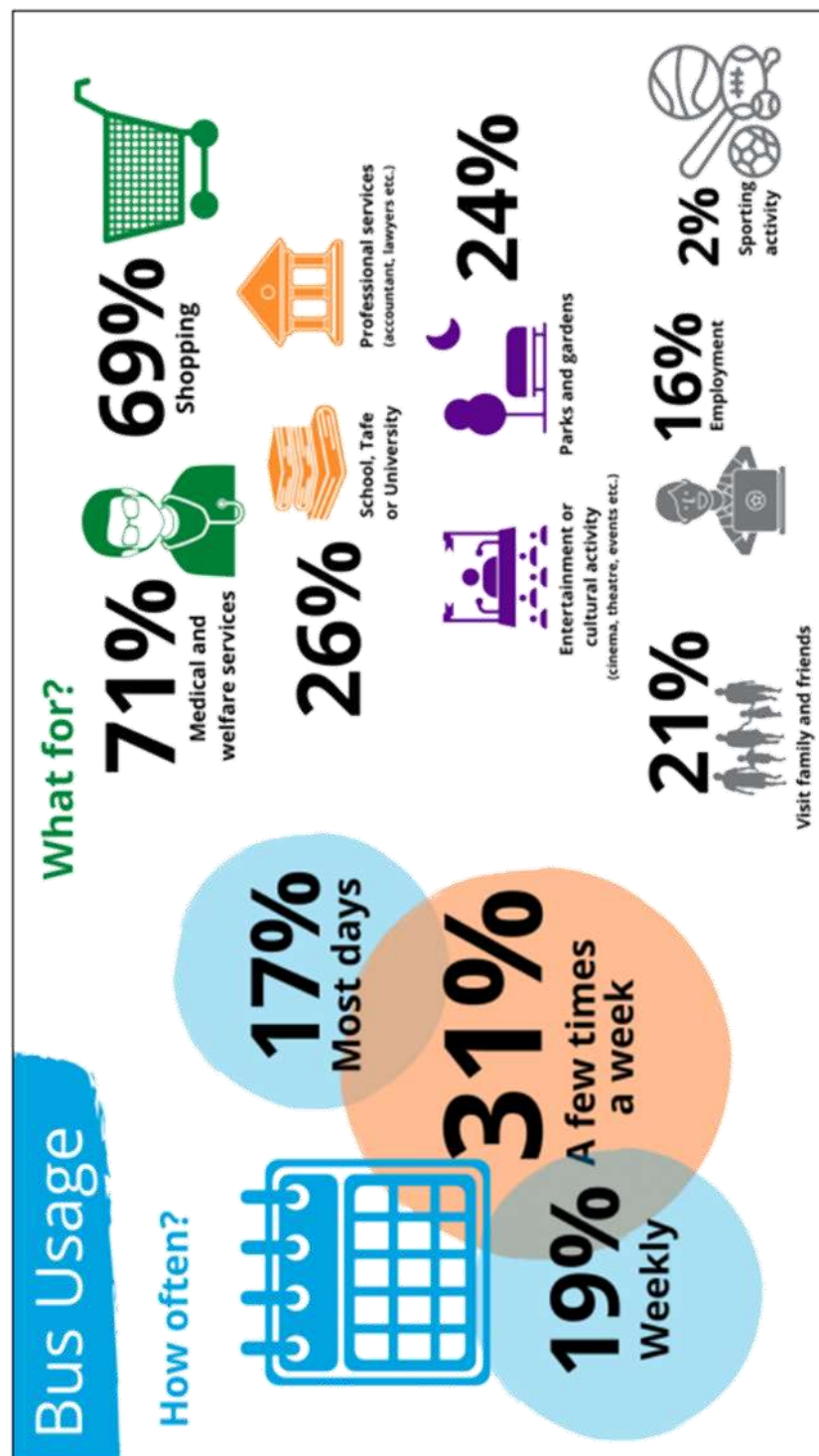


Image 4: Of those who answered the following question - Is a quality public bus service important to the Mount Gambier community?

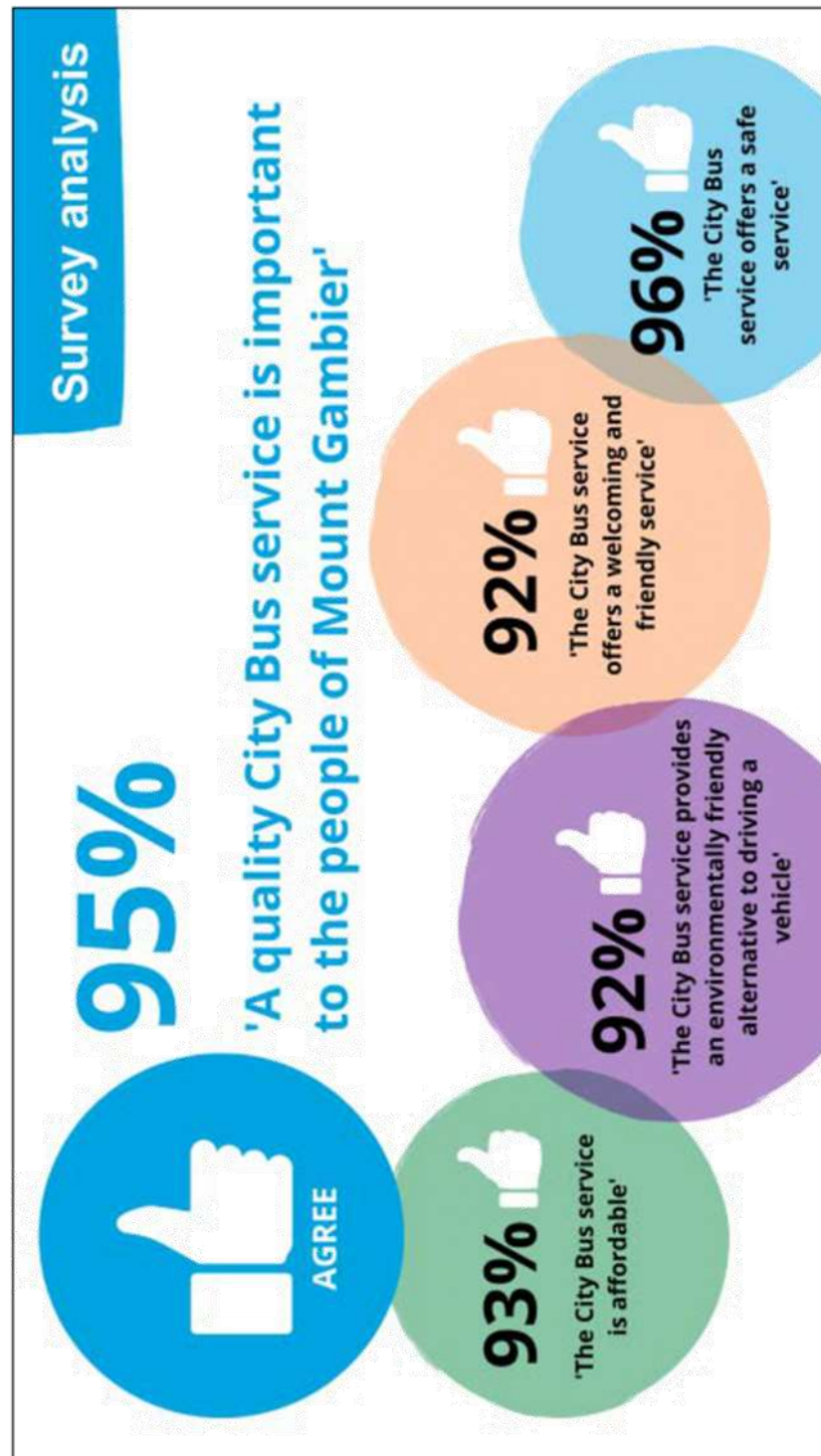


Image 5: Of those who answered the following question - Does the current public bus service fulfil Mount Gambier's public transport needs?

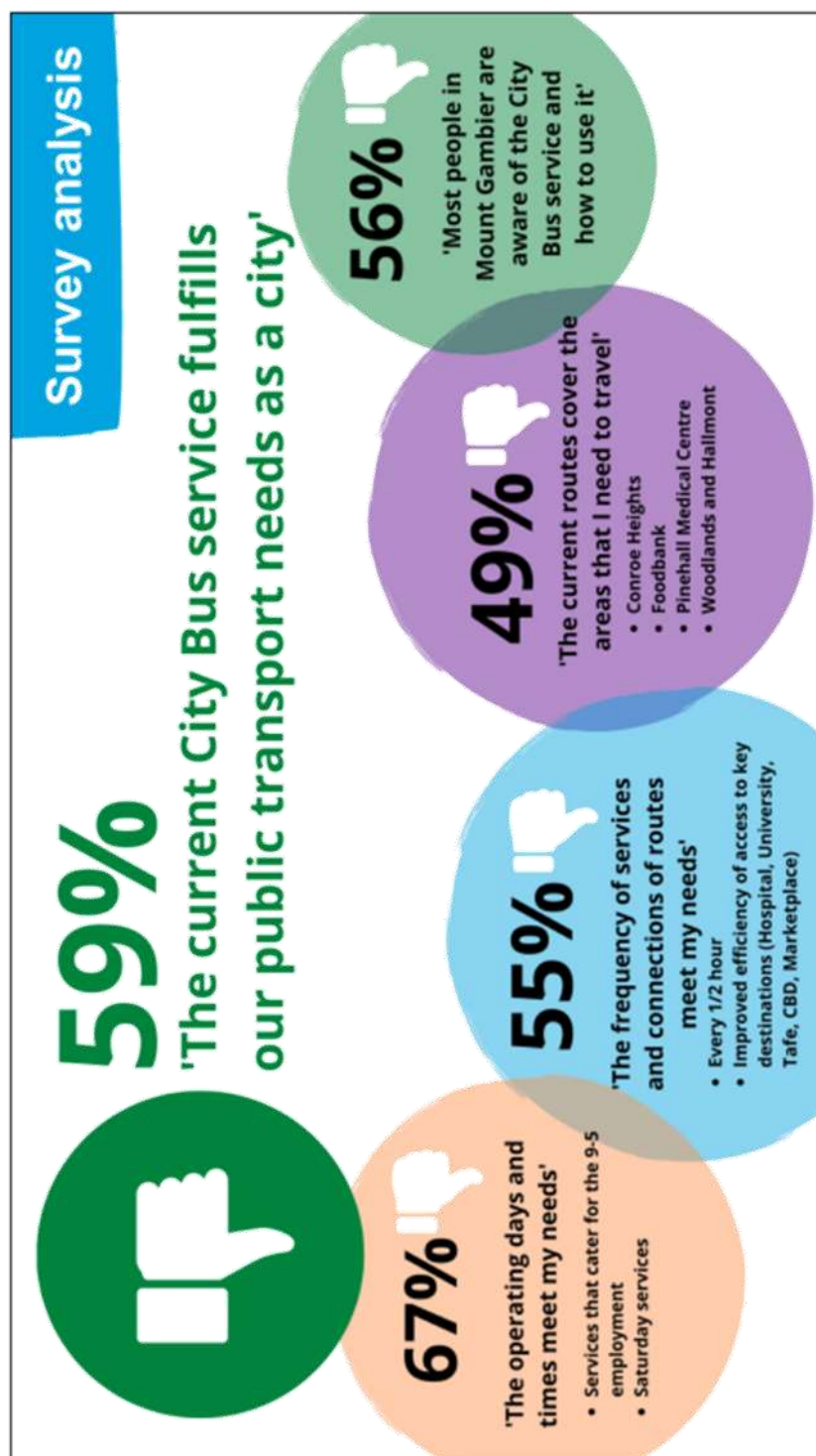
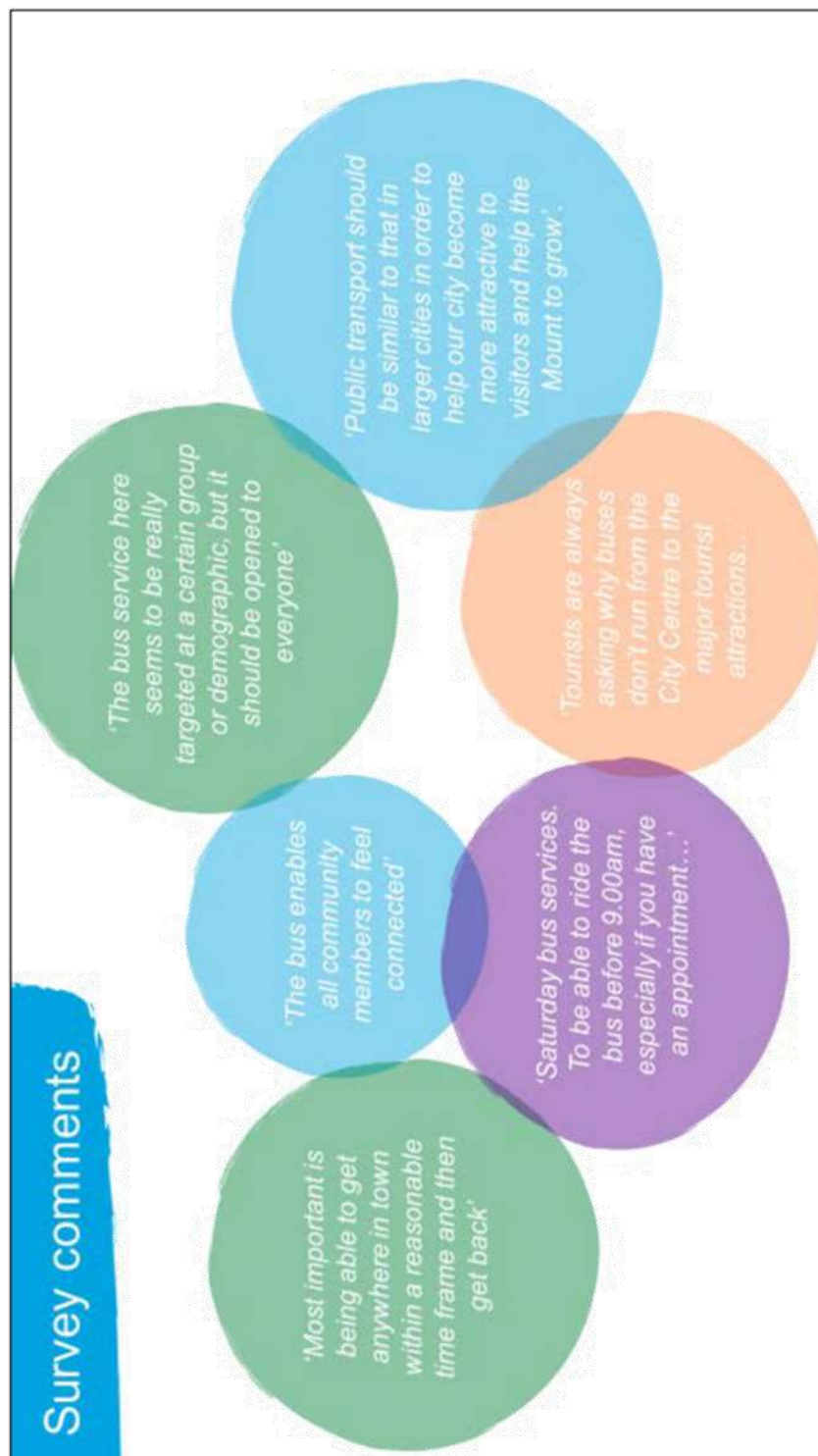


