

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

Date: Tuesday, 18 May 2021
Time: 6.00 p.m.
Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Ordinary Council Meeting 18 May 2021



Barbara Cernovskis
Acting Chief Executive Officer

14 May 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 - 20 April 2021](#)

RECOMMENDATION

That the minutes of the Ordinary Council meeting held on 20 April 2021 be confirmed as an accurate record of the proceedings of the meeting.

5 MAYORAL REPORT

- Cultural Awareness Training
- Wreath Laying at ANZAC Day Dawn Service and Service following Street March
- Elected Members Workshop - Annual Budget Preparation
- Elected Members Workshop - Wulanda Branding
- With Acting CEO attendance in Adelaide at:
 - SAROC - Attracting Workers to SA's Regions Forum
 - LGA 2021 Ordinary General Meeting
- Interfaith Prayer Service for India, New Guinea and Countries affected by COVID19
- Economic and Environment Committee Meeting
- Elected Members Workshop - Outcomes of Employee Survey
- Meeting to discuss Service Requirements - SA Ambulance Service
- Wulanda Recreation and Convention Centre Committee Meeting
- Elected Members Workshop - Strategic Waste Management
- Citizenship Ceremony
- Ryder Cheshire Australia - Biennial Conference Luncheon
- Presentation of Awards - Mount Gambier 100 Mile Classic
- Speech and presentation to winners of Men's 2 Day Fours - Mount Gambier RSL Bowls Club
- Discussion with Local Government Grants Commission
- Volunteers Week Thank You Morning Tea



6 REPORTS FROM COUNCILLORS

7 QUESTIONS WITH NOTICE

Nil

8 QUESTIONS WITHOUT NOTICE

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil



12 ELECTED MEMBERS WORKSHOPS

12.1 ELECTED MEMBER WORKSHOP FROM 17/04/2021 TO 14/05/2021 – REPORT NO. AR21/1605

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

REPORT RECOMMENDATION

1. That Council Report No. AR21/1605 titled 'Elected Member Workshop from 17/04/2021 to 14/05/2021' as presented on 18 May 2021 be noted.

ATTACHMENTS

1. Designated Informal Gathering - Members Workshop - Record of Proceedings - 27/04/2021 [↓](#)
2. Designated Informal Gathering - Members Workshop - Record of Proceedings - 28/04/2021 [↓](#)
3. Designated Informal Gathering - Members Workshop - Record of Proceedings - 04/05/2021 [↓](#)
4. Designated Informal Gathering - Members Workshop - Record of Proceedings - 11/05/2021 [↓](#)



**DESIGNATED INFORMAL GATHERING
ANNUAL BUDGET PREPARATION (WORKSHOP NO. 4)
5:30 PM, TUESDAY 27 APRIL 2021**

RECORD OF PROCEEDINGS
5:30 pm, Tuesday 27 April 2021
Council Chamber, 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:-

Nil

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Sonya Mezinec
Cr Paul Jenner
Cr Frank Morello
Cr Max Bruins

STAFF PRESENT:-

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

MEMBERS APOLOGIES:-

Cr Kate Amoroso
Cr Ben Hood
Cr Christian Greco
Cr Steven Perryman

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

- Budget Revision 3
- 2021/2022 Budget

Discussion closed at 6:10 p.m.



**DESIGNATED INFORMAL GATHERING
WULANDA BRANDING
5:30 PM, WEDNESDAY 28 APRIL 2021**

RECORD OF PROCEEDINGS
5:30 pm, Wednesday 28 April 2021
Council Chamber, 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:-

2x concept design presenters.

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Sonya Mezinac
Cr Ben Hood
Cr Paul Jenner
Cr Frank Morello
Cr Max Bruins

STAFF PRESENT:-

Acting Chief Executive Officer
General Manager City Growth
Media and Communications Coordinator
Community Development and Engagement Officer

MEMBERS APOLOGIES:-

Cr Christian Greco
Cr Kate Amoroso
Cr Steven Perryman

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Wulanda Branding Concepts.

Discussion closed at 6:15 p.m.