Image 6: Comments from survey respondents



Through a number of interviews with community members and public bus services users, it was found that many felt isolated as they were unable to access a range of services, events and spaces within Mount Gambier. For example,

- Closest bus stop to Foodbank is on Shelton Street, approximately 800m away from Foodbank.
- Recreational spaces which have significant social and cultural value (such as Valley Lakes and Umpherston Sinkhole) are not accessible via the current public bus service.
- Key domestic tourism infrastructure such as the Airport, and the Bus Terminal at the Lady Nelson Visitor and Tourist Information Centre are not serviced by the current public bus service.
- There is a demand from the community to provide special services to improve access to community events (e.g. Fringe, Christmas Parade, etc).

The following paragraphs present several case studies that were provided by a range of people who participated in Council's community engagement process. Participants provided valuable information regarding the suitability and accessibility of the Mount Gambier Public Bus Service.

Hallmont Estate Residents Committee Chair explained that the closest bus stop to the Woodlands and Hallmont Estates was approximately 950 metres away in Allison Street (south of the Mount Gambier hospital). Whilst the residents association bus runs a service from the Estates to the Mount Gambier CBD, there are particular challenges in accessing the Mount Gambier Marketplace, supported accommodation facilities (e.g. Boandik Lodge, Resthaven) and Carinya Gardens Cemetery.

"There's 175 houses in Hallmont and a further 248 houses in Woodlands, that's possibly up to 600 residents, all aged 55 or over, who are without accessible public transport. A stop adjacent to the roundabout on Woodlands Drive would provide access to both of these communities"

A member of Limestone Coast Inclusion Group who is visually impaired and is supported by a guide dog, resides in the south east corner of the City of Mount Gambier. The closest bus stop to this participant is 1Km away. The participant explained that appropriate space for their guide dog on the bus, is usually taken up by prams. Further, a 15 minute medical appointment took the participant 5 hours to complete the trip on the current public bus service.

"A recent visit to the Mount Gambier Hospital for a 15 minute appointment took me 5 hours to complete. I missed the return bus by 1 minute, resulting in needing to sit in the cold for an hour until the next bus...further...I have secured a job which requires me to attend UniSA for remote online induction and training. This training starts at 9:00am each day and the first bus that is available to me doesn't arrive until 10:15am – and is a journey that would take me an hour each way".

A second member of the Limestone Coast Inclusion Group has limited energy and often requires a wheelchair. This participant has found that many bus stops have inadequate infrastructure, therefore finds that they have to access the service and the buses by using private driveways, as some stops have no verge or stable ramp foundations. Further a lack of seating and shelters at bus stops creates spaces that are not user-friendly or accessible. This participant also noted that limited accessibility related details shown on the bus service website makes it difficult for them to confidently plan a journey on the service.

"A lack of services on the weekend and after hours means that people with mobility issues are often excluded from cultural or social activity in the city".



Based on the findings from Council's public bus service 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. A representative from the Mount Gambier Migrant Resource Centre explained that refugees have a heavy reliance on public transport in Mount Gambier. As a result, refugees within Mount Gambier are particularly at risk of transport disadvantage, which impacts upon their access to education (e.g. attending TAFE to undertake English classes; attend primary and high school) and health services.

"To simplify things we attempt to find housing for migrant on the loop which directly accesses TAFE. More recently this has not been positive due to housing shortages and many new arrivals are spending much of their day transiting or walking. Often they get fed up with this and it can contribute to some families leaving as soon as they can".

An unemployed youth participant highlighted,

"Definitely need busses for working people to get to work on weekends. My daughter lives in town, we don't drive and she is on her L's and needs to get to the Marketplace of weekends which can be very expensive by cab if raining or hot".

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 7 passengers per hour (Stanley and Hensher, 2011).

As part of the community engagement process, interviews were held with the current Mount Gambier Public Bus Services contractor and bus drivers. These interviews provided valuable information about the "on-the ground" experiences of those working within the Mount Gambier Public Bus Service. The contractor acknowledged that service could be significantly improved, as the service continues to be a 'fill in' for drivers between the daily school services. The contractor also highlighted that engagement with Council had gradually reduced since withdrawal of the Provincial Cities funding. The contractor highlighted the following challenges currently experienced in relation to the Mount Gambier Public Bus Service:

- Language barriers often create challenges in providing service to migrants
- Route timings are tight. Therefore, this limits the opportunities for drivers to explain timetable or routes information or assist patrons.
- There is often confusion for patrons trying to navigate the service (e.g. materials, lack of bus stop numbers, online presentation, suspension of service for lunch and school service runs impacting on the timetable).
- Tree branches overhanging bus stops.
- Some bus shelters are in very poor condition.
- Accessibility for patrons (e.g. unsuitable bus stop infrastructure).
- Inconsistency in location of bus stops, signage, timetables.
- Lack of policing of existing bus zones to improve safety and access particularly around schools and busy areas.

"In an ideal world, my customers wouldn't need to stand in a rusty old bus shelter or in the rain or in the dark to catch a bus. We should have a user friendly, clean and modern service that we can be proud of".

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COUNCIL AS AN ADVOCATE FOR IMPROVED PUBLIC TRANSPORT FOR THE COMMUNITY

At a local government level, the review of the Mount Gambier Public Bus Service has highlighted the areas in which Council can support the improvement of 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.

Currently, the City of Mount Gambier provides and maintains associated infrastructure, including:

- 115 unique bus stops.
- 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. Appendix 2 provides illustrative examples of current public bus service infrastructure in Mount Gambier.

RECOMMENDATIONS FOR THE REGIONAL PUBLIC TRANSPORT REVIEW

The City of Mount Gambier review has identified significant gaps in the current Mount Gambier Public Bus Service. 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, see Appendix 3.

Research shows (for example see works by Stanley & Hensher; Stanly, Stanley & Henscher) 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).

Throughout the City of Mount Gambier's review, it was 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 the 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.

In relation to spend per capita for regional bus services, Bus SA's 'Moving People 2025' (2018), 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 South Australian level, a 2017 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

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needs.

Drawing on the BIC Report, the Case Study of Regional Transport Models, it was noted that the current Mount Gambier public Bus Services does not meet the service provision benchmark for a town that has a population size of 3,000 to 6,000 people. Given that Mount Gambier's population is in excess of 20,000, one of the key recommendations from the City of Mount Gambier Review is that the entire Mount Gambier Public Bus Service be review and updated to meet community needs and expectations.

Excerpt from BIC Report – Population benchmarks for regional town public transport service

***Town population 3,000 - ~6,000:** Hourly service Monday to Friday 9.30am to 2.30pm then 4.30pm to 5.30pm start of last run; Saturday morning 8am to 12pm. Use school buses or community buses at marginal cost, vehicle sizing depending on load expectations. The possibility of using volunteer drivers would help to contain costs. This may create issues with accessibility, so a vehicle with wheelchair access would be good.*

***Town population ~6,000 - ~10,000:** Hourly service; Monday to Friday 7am to 6.30pm start of last run; 8am to 4pm Saturday; 9am to 2pm Sunday. Use low floor route buses complemented by school buses and/or community transport vehicles, including volunteer drivers, for some runs, if needed and feasible, with all vehicles accessible.*

***Town population ~20,000:** Hourly service, except for 2 or so additional services in both the am and pm peaks; Monday to Friday 7am to 7pm start of last run; Saturday hourly headway 8am to 6pm; Sunday 9am to 4pm. All services operated by low floor route buses. The additional peak services could perhaps be provided by community transport or school buses in the pm peak.*

In addition to the above, it is recommended that public bus service improvements occur over three stages. The first list of recommended improvements are needed to ensure the Mount Gambier Public Bus Service meets the *basic service needs* of the community. Further, it is recommended that improvements to the Mount Gambier Public Bus Service will *enable improved social inclusion* within Mount Gambier. Ultimately, improvements to the Mount Gambier Public Bus Service will result in a public transport service that is not dissimilar to services found in metropolitan areas. Appendix 4 provides a prioritised list of recommendations that will improve the Mount Gambier Public Bus Service.

At a regional level, the City of Mount Gambier acknowledges the absence of any inter-town public transport services within the region. Therefore, further compounding the inadequacy of existing public transport services and the inadequate funding of public transport services in Mount Gambier and the Limestone Coast over many decades. Therefore, it is recommended that SAPTA also consider an intra-regional public bus service for the Limestone Coast region.

It is noted that other regional areas within South Australia have trialed a "dial a ride" program. Most recently, the Demand Responsive Trials held in Mount Barker (AdelaideMetro area) and the Barossa Valley (regional area). It is noted that the Mount Barker trial was successful, and the service has been integrated with AdelaideMetro networks by linking passengers to transport nodes.

However, the Barossa trial (which replaced the existing "Dial a ride" program) had a slower uptake of the service. Of particular note was the use of Mercedes Sprinter 12 seat vehicles. These smaller buses are not low floor route buses, have limited accessibility and are not suitable for children requiring car seats. Based on what is now known about the patrons of the Mount Gambier Public Bus Service, many use the service for shopping, identify as living with a disability and use a mobility aid, travel with young children or are older residents.

Interview participants highlighted that they would be unlikely to utilise a "dial a ride" type service as

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they feel as though they could not efficiently pre-plan their trips and this would become a barrier to them using such a service. For example, bus patrons know exactly when the bus will pick them up, where it will pick them up from, what the route is and what condition the stops are in – therefore allowing them to plan accordingly.