**DESIGNATED INFORMAL GATHERING
OUTCOMES OF EMPLOYEE SURVEY
5:30 PM, TUESDAY 4 MAY 2021**

RECORD OF PROCEEDINGS
5:30pm, Tuesday 4 May 2021
Comfort Inn The Lakes
17 Lake Terrace West, 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:-

Rowena McLean, Local Government Association

MEMBERS PRESENT:-

Mayor Martin
Cr Jenner
Cr Meziniec
Cr Bruins
Cr Morello

STAFF PRESENT:-

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

MEMBERS APOLOGIES:-

Cr Amoroso
Cr Hood
Cr Greco

LEAVE OF ABSENCE:-

DISCUSSION:

Staff engagement survey and Councillor support.

Discussion closed at 8:10 p.m.



**DESIGNATED INFORMAL GATHERING
STRATEGIC WASTE MANAGEMENT
6:08 PM TUESDAY 11 MAY 2021**

RECORD OF PROCEEDINGS
6:08 pm, Tuesday 11 May 2021
Council Chamber, 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:-

Nil

MEMBERS PRESENT:-

Mayor Martin
Cr Jenner
Cr Mezinec
Cr Bruins
Cr Morello
Cr Hood
Cr Perryman
Cr Amoroso
Cr Greco (arrived at 8.26 pm)

STAFF PRESENT:-

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

MEMBERS APOLOGIES:-

Nil

LEAVE OF ABSENCE:-

Nil

Pursuant to Section 75A of the Local Government Act 1999, Cr Paul Jenner disclosed a perceived conflict of interest in the Designated Informal Gathering, Strategic Waste Management"

"My son works as an undergraduate position as an accountant."

Cr Jenner informed the meeting of the manner in which he intends to deal with the perceived conflict of interest as follows:

"I will stay in the room."

In accordance with Section 75A of the Local Government Act 1999 Cr Jenner stayed for the discussion of the Designated Informal Gathering, Strategic Waste Management.

DISCUSSION:

Strategic Waste Management Direction.

Discussion closed at 7.20 pm



13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil



14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 20/04/2021 – REPORT NO. AR21/1586

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

REPORT RECOMMENDATION

1. That Council Report No. AR21/1586 titled 'Council Action Items - 20/04/2021' as presented on 18 May 2021 be noted.

ATTACHMENTS

1. Action Items - 20 April 2021 [↓](#)



Division:	Council	Date From:	20/04/2021
Committee:		Date To:	18/05/2021
Officer:		Printed: 13 May 2021 9:50 AM	

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	Cernovskis, Barbara Cernovskis, Barbara	Deputations	Deputation - Mr Tony Elletson, Limestone Coast Local Government Association STARCLUB Field Officer and Limestone Coast Regional Sports Academy
RESOLUTION 2021/95			
Moved: Cr Ben Hood Seconded: Cr Sonya Meziniec			
1. That Council Report No. AR21/21960 titled 'Deputation - Mr Tony Elletson, Limestone Coast Local Government Association STARCLUB Field Officer and Limestone Coast Regional Sports Academy' as presented on 20 April 2021 be noted.			
CARRIED			
13 May 2021 8:51am Cernovskis, Barbara - Completion			
Action completed by Lavia, Ashlee			

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	Lavia, Ashlee Cernovskis, Barbara	Elected Members Workshops	Elected Member Workshop from 11/03/2021 to 16/04/2021
RESOLUTION 2021/97			
Moved: Cr Max Bruins Seconded: Cr Paul Jenner			
1. That Council Report No. AR21/1604 titled 'Elected Member Workshop from 11/03/2021 to 16/04/2021' as presented on 20 April 2021 be noted.			
CARRIED			
29 Apr 2021 11:46am Lavia, Ashlee - Completion			
Action completed by: Lavia, Ashlee, No action required.			

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	Dowling, Lynne Cernovskis, Barbara	Elected Members Training and Development	Member Training Request - Cr Paul Jenner - Public Lighting Working Group workshop
RESOLUTION 2021/98			



Division: Council	Date From: 20/04/2021
Committee:	Date To: 18/05/2021
Officer:	Printed: 13 May 2021 9:50 AM

Action Sheets Report

Moved: Cr Max Bruins
Seconded: Cr Christian Greco

1. That Council Report No. AR21/22433 titled 'Member Training Request - Cr Paul Jenner - Public Lighting Working Group workshop' as presented on 20 April 2021 be noted.
2. That, having considered the cost and benefit to Council and having determined that attendance at Public Lighting Working Group workshop is directly or closely related to the performance or discharge of the roles or duties of a Member of Council;
 - (a) Council support the attendance of Cr Paul Jenner at the Public Lighting Working Group workshop in Adelaide on Friday 4 June 2021.
 - (b) Costs associated with travel and accommodation for attendance be reimbursed/borne by Council up to the value of \$500.
 - (c) Cr Paul Jenner submit a written report for presentation at the Member Reports agenda item at the next practicable Council meeting, in accordance with Council Policy M500.

CARRIED

29 Apr 2021 11:46am Lavia, Ashlee - Reallocation

Action reassigned to Dowling, Lynne by: Lavia, Ashlee for the reason: In progress.

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	Wilson, Sally McDonald, Mark	Council Action Items	Council Action Items - 16/03/2021
RESOLUTION 2021/99			
Moved: Cr Paul Jenner Seconded: Cr Christian Greco			
1. That Council Report No. AR21/1581 titled 'Council Action Items - 16/03/2021' as presented on 20 April 2021 be noted.			
CARRIED			
13 May 2021 8:51am Wilson, Sally - Completion			
Action completed by Lavia, Ashlee			

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	Lavia, Ashlee Cernovskis, Barbara	People and Place Committee Minutes and Recommendation	Minutes of the People and Place Committee held on 6 April 2021



Division: Council	Date From: 20/04/2021
Committee:	Date To: 18/05/2021
Officer:	Printed: 13 May 2021 9:50 AM

Action Sheets Report

RESOLUTION 2021/100

Moved: Cr Sonya Meziniec
 Seconded: Cr Max Bruins

That the Minutes of the People and Place Committee meeting held on 6 April 2021 as attached be noted.

CARRIED

29 Apr 2021 11:46am Lavia, Ashlee - Completion
 Action completed by: Lavia, Ashlee, No action required.

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	Telford, Melissa Cernovskis, Barbara	Reports	Policy Review - D230 - Donations Authority to Approve Requests

RESOLUTION 2021/101

Moved: Cr Max Bruins
 Seconded: Cr Christian Greco

- That People and Place Committee Report No. AR21/18417 titled 'Policy Review - D230 - Donations Authority to Approve Requests' as presented on 06 April 2021 be noted.
- That the updated Council Policy D230 - Donations Authority to Approve Requests as attached to Report No. AR21/18417 be endorsed.

CARRIED

29 Apr 2021 11:47am Lavia, Ashlee - Reallocation
 Action reassigned to Telford, Melissa by: Lavia, Ashlee for the reason: In progress.

13 May 2021 8:50am Lavia, Ashlee - Target Date Revision
 Target date changed by Lavia, Ashlee from 04 May 2021 to 15 June 2021 - In Progress.

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	Porter, Jessica Coote, Tim	Reports	Progress Report - Sport, Recreation and Open Space Strategy



Division: Council	Date From: 20/04/2021
Committee:	Date To: 18/05/2021
Officer:	Printed: 13 May 2021 9:50 AM

Action Sheets Report

RESOLUTION 2021/102

Moved: Cr Max Bruins
 Seconded: Cr Paul Jenner

1. That People and Place Committee Report No. AR21/18899 titled 'Progress Report - Sport, Recreation and Open Space Strategy' as presented on 06 April 2021 be noted.

CARRIED

13 May 2021 8:51am Porter, Jessica - Completion
 Action completed by Lavia, Ashlee

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	Porter, Jessica Coote, Tim	Reports	Local Government Infrastructure Partnership Program

RESOLUTION 2021/103

Moved: Cr Paul Jenner
 Seconded: Cr Kate Amoroso

1. That People and Place Committee Report No. AR21/18903 titled 'Local Government Infrastructure Partnership Program' as presented on 06 April 2021 be noted.

CARRIED

13 May 2021 8:52am Porter, Jessica - Completion
 Action completed by Lavia, Ashlee

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	Lavia, Ashlee Cernovskis, Barbara	Wulanda and Recreation and Convention Centre Commi	Minutes of the Wulanda Recreation and Convention Centre Committee held on 13 April 2021

RESOLUTION 2021/104

Moved: Cr Ben Hood
 Seconded: Cr Christian Greco

That the Minutes of the Wulanda Recreation and Convention Centre Committee meeting held on 13 April 2021 as attached be noted.