In addition to the above example, older bus patrons would be unlikely to utilise a “dial-a-ride” service as they would feel as though they are relying too much on others and would not want to ‘put anyone out’ in order to access transport. Therefore, it is unlikely that solely relying on this type of “dial a ride” service would be of benefit to the Mount Gambier Community. If a “dial a ride” program is to be trialed in Mount Gambier, it is strongly recommended that it be a support service to the more structured public bus service.

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.

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.



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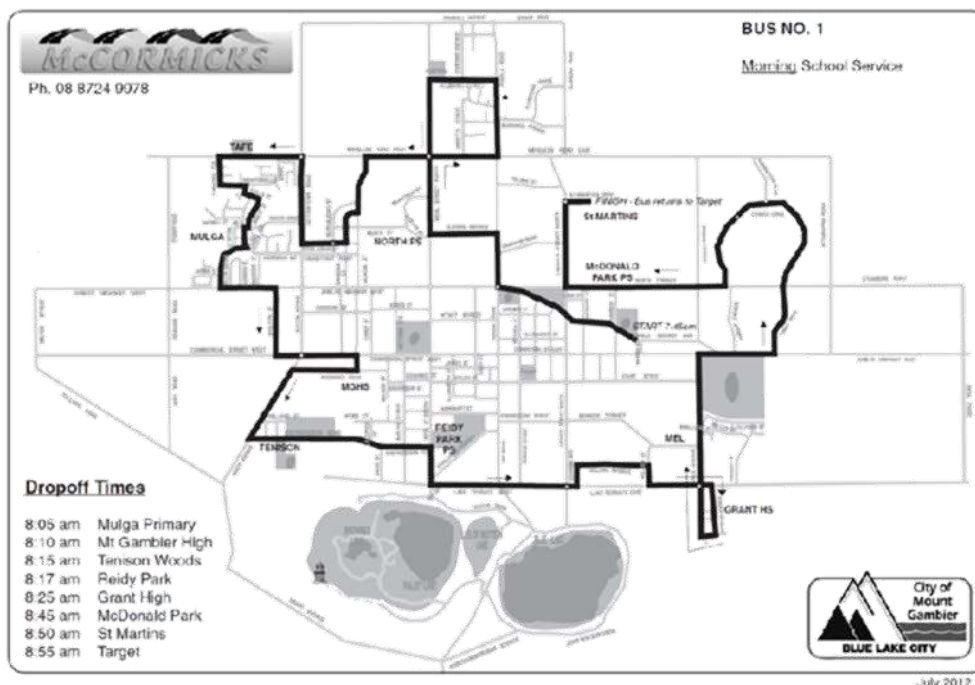
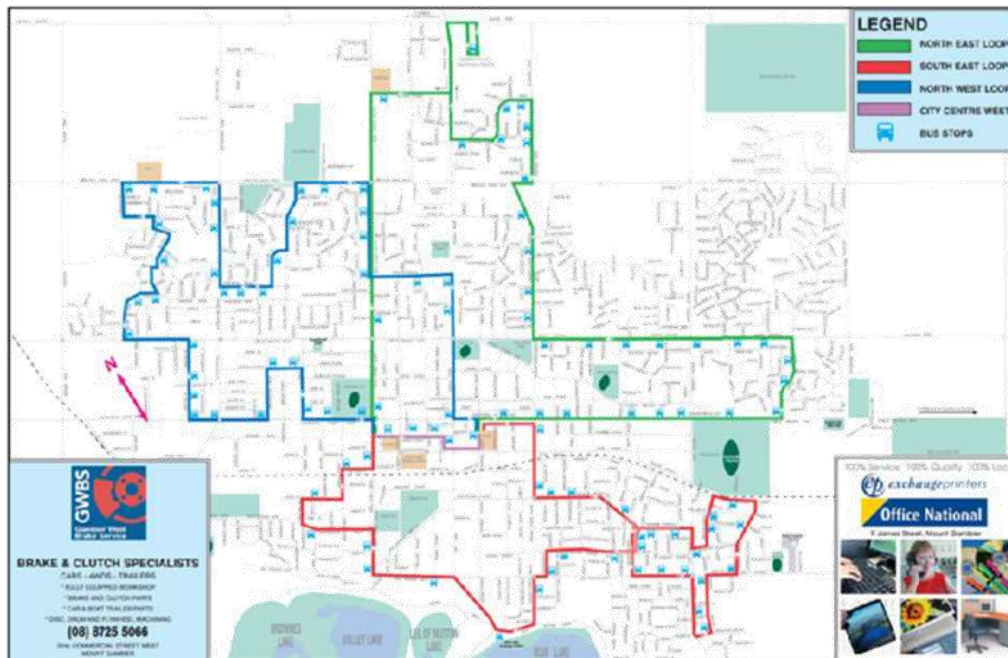
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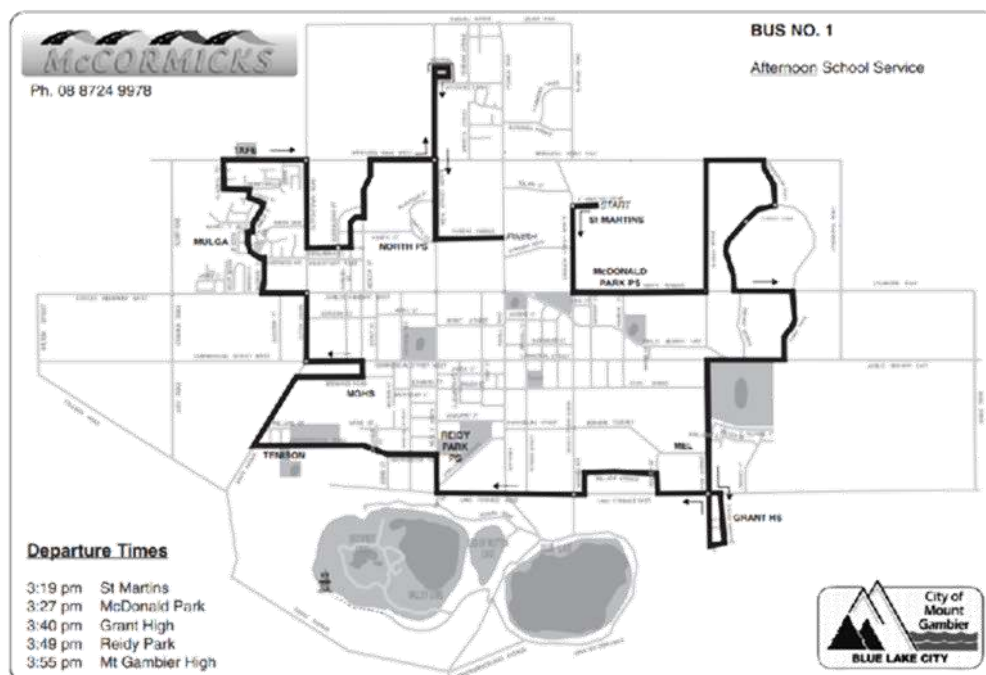
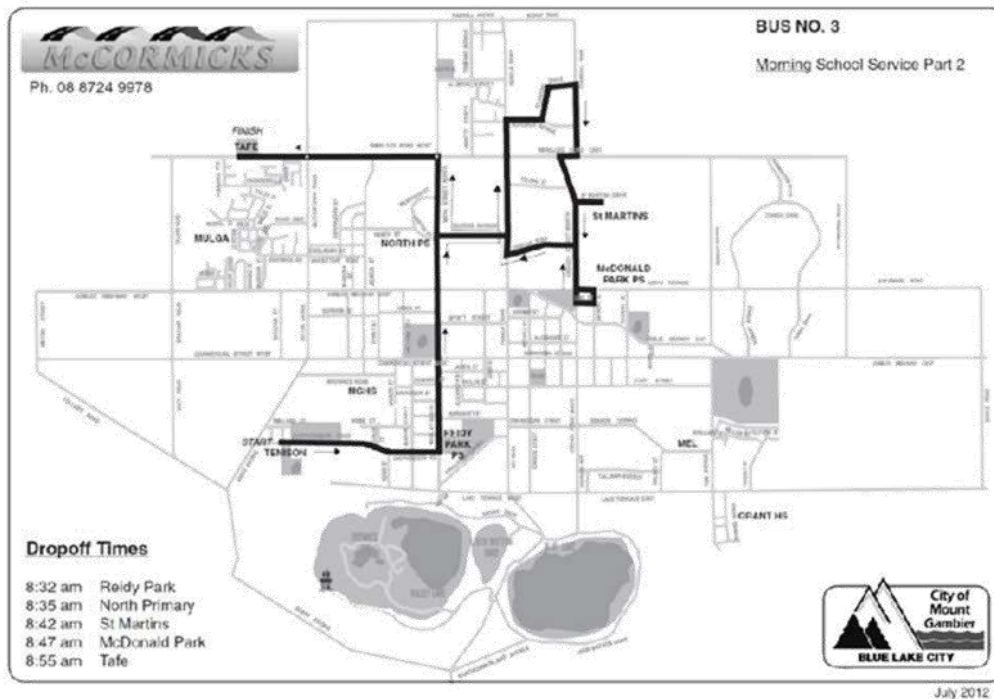


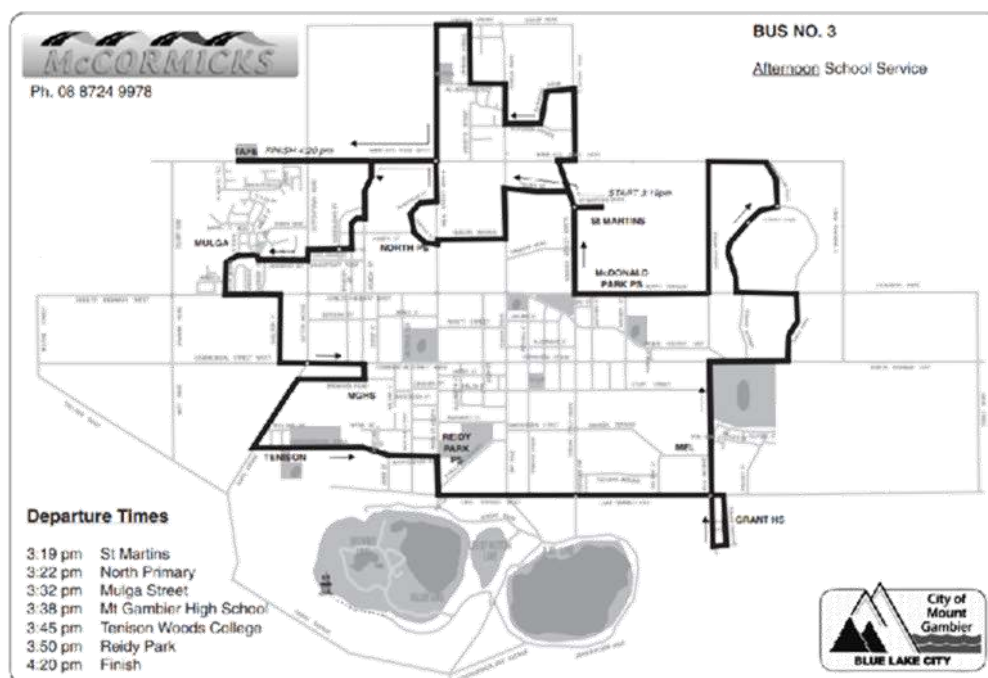
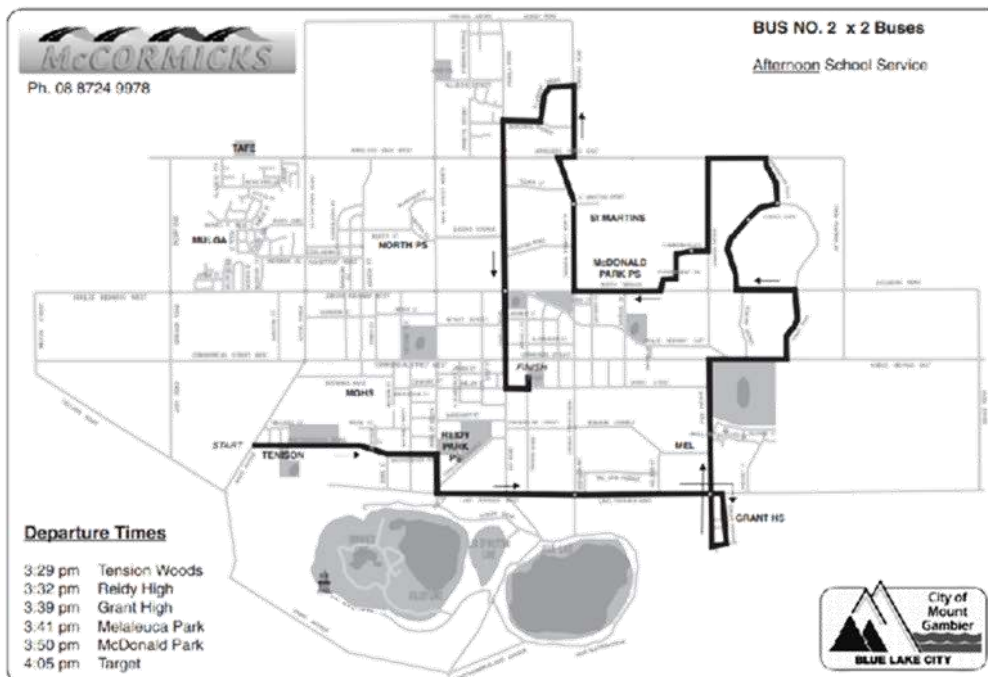
APPENDIX 1

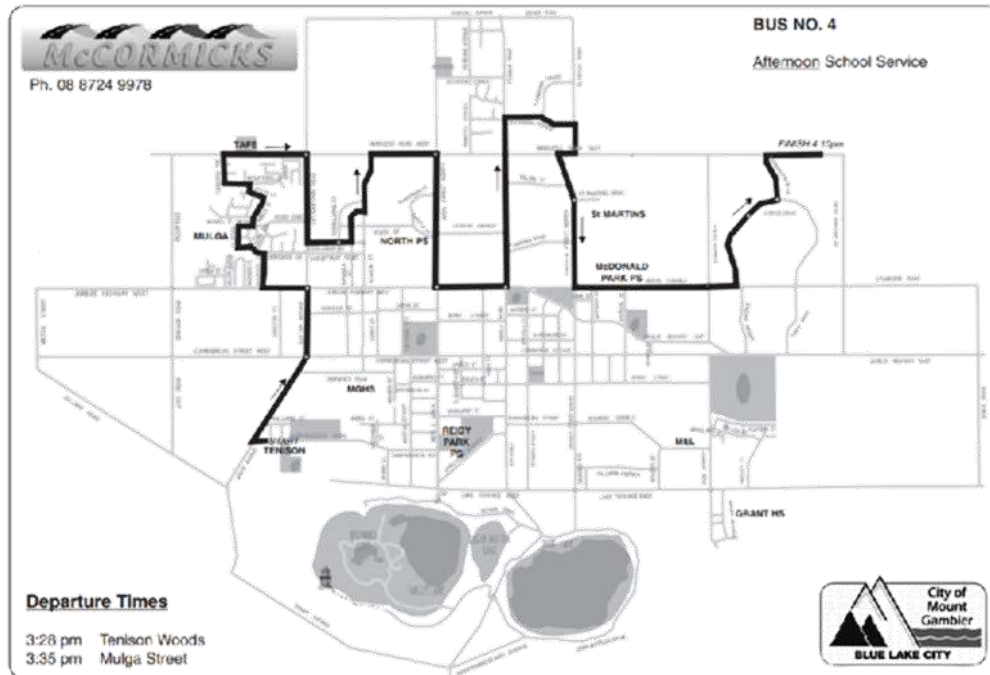
Current Mount Gambier Public Bus Service routes











APPENDIX 2

Examples of current public bus service infrastructure throughout Mount Gambier

Infrastructure on commercial property



Infrastructure



Infrastructure



Ingleby Street

MOUNTGAMBIER.SA.GOV.AU

045

Infrastructure

Woolworths
Commercial Street East



MOUNTGAMBIER.SA.GOV.AU



Ilawong Drive

046

Infrastructure



Gledigau Road

MOUNTGAMBIER.SA.GOV.AU

047

Infrastructure



Tallara Avenue

MOUNTGAMBIER.SA.GOV.AU

048

Infrastructure

Tallara Avenue



MOUNTGAMBIER.SA.GOV.AU

049

Infrastructure

Cnr Bertha and William Street



Cnr John Watson Drive and Bay Road

MOUNTGAMBIER.SA.GOV.AU

050

Infrastructure



MOUNTGAMBIER.SA.GOV.AU

051

Infrastructure



MOUNTGAMBIER.SA.GOV.AU

052

Infrastructure

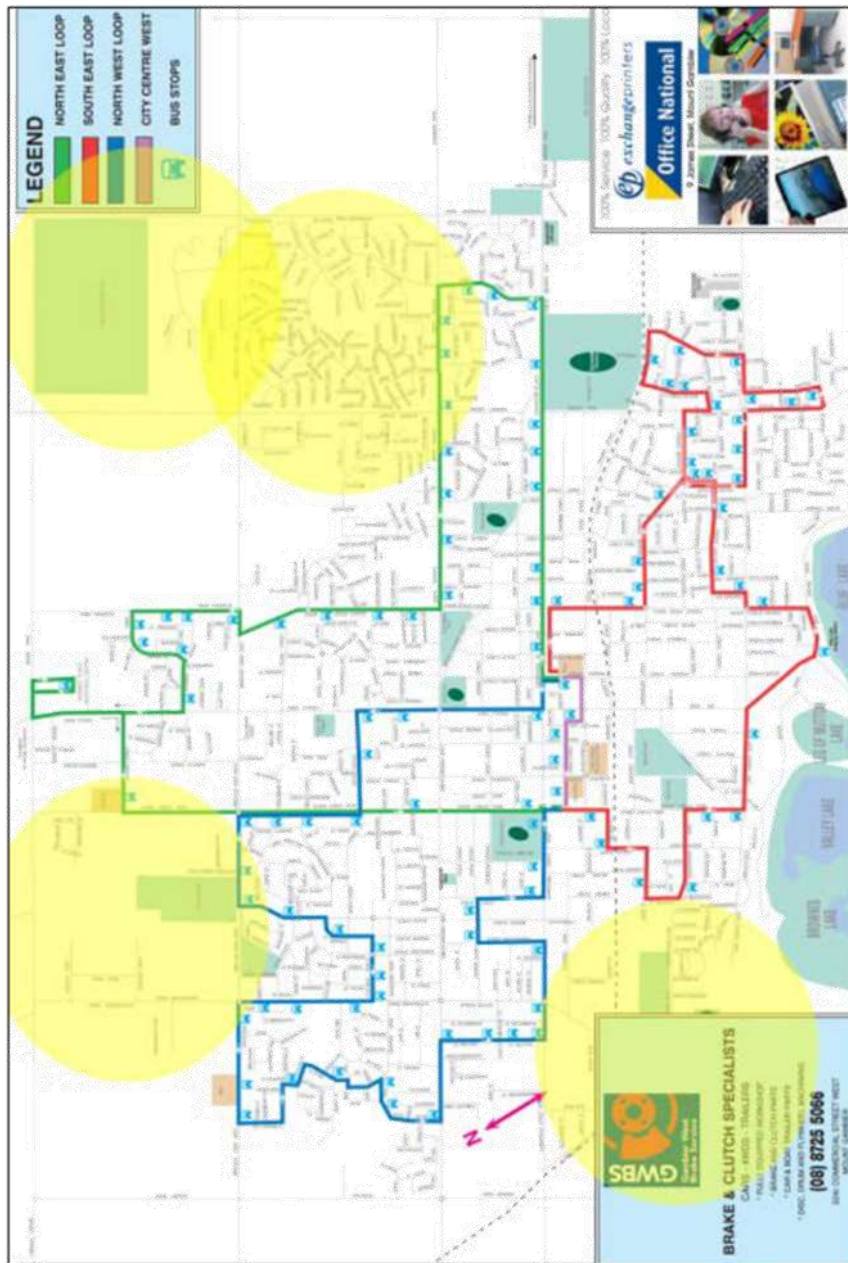
Newton Crescent



Wehl Street North

APPENDIX 3

Locations of current service gaps in the Mount Gambier Public Bus Service



APPENDIX 4

Recommended priorities for the improvement of the Mount Gambier Public Bus Service

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



24.8 RED BULL UCI PUMP TRACK TIER 2 SPONSORSHIP 22 AND 23 MAY 2021 – REPORT NO. AR21/12015

Committee:	Council
Meeting Date:	16 March 2021
Report No.:	AR21/12015
CM9 Reference:	AF20/446
Author:	Xarnia Keding, Community Events Officer
Authoriser:	Tim Coote, General Manager City Growth
Summary:	To seek additional sponsorship for the 2021 Red Bull UCI pump track event
Strategic Plan Reference:	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

REPORT RECOMMENDATION

1. That Council Report No. AR21/12015 titled 'Red Bull UCI Pump track Tier 2 Sponsorship 22 and 23 May 2021' as presented on 16 March 2021 be noted.
2. That Council support the 2021 Red Bull UCI pump track event to be hosted in Mount Gambier in May 2021 to the value of \$12,000 cash and \$6,500 in kind an increase of \$2000 cash and \$3000 in kind form approved 2020/2021 budget.
3. That Council write to Eleanor Barning acknowledging this significance of this event and confirm the additional sponsorship.



TYPE OF REPORT

Other

BACKGROUND

In 2019 Velosolution and Council designed and constructed the pump track at Hastings Cunningham reserve in which an agreement was made with Red Bull, Velosolutions and Council to host two world cup qualifying events.

The first Red Bull world cup qualifying event was held December 2019 with over 700 event attendees and 67 riders. Olympic BMX racers, MTB World Champions came from across Australia to compete in the event for the chance to win a trip to the World Championships to be held in Austria. This was the first event of its kind in Australia and was promoted globally.

The City of Mount Gambier supported the 2019 Red Bull qualifying event \$15,000 cash and \$5,000 in kind.

An appointed event coordinator and the Mount Gambier Mountain Bike Club ran the event with assistance from the events team and depot as needed.

Due to COVID the riders who qualified were unable to compete in the World Championship in Austria.

Due to COVID-19 this year's event will not be part of an international series due to travel restrictions in place and the uncertainty of events worldwide but still has national status and will draw competitors from all over Australia (depending on border closures).

This year the local Mount Gambier Mountain Bike volunteers will be required to be COVID marshals and contact tracing officers therefore the support on the weekend from depot and the events team will be vital. Below is the breakdown of the in-kind from the 2019 event totally \$6500.00.

In-kind 2019

Red Bull Pump Track Event 2019	
In Kind Support	
Depot & Events Labour	\$3,909.20
Friday & Monday	
Weekend Events Team Labour	\$1,080.00
Equipment	\$652.00
Toilets Pump Out	\$600.00
Total Cost In-kind	\$6,241.20
Expectation of additional equipment due to COVID therefore recommending \$6,500	



Due to the increased costs the club is expecting to break even as per event budget below.

2021 Event Budget

Red Bull UCI Pump Track Event | Mount Gambier 22 & 23 May 2021 | Hastings Cunningham Reserve, Mount Gambier SA

EXPENSES	2021 BUDGET
Event Coordinator	\$ 6,785.00
LED screen	\$ 3,850.00
Marquees	\$ 1,500.00
Public Liability Insurance	\$ 650.00
Security	\$ 1,340.00
Power, generator, leads, d/boards	\$ 1,000.00
Toilets x 8	\$ 1,200.00
Videographer/Switching Operator	\$ 875.00
Commentator	\$ 500.00
Prizes for winners	\$ 8,000.00
Printing of Wall bracket, plates, signs	\$ 3,400.00
First Aid/St John	\$ 3,200.00
PA/Sound	\$ 500.00
Exercise Equipment hire	\$ 500.00
Photographer	\$ 500.00
DJ/Entertainment	\$ 500.00
MGMBC (Rider fees)	\$ 1,200.00
Contingency	\$ 2,000.00
Total	\$ 37,500.00
INCOME	
Red Bull Contribution	\$ 20,000.00
Council Sponsorship	\$ 12,000.00
Rider registration \$20 x 60	\$ 1,200.00
Food vendor site fee \$100 x 3	\$ 300.00
Sponsorship \$500 x 8	\$ 4,000.00
Total	\$ 37,500.00
BALANCE	\$ -

Council In-kind	\$ 8,000.00
Red Bull In-kind	Marketing, admin costs +
Velosolutions	Timing costs

PROPOSAL

That the City of Mount Gambier consider increasing the approved 2020/2021 budget from \$10,000 cash and \$3,500 in kind to \$12,000 cash and \$6,500 to provide assistance due to the increased costs and volunteer expectations due to COVID-19 and to reflect the council sponsorship from 2019 (\$15,000 and \$5,000 in kind).