Division: Council	Date From: 20/04/2021
Committee:	Date To: 18/05/2021
Officer:	Printed: 13 May 2021 9:50 AM

Action Sheets Report

CARRIED
29 Apr 2021 11:47am Lavia, Ashlee - Completion Action completed by: Lavia, Ashlee, No action required.

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	Wilson, Sally McDonald, Mark	Council Assessment Panel Minutes	Minutes of the Council Assessment Panel held on 18 March 2021
RESOLUTION 2021/105			
Moved: Cr Paul Jenner			
Seconded: Cr Max Bruins			
That the Minutes of the Council Assessment Panel meeting held on 18 March 2021 as previously circulated be noted.			
CARRIED			
13 May 2021 8:48am Wilson, Sally - Completion Action completed by Lavia, Ashlee			

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	Lavia, Ashlee Cernovskis, Barbara	Audit Committee Minutes and Recommendations	Minutes of the Audit Committee held on 12 April 2021
RESOLUTION 2021/106			
Moved: Cr Sonya Mezinac			
Seconded: Cr Christian Greco			
That the Minutes of the Audit Committee meeting held on 12 April 2021 as attached be noted.			
CARRIED			
29 Apr 2021 11:47am Lavia, Ashlee - Completion Action completed by: Lavia, Ashlee, No action required.			

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	McGregor, Colin Barber, Darren	Reports	Review of terms of reference



Division: Council	Date From: 20/04/2021
Committee:	Date To: 18/05/2021
Officer:	Printed: 13 May 2021 9:50 AM

Action Sheets Report

RESOLUTION 2021/107

Moved: Cr Sonya Meziniec
 Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR21/20133 titled 'Review of terms of reference' as presented on 12 April 2021 be noted.
2. That the Audit Committee terms of reference be reviewed and presented to next meeting.

CARRIED

13 May 2021 9:26am McGregor, Colin - Completion
 Action completed by McGregor, Colin

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	McGregor, Colin Barber, Darren	Reports	Audit Committee works program

RESOLUTION 2021/108

Moved: Cr Sonya Meziniec
 Seconded: Cr Kate Amoroso

1. That Audit Committee Report No. AR21/19856 titled 'Audit Committee Works Program' as presented on 12 April 2021 be noted.

CARRIED

13 May 2021 9:47am McGregor, Colin - Completion
 Action completed by McGregor, Colin

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	McGregor, Colin Barber, Darren	Reports	Quarterly Budget Review 2 2020/21



Division: Council	Date From: 20/04/2021
Committee:	Date To: 18/05/2021
Officer:	Printed: 13 May 2021 9:50 AM

Action Sheets Report

RESOLUTION 2021/109

Moved: Cr Sonya Meziniec
Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR21/19238 titled 'Quarterly Budget Review 2 - 2020/21' as presented on 12 April 2021 be noted.
2. That the Audit Committee note the adoption of the following resulting from the second quarterly Budget Review for 2020-21:
 - 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

13 May 2021 9:46am McGregor, Colin - Completion
Action completed by McGregor, Colin

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	McGregor, Colin Barber, Darren	Reports	Internal Controls - Proposed Budget process improvements

RESOLUTION 2021/110

Moved: Cr Sonya Meziniec
Seconded: Cr Kate Amoroso

1. That Audit Committee Report No. AR21/19525 titled 'Internal Controls - Proposed Budget process improvements' as presented on 12 April 2021 be noted.

CARRIED

13 May 2021 9:47am McGregor, Colin - Completion
Action completed by McGregor, Colin

Meeting	Officer/Director	Section	Subject
Council 20/04/2021	McGregor, Colin	Council Reports	Funding Local Government Infrastructure Partnership Program Project



Division: Committee: Officer:	Council	Date From: Date To:	20/04/2021 18/05/2021
Action Sheets Report		Printed:	13 May 2021 9:50 AM

Barber, Darren

RESOLUTION 2021/111

Moved: Cr Max Bruins
Seconded: Cr Sonya Meziniec

1. That Council Report No. AR21/21155 titled 'Funding Local Government Infrastructure Partnership Program Project' as presented on 20 April 2021 be noted.
2. Following receipt of an invitation to participate in the Local Government Finance Authority's LGIPP discounted loan package, Council authorises the execution of an annexure to Convertible Cash Advance Debenture (CAD) 104 loan agreement including authorising the Chief Executive Officer and Mayor to sign and affix Council's Common Seal to any documents to enact this decision, noting the effect of the annexure is that a discounted interest rate of 1.30% (being 0.75% off the Local Government Finance Authority's current standard variable rate of 2.05%) will apply to a portion (\$0.8M) of CAD 104 and is for a three-year term from date of establishment.