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 the additional \$2,000 and \$3,000 in kind to ensure the success of the event, the safety of all participants and the continual relationship between Red Bull and Council.

ATTACHMENTS

Nil



24.9 LAGUNARIA TREES - MITCHELL STREET – REPORT NO. AR21/12246

Committee:	Council
Meeting Date:	16 March 2021
Report No.:	AR21/12246
CM9 Reference:	AF20/446
Author:	Tracy Tzioutziouklaris, Manager Development Services
Authoriser:	Tim Coote, General Manager City Growth
Summary:	Council has been receiving on going requests seeking the removal of the mature Lagunaria Trees located along the western side of Mitchell Street
Strategic Plan Reference:	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

REPORT RECOMMENDATION

1. That Council Report No. AR21/12246 titled 'Lagunaria Trees - Mitchell Street' as presented on 16 March 2021 be noted.
2. Having had regard to the advice from the State Heritage Advisor, the issues raised by the land development and adjoining land owner, Council engage a qualified arborist to provide an independent report on the structural integrity of the trees and any future perceived problems of the trees, prior to determining if the trees should be retained or Development Approval sought for their removal.



TYPE OF REPORT

Other

BACKGROUND

There are twelve mature Lagunaria Trees located along the footpath on the western boundary of Mitchell Street, Mount Gambier. These trees form part of the edge of the Catholic Church property which is bounded by Mitchell Street, Jardine Street, Penola Road and Alexander Street.

The St Paul's Roman Catholic Church, St Paul's Catholic Church Presbytery and former St Paul's Roman Catholic Convent are located within the Catholic Church property and are places of State Heritage.

The St Paul's School Hall is also located on this subject site and is identified as a place of Local Heritage.

Together these buildings are part of the former Roman Catholic Church Complex.

In 2018 Empak Homes lodged a Development Application for a land division on the north eastern corner of the Catholic Church Complex, creating twelve additional residential allotments (DA 381/0280/2018). This application was granted Development Approval by Notice dated 20th March, 2019. As part of this land division five allotments were created with boundaries adjacent to Mitchell Street. A copy of the plan of division is attached to this report for Members perusal and information.

Council has recently granted Development Approval for the construction of the first dwelling within this subdivision, which is located on Allotment 12 (Number 8/6 Jardine Street). The rear boundary of this allotment is directly adjacent to Mitchell Street. Construction work on this dwelling has been substantially completed.

PROPOSAL

Council has received requests from both Empak Homes and the property owner of 8/6 Jardine Street, Mount Gambier seeking the removal of the street trees, the mature Lagunaria Trees, located on the footpath along the western boundary of Mitchell Street, Mount Gambier. These trees are directly adjacent to the development currently being undertaken by EMPAK Homes.

The owner of 8/6 Jardine Street has requested Council consider the removal of the Lagunaria Trees along Mitchell Street as:

- The trees drop numerous materials which are falling in their gutters
- Concerned about contamination of rainwater, in particular from the hairs from the pods; and
- The trees are dangerous for people and pets, namely they are a known irritant

Photos of the materials dropped by the trees is also attached to this report for Members information and perusal.

Lagunaria trees are recognised by a number of Councils that due to problems associated with the hair like structures from its seed pods they are no longer planted in streets or urban landscape areas. The hair like structures can cause irritation to the skin, throat and potentially lungs. This species has been linked with asthma attacks and other allergic reactions in some people. As a result many Councils have removed it from their streetscapes, replacing it with more suitable species.

Council Officers have inspected the trees and whilst there is clearance from the fence and nothing hanging over the house it is anticipated problems will occur in the future with maintaining these trees due to the species/size and density. Council will receive ongoing correspondence from the adjoining property owners in respect to the impact of these trees.

Council Officers have sought initial input from the State Heritage Advisor in respect to the trees, who raised the following:



“The setting of a State Heritage Place is part of its heritage value. This is recognised in the Development Act, which requires approval and State heritage referral for development affecting the context within which a heritage place is situated, to be referred to the Minister for Heritage.

Council’s development plan also refers to the setting of local heritage places.

The city block bounded by Mitchell, Alexander, Jardine St and Penola Road forms the setting of St Pauls Church, St Pauls Manse and the former Convent, all State heritage places. The School Hall is a Local Heritage Place.

The structural landscape (established mature trees) define the edges of this city block and provide a backdrop to the heritage places. This includes the Oak trees on Jardine Street and the mature Lagunaria trees along the western side of Mitchell Street.

I consider that removal of these trees would have an adverse impact on the State Heritage Place St Pauls Church.

Should an application for demolition of these trees be lodged with Council, it should be referred to the Minister for Heritage.”

The trees are currently in sound condition at this point in time and there is no current need to remove the trees.

LEGAL IMPLICATIONS

The mature Lagunaria streets trees are considered to define the edge of the Roman Catholic Church Complex, which contains a number of buildings listed as State Heritage Places and a Local Heritage Place. The removal of these trees is considered to materially affect the setting within which the State Heritage Buildings are located and are development which would require a Development Application to be submitted and Development Approval obtained prior to the removal of the trees.

STRATEGIC PLAN

Street trees play an important role in improving the character and amenity of an area, including residential areas. Street trees also play an important role in minimising environmental impacts. The goals of the Strategic Plan which this report relates include Our Location, Our Diverse Economy and Our Climate, Natural Resources, Arts, Culture and Heritage. Prime references to the Strategic Plan include 2.1, 3.3 and 4.3.

COUNCIL POLICY

Council’s Tree Policy T120 outlines the policy of the City of Mount Gambier for the management of trees situated on Council property. A copy of Council’s Tree Policy is available via the following link.

[Tree Policy](#)

Lagunaria trees are not identified as a type of tree which are currently planted within streets throughout the city.

ECONOMIC IMPLICATIONS

These trees are mature trees which are in good health. The value of these trees is significant, in particular for them to be replaced.

ENVIRONMENTAL IMPLICATIONS

Trees play an important role in minimising environmental impacts.

SOCIAL IMPLICATIONS

Street trees add value to the quality and amenity of the urban environment, including the provision of shade during summer and protection from rain during winter.



CULTURAL IMPLICATIONS

These trees are considered to contribute towards the heritage character of the city block within which the Catholic Church complex is located.

RESOURCE IMPLICATIONS

Should the trees remain there would be no significant financial cost to Council other than the maintenance of the trees. Should the trees be removed, there will be some cost for the removal of the trees and the replanting of a replacement tree.

VALUE FOR MONEY

There is no current budget allocation of the removal of the trees.

RISK IMPLICATIONS

Maintenance costs associated with maintaining the trees.

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

N/A

IMPLEMENTATION STRATEGY

N/A

CONCLUSION AND RECOMMENDATION

The Lagunaria Trees planted on the footpath along Mitchell Street appear to be in a sound condition. The removal of the trees is considered to have an adverse impact on the adjoining State Heritage Places, with Development Approval required to be obtained prior to the trees being able to be removed.

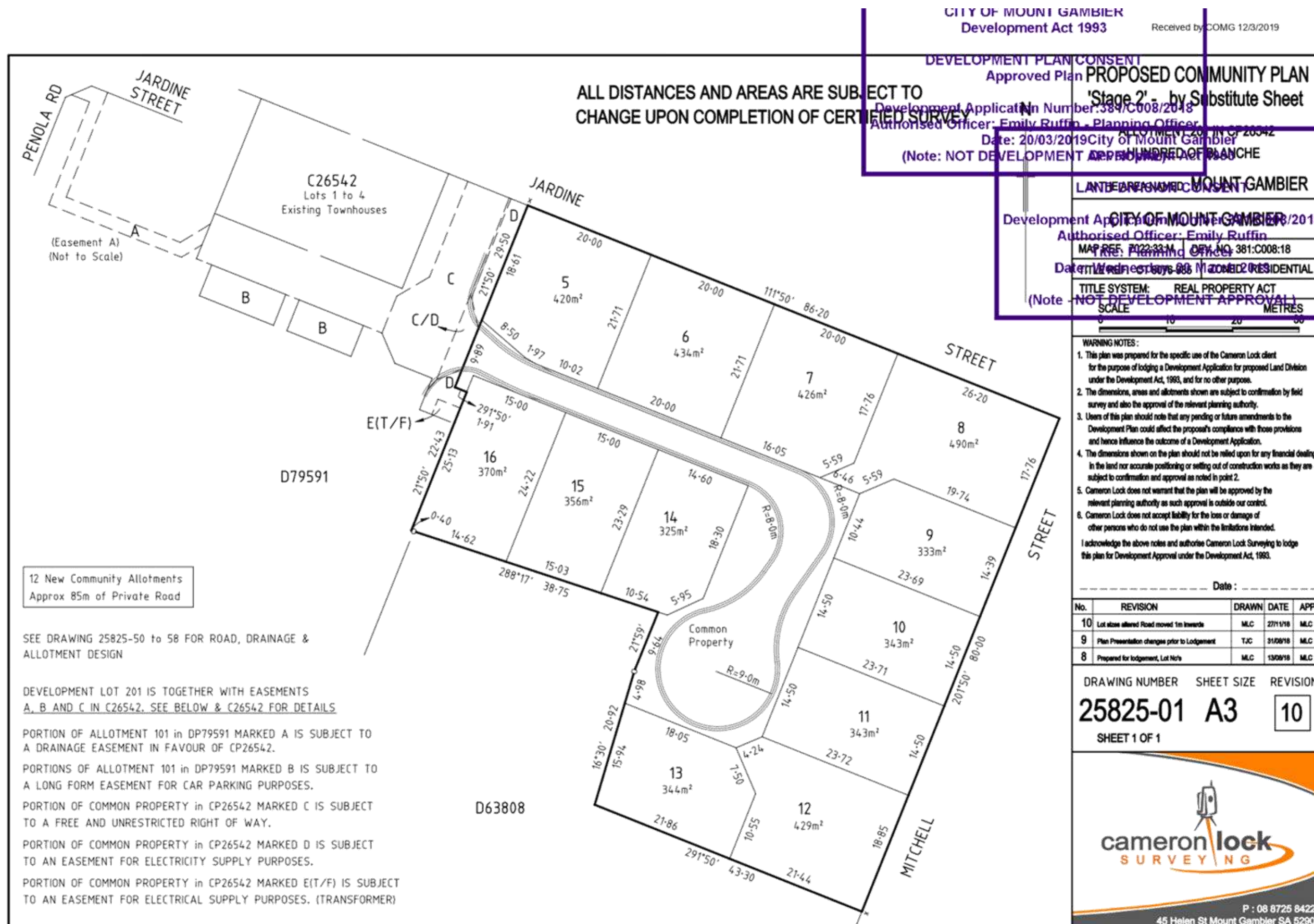
Council has received concerns by the developer of the land adjacent to the trees and a new home owner who has recently built a dwelling located adjacent to the trees in respect to the trees, in particular the amount of leaf litter and seed pods dropped by the trees.

Prior to proceeding with determining if the trees should be retained or removed, Council engage an independent arborist to provide a report in relation to the structural integrity of the trees and future problems anticipated in the retention of the trees.

ATTACHMENTS

1. Council report - Plan of Division - Lot 201 Jardine Street, Mount Gambier [↓](#)
2. Photos - Lagunaria Trees, Mitchell Street [↓](#)





Lagunaria Trees – Mitchell Street, Mount Gambier







24.10 UNSOLICITED PROPOSAL - RYDER CHESHIRE – REPORT NO. AR21/12279

Committee:	Council
Meeting Date:	16 March 2021
Report No.:	AR21/12279
CM9 Reference:	AF20/446
Author:	Elisa Solly, Property Support Officer
Authoriser:	Barbara Cernovskis, Acting Chief Executive Officer
Summary:	This report presents an unsolicited proposal from Ryder Cheshire Foundation for consideration by Council
Strategic Plan Reference:	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

REPORT RECOMMENDATION

1. That Council Report No. AR21/12279 titled 'Unsolicited Proposal - Ryder Cheshire ' as presented on 16 March 2021 be noted.
2. That the Ryder Cheshire Foundation proposal proceed to Stage 2 under Council's [Unsolicited Proposals Policy U900](#) to assess the feasibility of the proposal in greater detail, including consideration to alternate suitable locations.
3. That Council confirms commitment to a Sport, Recreation and Open Space Strategy including precinct master planning to include the Ryder Cheshire Foundation proposal as a potential future use for Corriedale Park in public consultation, and that formal consideration of Corriedale Park as a site for the Ryder Cheshire Foundation proposal be deferred until public consultation on the master plan has been conducted and submissions received.
4. That a further Council report be prepared for Stage 2 consideration of the Ryder Cheshire Foundation proposal being progressed to Stage 3.



TYPE OF REPORT

Corporate

BACKGROUND

Ryder Cheshire Foundation have approached the Chief Executive Officer and Mayor with a proposal to obtain land from Council for the construction of a new home for people living with disability. Ryder Cheshire have followed up this approach with a written request (Attachment 1).

The proposal has been identified as falling within the scope of Council's [Unsolicited Proposals Policy U900](#) which provides a process for dealing with a proposal that:

- is a new and innovative proposal from the private and non-government sectors; and which
- could assist the Council to achieve its strategic objectives or satisfy a community need; and which
- has not been requested by the Council through its regular procurement.

Stage One of the unsolicited proposals process involves the initial application and initial assessment process, as set out in the Unsolicited Proposals Policy U900.

This report is provided to assist Council in the assessment process to determine whether the proposal should progress to Stage Two which would involve the preparation of a detailed proposal to assess the feasibility of the proposal including how it will be developed and whether it represents value for money for Council.

Following Stage Two Council would determine whether the proposal is to proceed to the final Stage Three comprising contract negotiation.

PROPOSAL

On 22 February 2021, the Ryder Cheshire Foundation formally requested by letter to the Chief Executive Officer, that the City of Mount Gambier gift a portion of community land at Corriedale Park to the Ryder Cheshire Home Foundation of approximately 3000m² to construct a new home facility for people living with a disability in our community.

Council has previously donated a parcel of land at this site to the Paraplegic and Quadriplegic Association of South Australia. This project was completed in 2010 and consists of five houses specifically designed to provide short to medium term wheelchair accessible accommodation.

Council has also supported the Ryder Cheshire Foundation with land at Willow Avenue for the construction of two homes at that location.

LEGAL IMPLICATIONS

Corriedale Park is classified as community land and as such Council Policy [P420 Procurement & Disposal of Land and Assets](#) outlines considerations for Council disposing of assets including land.

Council must also undertake public consultation in accordance with the community land provisions of the Local Government Act and Council's [P195 Community Consultation and Engagement Policy](#), ensuring that any proposed revocation of classification for community land is fully completed including Ministerial approval and a final Council resolution to revoke the classification prior to making a commitment to a disposal.

STRATEGIC PLAN

At the Council meeting held on 15 September 2020 Council considered a Strategic Property Management report and resolved the following:

“RESOLUTION 2020/281

Moved: Cr Christian Greco

Seconded: Cr Max Bruins



1. *That Economic and Environment Committee Report No. AR19/36020 titled 'Strategic Property Management - Sport, Recreation and Open Space Plan and precinct Master Planning' as presented on 07 September 2020 be noted.*
2. *That Council commit to a strategic approach to property management issues, guided by a Sport, Recreation and Open Space Plan and associated site/precinct/property category master plans including Tourism Assets Master Plan and Blue Lake Sports Park Master Plan.*

CARRIED"

Council subsequently engaged consultants who are currently undertaking a 'Sport, Recreation and Open Space Strategy' for the city and specific precinct Master Plans. Corriedale Park has been identified as one of the key sites for this Master Planning process.

It is recommended that Council defer further formal consideration of the Ryder Cheshire proposal at this location until this strategic work has been prepared, considered and put out for community consultation and feedback. However, such process may include reference to the Ryder Cheshire proposal to obtain community feedback before committing to a project that will have a permanent impact on the forward planning for this strategic open space site.

COUNCIL POLICY

This report and proposal relates to the following Council policies:

[Procurement and Disposal of Land Policy P420,](#)

- This policy includes a range of factors to consider before disposing of land or assets including any alternate future use of the land, the impact the disposal may have on the community and the independent market valuation of the land.

[Prudential Management Policy P415,](#)

- The purpose of this policy is to ensure that Council projects (new and discrete undertakings or activities) are only undertaken after an appropriate level of due diligence and are managed and evaluated. The appropriate level of due diligence for this proposal would be conducted as a part of Stage 2 under the Unsolicited Proposals Policy U900

[Unsolicited Proposals Policy U900,](#)

- A brief summary of the process under the Unsolicited Proposal Policy is provided in the Background to this report.

[Community Consultation and Engagement Policy P195](#)

- The public consultation requirements for a proposed revocation of community land classification is prescribed within the community land provisions of the Local Government Act 1999, and for the subject land would include notices and signage located on the land for a minimum 21 day period.

[Risk Management Policy.](#)

- This policy commits to implementing a systematic approach to identify, assess, evaluate and treat (mitigate) risk and to have oversight over all aspects of risk management.

Further documentation and commentary addressing relevant aspects of these policies would be further prepared if the proposal progresses to Stage 2.

ECONOMIC IMPLICATIONS

Whilst there will be implications associated with the market value of the land foregone if gifted which has not yet been assessed, the community land revocation process and community consultation, Corriedale Park has no access to utility services. It is yet to be determined if donation of the land will include connection of services.



Indirect economic implications associated with the proposal may include the impediment of strategic land which may be considered a key location for future community facilities of a sporting or recreational nature or any other future community use of the land.

ENVIRONMENTAL IMPLICATIONS

The subject land is currently under-developed and the proposal included in this report to transfer a portion for residential development may have environmental implications that have not yet been identified.

SOCIAL IMPLICATIONS

The proposal to support the Ryder Cheshire Foundation has a positive social impact in the provision of disability accommodation.

Corriedale Park provides the city with open space and recreational land for community use and is a strategic site for future planning for community sporting and recreational facilities, that has previously included an area developed for disabled housing (ParaQuad).

There may be other more suitable locations for the proposed type of development without encroaching further upon community land at this location which is currently subject of a master planning exercise as part of the city's open space.

CULTURAL IMPLICATIONS

The proposal in this report is not considered to have any direct cultural implications.

RESOURCE IMPLICATIONS

Apart from associated financial implications relating to this proposal including the market value of the land requested, the community land revocation process, and possible requirements for connection to utility services and provision of access, there is a potentially significant impact on an open space resource which has been identified as a strategic key location for future planning in the abovementioned 'Sport, Recreation and Open Space Strategy' as resolved by Council to be prepared in the current year.

A land disposal and development of the type proposed may constrain the site for future community recreational and sporting purposes as may be identified in these open space planning processes.

VALUE FOR MONEY

Subject to an independent market valuation of the subject land and any costs associated with 'gifting' the land (such as land division and development costs), Council will need to consider the value of the asset gifted and opportunity cost of any alternate use of the subject land at the proposed or any other location.

RISK IMPLICATIONS

Council will need to balance community needs and aspirations for the site including through community consultation and requirements of the Act and Council Policy [Procurement and Disposal of Land and Assets P420](#) including the community land revocation process and gaining Ministerial approval before making a final decision on any transfer of community land.

EQUALITIES AND DIVERSITY IMPLICATIONS

Council's Disability Action Inclusion Plan demonstrates Council's commitment to providing all community members with equitable access to facilities, employment and services.

This proposal would provide community members living with a disability much needed access to accommodation specific to their individual needs.

ENGAGEMENT AND COMMUNICATION STRATEGY

Disposal of land will first require a community land revocation to be undertaken, comprising public consultation and Ministerial approval. This may be done concurrently or following community



engagement on the Sport, Recreation and Open Space Strategy and precinct Master Planning currently underway for Corriedale Park to assess the level of community support for the proposal.

IMPLEMENTATION STRATEGY

This report addresses Stage 1 of Council's [Unsolicited Proposals Policy U900](#).

If Council resolves to progress this proposal to Stage 2, the Chief Executive Officer will assess the feasibility of the proposal in detail. Once this process is complete a further report would be presented to Council to consider if the proposal should progress to Stage 3, subject to any prerequisite processes (such as community land revocation) having first been completed.

The community land revocation process will be undertaken including community consultation in accordance with the Act and Council Policy [Procurement and Disposal of Land and Assets P420](#), this may be undertaken concurrently or following community consultation for the 'Sport, Recreation and Open Space Strategy and precinct Master Planning' process currently underway.

CONCLUSION AND RECOMMENDATION

This report includes a recommendation that the Ryder Cheshire Foundation proposal proceed to Stage 2 of Council's [Unsolicited Proposals Policy U900](#) to assess the feasibility of the proposal in greater detail and once this assessment is complete, a further report be presented to Council for consideration of the proposal proceeding to Stage 3.

However, Councils resolved commitment to a Sport, Recreation and Open Space Strategy and precinct Master Plans should also be given due consideration as the site identified by the proponent in this proposal has also been identified as a key strategic open space location.

Accordingly, this report also recommends that further formal deliberations be placed on hold until the strategic/master planning process for Corriedale Park has been completed and put out for community consultation, noting that the land use in the Ryder Cheshire Foundation proposal may form part of such consultation process to assess community support.

ATTACHMENTS

1. Request - Donation - Portion of Land - Corriedale Park - Ryder Cheshire Foundation [↓](#)

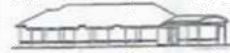




RYDER-CHESHIRE MOUNT GAMBIER HOME FOUNDATION INC.

PO Box 834,

MOUNT GAMBIER, SA 5290



Barbara Cernovskis

18th February 2021

Acting Chief Executive Officer

Civic Centre 10 Watson Terrace Mount Gambier
SA 5290

Dear Barb,

I write to you to formally request that the City of Mt Gambier gift to the Mt Gambier Ryder Cheshire Home Foundation an area of land to construct a new high quality facility to home people living with disability in our community. There is strong demand for disability accommodation in our City and I firmly believe that as a society and community we are measured by how well we look after those that are less able to look after themselves.

We would like to request an area of approximately 3000m2 at Corriedale Park.

The foundation is in a very strong financial position and our board has the experience and expertise to make this happen. We are very excited to get our teeth into this new development as soon as possible.

Yours sincerely,

Matthew Dixon
President
Mt Gambier Ryder Cheshire Home Foundation

www.ryder-cheshire.org

25 MOTIONS WITH NOTICE

25.1 NOTICE OF MOTION - NATIONAL FARMER'S FEDERATION REGIONALISATION

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 March 2021, I intend to move the following motion:

MOTION

1. That Council Report No. AR21/14709 titled 'Notice of Motion - National Farmer's Federation Regionalisation' as presented on 16 March 2021 be noted.
2. That Council support the National Farmer's Federation (NFF) Regionalisation Agenda 2021.
3. That Council write to the Hon. Michael McCormack MP, Minister for the Department of Infrastructure, Transport, Regional Development and Communications stating:
 - a. Council's support for the NFFs Regionalisation Agenda
 - b. Urge the Federal government to adopt the agenda's recommendations.
 - c. Request that the Limestone Coast region be considered as one of the 20 identified place-based regional development precincts by National Cabinet as recommended in the agenda.
4. Provide a copy of the above letter to Premier Steven Marshall, Minister for Regional Development David Basham, Federal Member for Barker Tony Pasin MP, Member for Mount Gambier Troy Bell MP and The Hon. Clare Scriven MLC.

RATIONALE

The National Farmers' Federation is calling for governments to seize the opportunity in the aftermath of COVID-19 to promote 'regionalisation' of The Australian economy. The NFF's Regionalisation Agenda was created in partnership with a range of leading businesses and industry bodies. The document, released at the National Press Club on 23 February 2021, outlines the benefits of regionalisation, explores the barriers to action and recommends practical policies to further the regionalisation agenda.

Recommendations include: making regionalisation a standing priority of National Cabinet; establishing 20 new regional development precincts; development of a list of shovel-ready regional infrastructure projects; and changes to how the projects are assessed and prioritised, to give regional projects a fair go.

Regionalisation Agenda 2021 can be read here: https://nff.org.au/wp-content/uploads/2021/02/NFF_A4_Regionalisation-Agenda_2021_V7-compressed_1.pdf.