Carried

13 May 2021 9:47am McGregor, Colin - Completion
Action completed by McGregor, Colin



15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS

15.1 MINUTES OF THE ECONOMIC AND ENVIRONMENT COMMITTEE HELD ON 3 MAY 2021 - [Go to Attachment](#)

RECOMMENDATION

That the Minutes of the Economic and Environment Committee meeting held on 3 May 2021 as attached be noted.

15.2 [Reserve - Corner of Wehl Street North and Wireless Road West](#) – Report No. AR21/24351

RECOMMENDATION

1. That Economic and Environment Committee Report No. AR21/24351 titled 'Reserve - Corner of Wehl Street North and Wireless Road West' as presented on 03 May 2021 be noted.
2. Council engage a suitably qualified landscape architect up to the value of \$10,000 to prepare a design for the development of the reserve as proposed by the developer in consultation with the developer and for the further consideration of Council prior to its implementation.
3. That the designs and quotes from the landscape architect be presented as a report to Council to assess any financial contribution.



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 11 MAY 2021 - [Go to Attachment](#)**

RECOMMENDATION

That the Minutes of the Wulanda Recreation and Convention Centre Committee meeting held on 11 May 2021 as attached be noted.



18 COUNCIL ASSESSMENT PANEL MINUTES

18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 15 APRIL 2021

RECOMMENDATION

That the Minutes of the Council Assessment Panel meeting held on 15 April 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 PERIODIC REVIEW OF CONFIDENTIAL ITEMS - MAY 2021 – REPORT NO. AR21/11350

Committee:	Council
Meeting Date:	18 May 2021
Report No.:	AR21/11350
CM9 Reference:	AF20/446
Author:	Michael McCarthy, Manager Governance and Property
Authoriser:	Darren Barber, General Manager Shared Services
Summary:	This report presents Confidential Orders made by Council up to 22 December 2020 for annual review in accordance with the requirements of s90(9) of the Local Government Act 1999
Strategic Plan Reference:	<p>Goal 1: Our People</p> <p>Goal 2: Our Location</p> <p>Goal 3: Our Diverse Economy</p> <p>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</p> <p>Goal 5: Our Commitment</p>

REPORT RECOMMENDATION

- That Council Report No. AR21/11350 titled 'Periodic Review of Confidential Items - May 2021' as presented on 18 May 2021 be noted.
- That the following Confidential Orders as specified in Attachment 1 to Report AR21/11350, having been reviewed by Council, be amended to alter their duration and release conditions, as follows:

<u>Item Date</u>	<u>Subject</u>	<u>Duration</u>
15/12/2020	Item 27.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 29/11/2020 – REPORT NO. AR20/80910	Amend from: <i>'be reviewed 12 months after successful execution of the contract.'</i> to: <i>'be reviewed 12 months after the successful completion of the contract.'</i>
17/11/2020	Item 27.3 FUNDING OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB PROJECT – REPORT NO. AR20/73196	Amend from: <i>'item be reviewed 12 months after successful execution of the contract.'</i> to: <i>'item be reviewed 12 months after successful completion of the contract.'</i>
17/11/2020	Item 27.4 MOUNT GAMBIER COMMUNITY AND RECREATION HUB PROJECT BUDGET – REPORT NO. AR20/73063	Amend from: <i>'item be reviewed 12 months after successful execution of the contract.'</i> to:



		<i>'item be reviewed 12 months after successful completion of the contract.'</i>
17/11/2020	Item 27.5 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 02/11/2020 – REPORT NO. AR20/73679	Amend from: <i>'item be reviewed 12 months after successful execution of the contract.'</i> to: <i>'item be reviewed 12 months after successful completion of the contract.'</i>
19/11/2020	Item 25.8 OPERATING MODEL SCENARIOS – REPORT NO. AR19/60159	Amend From: <i>'Until 31/12/2021'</i> to: <i>"until 5 years after the opening of the Wulanda Recreation and Convention Centre'.</i>
19/5/2020	Item 27.1 PROPOSAL FROM MOUNT GAMBIER PRIVATE HOSPITAL – REPORT NO. AR20/30776	Amend from: <i>'until 30 June 2021.'</i> to: <i>'until Council has been released from its duty of confidence by the party who provided the information.'</i>

3. That the following Confidential Orders as specified in Attachment 1 to Report AR21/11350, having been reviewed by Council, be released as soon as practicable following the Council meeting on 18 May 2021:

Nil

4. That all Confidential Orders as specified in Attachment 1 to Report AR21/11350, excluding those amended or released in resolutions (b) and (c) above, having been reviewed by Council remain in operation on the grounds provided.



TYPE OF REPORT

Legislative

BACKGROUND

Council has previously resolved that future reviews of Confidential Items be presented directly to Council. Council last reviewed Confidential Items in November 2020 with consideration of Report No. AR20/71897.

PROPOSAL

This report presents matters as contained within the table in Attachment 1 that are subject to Confidential Orders made previously by Council up to 22 December 2020 that remain operational and are due for review in accordance with Section 90(9) of the Local Government Act 1999 ("Act").

Upon review, Council may consider that the Confidential Orders for each of these matters should remain in operation and continue to be reviewed in accordance with the Local Government Act. No further action will be required for these existing Confidential Orders to continue in operation.

Alternatively, Council may determine that one or more of the Confidential Orders should be amended or cease to operate; and so Order that the Confidential Item be partially or fully released, or that the duration and/or conditions for release be amended.

The report recommendation includes six items where the duration is presented for amendment.

As this review of Confidentiality Orders is being presented to an open meeting, if Council wish to discuss any review items in detail or to have any associated documents tabled, then Council should consider the making of an Order to receive and discuss such items in-confidence, and the making of a further Order to protect the subject matter of such discussion or tabled documents as are currently protected by a Confidentiality Order.

Alternatively, any questions regarding the content of the protected items may be addressed to the report author(s) prior to the meeting.

Confidentiality Orders made since 22 December 2020, and any earlier Orders that fall due for annual review will be presented in the final quarter of 2021.

LEGAL IMPLICATIONS

Section 90(9) of the Local Government Act requires that any order to retain a matter 'in-confidence' that operates for a period exceeding 12 months must be reviewed at least once in every year.

Further, Section 91(9)(ab) provides that:

- (i) The duration of an order cannot be extended after the order has ceased to apply; and
- (ii) An order extending the duration of such an order cannot be delegated by the relevant Council or Council Committee.

Upon consideration of this report Council will have fulfilled its review obligations for the confidential matters presented and the relevant Confidentiality Orders will remain in operation.

Council may also determine to release any or all of the matters from confidence, in part or full, and in doing so should specify which parts of each Order are to be released or are to remain in operation.

STRATEGIC PLAN

Nil

COUNCIL POLICY

Nil

ECONOMIC IMPLICATIONS

Nil



ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

Nil

VALUE FOR MONEY

Nil

RISK IMPLICATIONS

Council has a legislative requirement to review confidentiality orders that remain in operation on a yearly basis, and considering whether to continue or revoke such an order should balance the validity and appropriateness of considering and retaining matters 'in-confidence' against the public interest, which may suffer a benefit and/or a loss from the public release of information that is protected by a confidentiality order.

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

A Register of Confidential Items, including web links to released items, is published on the Council website, including the grounds, duration and release conditions for items that remain subject to the operation of a Confidentiality Order.

The Register of Confidential Items can be accessed [here](#).

IMPLEMENTATION STRATEGY

Nil

CONCLUSION AND RECOMMENDATION

This report recommends that the Confidential Orders contained in **Attachment 1** remain in operation until the specified release criteria, if any, have been met and for each to be reviewed at least once in every year in accordance with Section 90(9) of the Local Government Act 1999.

Six items are recommended for amendment of the duration of the confidentiality order.