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 WULANDA RECREATION AND CONVENTION CENTRE COMMITTEE HELD ON 9 MARCH 2021

27.2 Project Control Group (PCG) Progress Report - As at 01/03/2021

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, D Barber, T Coote and M McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.2 AR21/11450 Project Control Group (PCG) Progress Report - As at 01/03/2021.

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 Wulanda Recreation and Convention Centre.



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 AR21/11450 Project Control Group (PCG) Progress Report - As at 01/03/2021 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

28.1 QUESTION WITH NOTICE - WULANDA RECREATION AND CONVENTION CENTRE FUNDING – REPORT NO. AR21/14681

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, D Barber, T Coote and M McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 28.1 AR21/14681 Question With Notice - Wulanda Recreation and Convention Centre Funding.

The Council is satisfied that, pursuant to section 90(3) (b), (d), (g) and (j) 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
- 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
- information the disclosure of which would divulge information provided on a confidential basis by or to:
 - a Minister of the Crown, or
 - another Public Authority or official (not being an employee or a person engaged by the Council) that would on balance be contrary to the public interest

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 received includes commercial lending terms and conditions the disclosure of which could reasonably be considered as conferring a commercial advantage on other 3rd party lenders and borrowers and could prejudice the commercial position of Council in accessing future borrowings. It is considered that the disclosure of this information would be contrary to the public interest, particularly in risking the attainment of best value in the securing of funds for community assets and services.

Further, the information anticipated to be tabled with this item is expected to be on a confidential basis by a public authority, namely the Local Government Finance Authority, creating a duty of

confidence the disclosure of which would on balance be contrary to the public interest as it relates to that authorities detailed lending terms and conditions.

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 AR21/14681 Question With Notice - Wulanda Recreation and Convention Centre Funding 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), (g) and (j) be kept confidential and not available for public inspection until a loan associated with the Wulanda Recreation and Convention Centre has been fully amortised or discharged or Council has ordered that the matter be released, whichever is the earlier; and, Council has been released from its duty of confidence by the 3rd party authority.
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*.

28.2 WULANDA RECREATION AND CONVENTION CENTRE - STAGE 3 - COMMUNITY REFERENCE GROUP - MEMBER SELECTION – REPORT NO. AR21/14861

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, D Barber, T Coote and M McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 28.2 AR21/14861 Wulanda Recreation and Convention Centre - Stage 3 - Community Reference Group - Member Selection.

The Council is satisfied that, pursuant to section 90(3) (a) 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)

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 received includes personal affairs.

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 AR21/14861 Wulanda Recreation and Convention Centre - Stage 3 - Community Reference Group - Member Selection 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) be kept confidential and not available for public inspection until a further order to be reviewed each year with the names of appointed members to be released following endorsement..
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*.

28.3 BLUE LAKE GOLF CLUB - DECEMBER 2020 QUARTERLY KPI REPORT – REPORT NO. AR21/8520

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 OAM L Martin, Councillors S Meziniec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers <Enter Names> be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 28.3 AR21/8520 Blue Lake Golf Club - December 2020 Quarterly KPI Report.

The Council is satisfied that, pursuant to section 90(3) (d) 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

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 report attachment includes commercial information relating to the operations of the Blue Lake Golf Club the premature disclosure of which could reasonably be expected to confer advantage on a 3rd party and prejudice the commercial position of the Blue Lake Golf Club.

The public interest in the disclosure of this information is considered to be outweighed by the public benefit provided by the maintenance and management of the public land on which the golf course is located which is reliant on the continued successful operations of the Blue Lake Golf Club.

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 28.3 AR21/8520 Blue Lake Golf Club - December 2020 Quarterly KPI Report 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) be kept confidential and not available for public inspection until 2 years have passed or the Blue Lake Golf Club has ceased operating, whichever is the earlier.
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*.

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, 16 FEBRUARY 2021 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Sonya Meziniec, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner, Cr Frank Morello, Cr Steven Perryman

OFFICERS IN ATTENDANCE:	Acting Chief Executive Officer	- Ms B Cernovskis
	General Manager City Infrastructure	- Mr N Serle
	General Manager Shared Services	- Mr D Barber
	General Manager City Growth	- Mr T Coote
	Media and Communications Coordinator	- Ms S McLean
	Manager Governance and Property	- Mr M McCarthy
	Senior Revenue Officer	- Ms J Scheidl
	Manager Finance	- Mr J Zwijnenburg
	Executive Administration Officer	- Mrs F McGregor
	Customer Service Officer	- Ms T Chant

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 2021/23

Moved: Cr Christian Greco

Seconded: Cr Ben Hood

That the apology from Cr Kate Amoroso be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2021/24

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

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.

CARRIED

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

RESOLUTION 2021/25

Moved: Mayor Lynette Martin

Seconded: Cr Frank Morello

That the Mayoral report made on 16 February 2021 be received.

CARRIED

6 REPORTS FROM COUNCILLORS

Cr Greco	Australia Day breakfast, Wulanda site visit.
Cr Hood	PCG meeting/site tour, Tenison Year 10 panel discussion, Australia Day breakfast, Limestone Coast lone emergency centre Local Government deputy zest controller.
Cr Perryman	Member Workshop Long Term Financial Plan, Member Workshop Q2 Budget Review, Member Workshop Recording of Meetings.
Cr Mezinac	Australia Day breakfast and awards, Citizenship Ceremony, Mount Gambier and Districts Health Advisory Committee, South East Art Society Open Art Awards.
Cr Morello	Attended visit to Wulanda Recreation and Convention Centre.

RESOLUTION 2021/26

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

That the reports made by Councillors on 16 February 2021 be received.

CARRIED

7 QUESTIONS WITH NOTICE

Nil

The Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures for three minutes:

Purpose of the Suspension: To determine the questions taken on notice to be entered in the minutes

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 06:23pm

The Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures for a further two minutes:

Purpose of the Suspension: To determine the questions taken on notice to be entered in the minutes

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures remained suspended at 06:28pm

The Mayor determined that the period of suspension should be brought to an end;

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 6:30pm

8 QUESTIONS WITHOUT NOTICE

RESOLUTION 2021/27

Moved: Cr Paul Jenner

Seconded: Cr Steven Perryman

Cr Paul Jenner asked:

Council be advised if the City of Mount Gambier has approval for the total amount of borrowings needed over the two years for the Wulanda Recreation and Convention Centre and any other major projects in council's existing long term finance and infrastructure management plans?

CARRIED

Mayor Martin allowed the reply to Cr Jenner's question without notice to be given at the next meeting.

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****RESOLUTION 2021/28**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

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.

CARRIED**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

14 COUNCIL ACTION ITEMS**14.1 COUNCIL ACTION ITEMS - 19/01/2021****RESOLUTION 2021/29**

Moved: Cr Christian Greco

Seconded: Cr Frank Morello

1. That Council Report No. AR21/1573 titled 'Council Action Items - 19/01/2021' as presented on 16 February 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**17.1 MINUTES OF THE REGIONAL SPORT AND RECREATION CENTRE COMMITTEE HELD ON 9 FEBRUARY 2021****RESOLUTION 2021/30**

Moved: Cr Ben Hood

Seconded: Cr Max Bruins

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

CARRIED

17.2 WULANDA RECREATION AND CONVENTION CENTRE - COMMUNITY REFERENCE GROUP TERMS OF REFERENCE – REPORT NO. AR21/6054

RESOLUTION 2021/31

Moved: Cr Ben Hood

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

17.3 WULANDA RECREATION AND CONVENTION CENTRE - TERMS OF REFERENCE – REPORT NO. AR21/6829

MOTION

Moved: Cr Ben Hood

Seconded: Cr Paul Jenner

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.

AMENDMENT

Moved: Cr Steven Perryman

Seconded: Cr Max Bruins

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.
5. Further review be undertaken regarding the membership of the committee with a view to reducing the number of members on the committee.

The Amendment was put and

CARRIED

The Amendment became the Motion

RESOLUTION 2021/32

Moved: Cr Steven Perryman

Seconded: Cr Max Bruins

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.
5. Further review be undertaken regarding the membership of the committee with a view to reducing the number of members on the committee.

CARRIED

18 COUNCIL ASSESSMENT PANEL MINUTES

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

RESOLUTION 2021/33

Moved: Cr Paul Jenner

Seconded: Cr Ben Hood

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

CARRIED

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

MOTION

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

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.

AMENDMENT

MOTION

Moved: Cr Steven Perryman

Seconded: Cr Ben Hood

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. 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. The CEO prepare a draft submission to Department of Infrastructure and Transport emphasizing the following points:
 - Access to effective public transport services in and around Mount Gambier and the Lower South East is important to the community.
 - The existing service is inadequate and in need of major change.
 - The current service delivery mode for mass passenger transport in Mount Gambier has historically been underfunded and remains underfunded, with supporting data from the sources quoted in report AR21/2815.
 - The absence of any inter-town public transport services in the region further compounds the inadequacy of existing public transport services, and further highlights the inadequate historical funding of public transport services in and around the regional centre Mount Gambier over many decades.
 - Calling for the department to review the suitability of the 'dial a ride' (or similar) concept as proposed by the Office for Public Transport around 2005.

4. The draft report be submitted to Council for amendment or endorsement prior to submission to the Department of Infrastructure and Transport.

The Amendment was put and

CARRIED

The Amendment became the Motion

RESOLUTION 2021/34

Moved: Cr Steven Perryman

Seconded: Cr Ben Hood

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. 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. The CEO prepare a draft submission to Department of Infrastructure and Transport emphasizing the following points:
 - Access to effective public transport services in and around Mount Gambier and the Lower South East is important to the community.
 - The existing service is inadequate and in need of major change.
 - The current service delivery mode for mass passenger transport in Mount Gambier has historically been underfunded and remains underfunded, with supporting data from the sources quoted in report AR21/2815.
 - The absence of any inter-town public transport services in the region further compounds the inadequacy of existing public transport services, and further highlights the inadequate historical funding of public transport services in and around the regional centre Mount Gambier over many decades.
 - Calling for the department to review the suitability of the 'dial a ride' (or similar) concept as proposed by the Office for Public Transport around 2005.
4. The draft report be submitted to Council for amendment or endorsement prior to submission to the Department of Infrastructure and Transport.

CARRIED

Pursuant to Section 74 of the Local Government Act 1999, Cr Jenner disclosed a material conflict of interest in Item 24.2:

"Member of CAP".

In accordance with Section 74 of the Local Government Act 1999 Cr Jenner did not participate in the meeting for Item 24.2.

Cr Paul Jenner left the meeting at 7:03 pm

24.2 REVIEW OF DELEGATIONS - PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT

RESOLUTION 2021/35

Moved: Cr Sonya Meziniec

Seconded: Cr Christian Greco

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 16th 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 16th 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 exercise 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 instrument 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 16th February 2021.

CARRIED

Cr Paul Jenner returned to the meeting at 7:06pm

24.3 TOUR OF THE GREAT SOUTH COAST CYCLING TIER 2 SPONSORSHIP FUNDING**RESOLUTION 2021/36**

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

- 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.

CARRIED**24.4 BUDGET REVIEW QUARTER 2 FY2020-21****RESOLUTION 2021/37**

Moved: Cr Steven Perryman

Seconded: Cr Max Bruins

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.

CARRIED

**24.5 LONG TERM FINANCIAL PLAN (LTFP) AND ASSET MANAGEMENT PLAN (AMPS)
FY2022-FY2031****RESOLUTION 2021/38**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

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.

CARRIED

24.6 COUNCIL'S CURRENT VALUATION AND RATING SYSTEM**RESOLUTION 2021/39**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

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.

CARRIED

24.7 PROPOSED RATING STRUCTURE AND WASTE SERVICE CHARGE**RESOLUTION 2021/40**

Moved: Cr Steven Perryman

Seconded: Cr Max Bruins

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.

CARRIED

25 MOTIONS WITH NOTICE**25.1 NOTICE OF MOTION - STREET SWEEPING - HALLMONT AND WOODLANDS ESTATE****RESOLUTION 2021/41**

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

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.

CARRIED

25.2 NOTICE OF MOTION - COMMUNICATION, MEDIA AND ENGAGEMENT STRUCTURE AND FUNCTION**RESOLUTION 2021/42**

Moved: Cr Ben Hood

Seconded: Cr Max Bruins

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 incoming 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.

CARRIED**25.3 NOTICE OF MOTION - UNTENANTED COMMERCIAL PREMISES WITHIN THE CBD****RESOLUTION 2021/43**

Moved: Cr Ben Hood

Seconded: Cr Max Bruins

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, Senior Revenue Officer, 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.