Council may determine to release any or all the presented matters from confidence, in part or full, and in doing so should consider any implications of such release, and specify which parts of each order are to be released or to remain in operation.

ATTACHMENTS

1. Review of Confidentiality Orders - May 2021 [↓](#)



Council Meeting Date	Source Meeting	Subject	590(3) Reference	Element to be kept Confidential	Duration, Circumstances or Review	Comments	Document Reference
22/12/2020	Chief Executive Officer Selection Panel	ITEM 4.1 REVIEW OF INFORMATION PROVIDED BY RECRUITMENT CONSULTANTS, MORTON PHILIPS – REPORT NO. AR20/85494	(a), (b), (d) & (g)	report, attachments, discussion, resolution/s and minutes	until further order of Council, to be reviewed at least once in every 12 month period.	Contains personal and commercial information of a confidential nature which could prejudice or benefit a 3rd party.	
15/12/2020	Council	Item 28.1 NOTICE OF MOTION - REQUEST FOR INFORMATION - COMMUNITY AND RECREATION HUB – REPORT NO. AR20/82589	(h)	report, attachments, discussion, resolution/s and minutes	until further ordered by Council, to be reviewed at least once in every year.	relates to legal advice	
15/12/2020	Council	Item 28.3 BLUE LAKE GOLF CLUB - SEPTEMBER 2020 QUARTERLY KPI REPORT – REPORT NO. AR20/78759	(d)	report, attachments, discussion, resolution/s and minutes	until 2 years have passed or the Blue Lake Golf Club has ceased operating, whichever is the earlier.	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party	
15/12/2020	Council	Item 28.2 BOOKMARK CAFE UPDATE – REPORT NO. AR20/79583	(b) & (d)	report, attachments, discussion, resolution/s and minutes	until 2 years have elapsed or 12 months after the execution of an agreement with the proponent, whichever is the earlier.	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council	
15/12/2020	Regional Sport and Recreation Centre Committee	Item 27.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 29/11/2020 – REPORT NO. AR20/80910	(b), (d), (k)	report, attachments, discussion, resolution/s and minutes	be reviewed 12 months after successful execution of the contract.	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party	
17/11/2020	Chief Executive Officer Selection Panel	Item 27.1 CHIEF EXECUTIVE OFFICER - RECRUITMENT CONSULTANCY SELECTION – REPORT NO. AR20/74663	(b) & (d)	report, attachments, discussion, resolution/s and minutes	until 12 months after the execution of a consultancy agreement	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party	
17/11/2020	Regional Sport and Recreation Centre Committee	Item 27.3 FUNDING OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB PROJECT – REPORT NO. AR20/73196	(b) & (d)	report, attachments, discussion, resolution/s and minutes	Item be reviewed 12 months after successful execution of the contract	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party	
17/11/2020	Regional Sport and Recreation Centre Committee	Item 27.4 MOUNT GAMBIER COMMUNITY AND RECREATION HUB PROJECT BUDGET – REPORT NO. AR20/73063	(b) & (d)	report, attachments, discussion, resolution/s and minutes	Item be reviewed 12 months after successful execution of the contract	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party	
17/11/2020	Regional Sport and Recreation Centre Committee	Item 27.5 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 02/11/2020 – REPORT NO. AR20/73679	(b) & (d)	report, attachments, discussion, resolution/s and minutes	Item be reviewed 12 months after successful execution of the contract.	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party	
17/11/2020	Council	Item 28.1 BLUE LAKE GOLF CLUB JUNE 2020 QUARTERLY REPORT – REPORT NO. AR20/71756	(d)	report, attachments, discussion, resolution/s and minutes	until 2 years have passed or the Blue Lake Golf Club has ceased operating, whichever is the earlier.	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party	
20/10/2020	Council	Item 27.1 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR20/61722	(a)	report, attachments, discussion, resolution/s and minutes	Until the later of 12 months, or the matter being settled.	Relates to personal information associated with the financial situation and property of a ratepayer	
20/10/2020	Council	Item 27.3 Confidential Question With Notice	(a), (e), (h) & (i)	Discussion	until further order of Council to be reviewed once every 12 months	relates to matters of personal information, security, legal advice, and litigation	