CARRIED

25.4 NOTICE OF MOTION - STRATEGY AND IMPLEMENTATION PLAN TO SUPPORT THE PROMOTION OF STREET ART

MOTION

Moved: Cr Ben Hood

Seconded: Cr Paul Jenner

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.

r12 (10) Cr Morello sought and was granted leave of the meeting to speak a second time to the item.

AMENDMENT

Moved: Cr Frank Morello

Seconded: Cr Christian Greco

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.
5. Council:
 - a) develop a plan to commission beacon artworks for installation at prominent locations in Mount Gambier and;
 - b) refer \$80,000 to the draft 2021/2022 budget for consideration.

The Amendment was put and

CARRIED

The Amendment became the Motion

RESOLUTION 2021/44

Moved: Cr Frank Morello

Seconded: Cr Christian Greco

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.
5. Council:
 - a) develop a plan to commission beacon artworks for installation at prominent locations in Mount Gambier and;
 - b) refer \$80,000 to the draft 2021/2022 budget for consideration.

CARRIED

25.5 NOTICE OF MOTION - HOMELESSNESS IN MOUNT GAMBIER AND THE SURROUNDING REGION

Moved: Cr Sonya Mezinac

Seconded: Cr Christian Greco

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 with copies sent to our local Federal and State Members of Parliament.
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.

Cr Mezinac as mover with consent of Cr Greco request leave of the meeting to vary the Motion as follows:

VARIATION

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 with copies sent to our local Federal and State members of Parliament.
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 October General Meeting.

The Mayor/Presiding Member put the question for leave to be granted to the vote.

Leave of the Meeting was GRANTED

The Variation became the Motion

RESOLUTION 2021/45

Moved: Cr Sonya Meziniec

Seconded: Cr Christian Greco

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 with copies sent to our local Federal and State members of Parliament.
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 October General Meeting.

CARRIED**25.6 NOTICE OF MOTION - JOBSEEKER ALLOWANCE****MOTION**

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

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 to \$560 per week for a single person with no children.

LOST**26 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 – REPORT NO. AR21/6521****RESOLUTION 2021/46**

Moved: Cr Frank Morello

Seconded: Cr Ben Hood

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, F McGregor and T Chant 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.

CARRIED

Cr Steven Perryman left the meeting at 8:39pm and did not return.

RESOLUTION 2021/47

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 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

28 NEW CONFIDENTIAL ITEMS

Nil

29 MEETING CLOSE

The Meeting closed at 8:44pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 16 March 2021.

.....
PRESIDING MEMBER

**MINUTES OF CITY OF MOUNT GAMBIER
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON WEDNESDAY, 3 MARCH 2021 AT 5:30 PM**

PRESENT: Mayor Lynette Martin (OAM), Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner, Cr Frank Morello

OFFICERS IN ATTENDANCE: Manager Governance and Property - Mr M McCarthy

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 2021/57

Moved: Cr Christian Greco

Seconded: Cr Frank Morello

That the apology(ies) from Cr Sonya Meziniec and Cr Steven Perryman be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 CHIEF EXECUTIVE OFFICER SELECTION PANEL COMMITTEE MINUTES

4.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER SELECTION PANEL HELD ON 11 NOVEMBER 2020, 22 DECEMBER 2020, 20 JANUARY 2021 AND 26 FEBRUARY 2021

RESOLUTION 2021/58

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

That the Minutes of the Chief Executive Officer Selection Panel meeting held on 11 November 2020, 22 December 2020, 20 January 2021 and 26 February 2021 as attached be noted.

CARRIED

5 CONFIDENTIAL ITEMS

5.1 UPDATE ON THE CHIEF EXECUTIVE OFFICER SELECTION PROCESS – REPORT NO. AR21/12144

RESOLUTION 2021/59

Moved: Cr Max Bruins
Seconded: Cr Frank Morello

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 K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and Council Officer M McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.1 AR21/12144 Update on the Chief Executive Officer Selection Process.

The Council is satisfied that, pursuant to section 90(3) (a), (b), (d) and (g) 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
- 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 subject matter includes information regarding the selection process, the disclosure of which could reasonably be considered could disclose the commercial information of a confidential nature and confer an advantage on third parties or applicant(s) to the Chief Executive Officer position.

Further, the information to be discussed includes information concerning the personal employment affairs of applicants for the position of Chief Executive Officer provided on a confidential basis and thus creating a duty of confidence on the CEO Selection Panel and Council.

CARRIED

RESOLUTION 2021/60

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 5.1 AR21/12144 Update on the Chief Executive Officer Selection Process 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), (d) and (g) be kept confidential and not available for public inspection until further order of Council, to be reviewed at least once in every 12 month period.
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

5.2 CHIEF EXECUTIVE OFFICER RECRUITMENT – REPORT NO. AR21/11473**RESOLUTION 2021/61**

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Chief Executive Officer Selection Panel orders that all members of the public, except Mayor L Martin, Councillors K Amoroso, M Bruins, C Greco, B Hood, F Morello and P Jenner and Council Officer M McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.2 AR21/11473 Chief Executive Officer Recruitment.

The Chief Executive Officer Selection Panel is satisfied that, pursuant to section 90(3) (a), (b), (d) and (g) 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

- 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 Chief Executive Officer Selection Panel 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 discussed includes information concerning the personal employment affairs of applicants for the position of Chief Executive Officer provided on a confidential basis and thus creating a duty of confidence on the Committee and Council.

Further, the subject matter also includes information regarding the selection process, the disclosure of which could reasonably be considered could confer an advantage on third parties or applicant(s) to the Chief Executive Officer position.

CARRIED

RESOLUTION 2021/62

Moved: Cr Frank Morello

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 5.2 AR21/11473 Chief Executive Officer Recruitment 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), (d) and (g) be kept confidential and not available for public inspection until further order of Council, to be reviewed at least once in every 12 month period, with the exception of resolution 2(a) which is to be released following execution of a contract of employment by both parties, all unsuccessful candidates have been notified, and an announcement on the appointment is ready to be made.
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

5 MEETING CLOSE

The Meeting closed at 6:30 p.m.

The minutes of this meeting were confirmed at the Ordinary Meeting of the City of Mount Gambier held on 16 March 2021.

.....
PRESIDING MEMBER

**MINUTES OF CITY OF MOUNT GAMBIER
WULANDA RECREATION AND CONVENTION CENTRE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 9 MARCH 2021 AT 5.34 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Ben Hood (Presiding Member), Cr Max Bruins, Cr Paul Jenner, Cr Sonya Meziniec, Cr Frank Morello, Cr Steven Perryman (entered at 6:17 pm and left at 6:31 pm)

**CONSULTANTS
IN ATTENDANCE:** Nick Argyros

OFFICERS IN ATTENDANCE:	Acting Chief Executive Officer	- Ms B Cernovskis
	General Manager Shared Services	- Mr D Barber
	General Manager City Growth	- Mr T Coote
	Executive Administrator City Infrastructure	- Ms S Wilson

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)

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

That the apologies from Cr Christian Greco and Cr Kate Amoroso be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

That the minutes of the Regional Sport and Recreation Centre Committee meeting held on 9 February 2021 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 - BRAND DEVELOPMENT

COMMITTEE RECOMMENDATION

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Wulanda Recreation and Convention Centre Committee Report No. AR21/13415 titled 'Wulanda Recreation and Convention Centre - Brand Development' as presented on 09 March 2021 be noted.

The Presiding Member sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: to further discuss the brand development

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 5:39 pm

The Presiding Member determined that the period of suspension should be brought to an end;

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 6:06 pm

COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Wulanda Recreation and Convention Centre Committee Report No. AR21/13415 titled 'Wulanda Recreation and Convention Centre - Brand Development' as presented on 09 March 2021 be noted.

CARRIED

6 CONFIDENTIAL ITEMS

6.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 01/03/2021 – REPORT NO. AR21/11450

COMMITTEE RESOLUTION

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Wulanda Recreation and Convention Centre Committee orders that all members of the public, except Mayor L Martin, Councillors B Hood, M Bruins, P Jenner, S Meziniec, F Morello and S Perryman, Council Officers

B Cernovskis, D Barber, T Coote and Consultant N Argyros be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 6.1 AR21/11450 Project Control Group (PCG) Progress Report - As at 01/03/2021.

The Wulanda Recreation and Convention 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 Wulanda Recreation and Convention 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 Wulanda Recreation and Convention Centre.

CARRIED

Cr Steven Perryman arrived at 6:17 pm

Cr Steven Perryman left the meeting at 6:31 pm

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 AR21/11450 Project Control Group (PCG) Progress Report - As at 01/03/2021 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 6:50 pm.

The minutes of this meeting were confirmed at the Wulanda Recreation and Convention Centre Committee held on 13 April 2021.

.....
PRESIDING MEMBER

**17.2 WULANDA RECREATION AND CONVENTION CENTRE - BRAND DEVELOPMENT –
REPORT NO. AR21/13415**

Committee: Wulanda Recreation and Convention Centre Committee
Meeting Date: 9 March 2021
Report No.: AR21/13415
CM9 Reference: AF18/175
Author: Heidi Gajic, Community Development and Engagement Officer
Authoriser: Barbara Cernovskis, Acting Chief Executive Officer
Summary: Update on Wulanda Recreation and Convention Centre Brand Development
Strategic Plan Reference: Goal 1: Our People
Goal 2: Our Location
Goal 3: Our Diverse Economy

REPORT RECOMMENDATION

1. That Wulanda Recreation and Convention Centre Committee Report No. AR21/13415 titled 'Wulanda Recreation and Convention Centre - Brand Development' as presented on 09 March 2021 be noted.



TYPE OF REPORT

Corporate

BACKGROUND

On 15 February 2021 Council endorsed Wulanda Recreation and Convention Centre as the official name for the facility being constructed at Olympic Park, Margaret Street Mount Gambier following significant community consultation for name suggestions and a community vote.

With construction underway, we are now working towards the operation of the facility in preparation for its opening in Autumn 2022 including the development of a brand for the facility.

PROPOSAL

A brief has been prepared to guide the development of a brand identity for the Wulanda Recreation and Convention Centre which will reflect the landmark nature of this facility. A space that will elevate and enhance community connection, wellbeing, culture and identity. A high quality year round venue that can host regional, state and national sporting events providing significant social and economic benefits to Mount Gambier.

With construction of the facility underway the timeline for the brand development is compressed to ensure we meet contractual requirements and do not create any delays for the project. BADGE Construction requires the endorsed brand identity by 21 May 2021 for inclusion in the facility signage package.

LEGAL IMPLICATIONS

N/A

STRATEGIC PLAN

The Wulanda Recreation and Convention Centre project in its design and delivery is congruent with the goals of the Community Plan - City Futures Paper 2016-2020 and Council's Strategic Plan 2020-2024.

Goal 1 Our People

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

N/A

ECONOMIC IMPLICATIONS

The Wulanda Recreation and Convention Centre brand development will be resourced within existing operational budgets.

ENVIRONMENTAL IMPLICATIONS

N/A



SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

N/A

VALUE FOR MONEY

Design services for the Wulanda Recreation and Convention Centre brand development will be procured through a competitive Request for Quote process.

RISK IMPLICATIONS

N/A

EQUALITIES AND DIVERSITY IMPLICATIONS

Due to the significance of the name, Wulanda Recreation and Convention Centre, the brand should respectfully acknowledge the spiritual connection of our Boandik Peoples to the land and water that Mount Gambier sits upon today.

To support this connection, Council is commissioning local First Nations artists to create painted works from which a suite of digital design elements will be captured. These elements will be made available to the selected designer for meaningful reference and/or incorporation into the brand identity.

ENGAGEMENT AND COMMUNICATION STRATEGY

N/A

IMPLEMENTATION STRATEGY

A Request for Quote process will commence 10 March 2021 for a period of 14 days inviting to the submission of quotes and return schedules. Upon completion of the Request for Quote period, all submissions will be evaluated in accordance with Council's procurement policy, and an appropriate designer appointed to prepare and present a draft logo and brand outline to Council for review and feedback by 16 April 2021.

Following Council review the final brand package will be completed by 13 May 2021 and presented to the May Council meeting for endorsement.

CONCLUSION AND RECOMMENDATION

This report provides Council with update of the process and timeline for the Wulanda Recreation and Convention Centre brand development.

ATTACHMENTS

Nil