13/10/2020	Special Council	Item 4.1 CHIEF EXECUTIVE OFFICER - RESIGNATION AND RECRUITMENT – REPORT NO. AR20/67276	(a), (b) & (k)	Report, Attachments, Discussion, Resolution and Minutes	until 12 months after the cessation of the employment of the Chief Executive Officer Mr Andrew Middle	Contains personal and commercial information of a confidential nature which could prejudice or benefit a 3rd party.	
15/09/2020	Economic & Environment Committee	Item 26.3 VIABILITY OF ESTABLISHING MATERIAL RECOVERY FACILITIES IN THE LIMESTONE COAST REGION – REPORT NO. AR20/57874	(a), (b), (d), (g) & (j)	report, attachments, discussion, resolution/s and minutes	until two years have elapsed since the enactment of the proposal(s) contained within the report and attachments, or a further order has been made by Council to release, to be reviewed at least once in every year.	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party, including information provided on a confidential basis by a public authority or official creating a duty of confidence.	
15/09/2020	Economic & Environment Committee	Item 26.2 MOUNT GAMBIER PRIVATE HOSPITAL FEASIBILITY STUDY – REPORT NO. AR20/56996	(b), (d), & (g)	report, attachments, discussion, resolution/s and minutes	until a further order is made by Council, to be reviewed at least once every 12 months	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party, provided on a confidential basis creating a duty of confidence.	
18/08/2020	Council	Item 27.1 BLUE LAKE GOLF CLUB - QUARTERLY KPI REPORT TO 31 MARCH 2020 – REPORT NO. AR20/39363	(d)	report, attachments, discussion, resolution/s and minutes	until 2 years have passed or the Blue Lake Golf Club has ceased operating, whichever is the earlier.	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party	
21/07/2020	Council	Item 27.1 PROPERTY MANAGEMENT - EXPIRY OF AGREEMENT – REPORT NO. AR20/44292	(a), (b), (d) & (i)	Report, attachments, discussion, resolution/s and minutes	until 5 years after the expiry and non-renewal of arrangements with the current tenant, with the resolutions to be released immediately upon the giving of notice to the 3rd party operators.	relates to personal and commercial information of a confidential nature which could prejudice or benefit a 3rd party	
21/07/2020	Council	Item 26.2 COMMERCIAL LEASE - REQUEST FOR EXTENDED LEASE – REPORT NO. AR20/38059	(a), (b) & (d)	Report, attachments, discussion, resolution/s and minutes	until 12 months have elapsed or an new arrangement has been entered into for the subject property, whichever is the later	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council	
1/07/2020	Special Council	Item 4.1 COMMUNITY AND RECREATION HUB PROCUREMENT – REPORT NO. AR20/39192	(b) & (k)	Report, attachments, discussion, resolution/s and minutes	until further order and will be reviewed at least annually in accordance with the Local Government Act 1999.	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council	Successful Tenderer BADGE Construction (SA) Pty Ltd - Actual Contract Value \$57.3 million
19/05/2020	Council	Item 27.1 PROPOSAL FROM MOUNT GAMBIER PRIVATE HOSPITAL – REPORT NO. AR20/30776	(d)	Report, attachments, discussion and resolution/s and minutes	until 30 June 2021.	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party	
19/11/2019	Council	Item 26.3 BOOKMARK CAFE - EXPRESSIONS OF INTEREST AND REQUEST – REPORT NO. AR19/58946	(b) & (d)	Report, attachments, discussion, resolutions and minutes	Until Council has entered into a formal arrangements with regard to the subject matter and the Chief Executive has determined to publicly release details of such arrangements in anticipation of a proposed commencement date. All other details to be retained in-confidence until a period of 12 months has elapsed from the date of this report or any subsequent agreements arising from the subject matter, whichever is the later.	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council	
19/11/2019	Council	Item 26.1 BLUE LAKE HOLIDAY PARK - PROPERTY MATTERS – REPORT NO. AR19/54537	(b) & (d)	Report, attachments, discussion, resolutions and minutes	Until 12 months have elapsed, or 12 months after an agreement has been entered into with the proponent, whichever is the later.	Contains 3rd parties confidential information and information that could prejudice Council's commercial position	
19/11/2019	Regional Sport and Recreation Centre Committee	Item 25.8 OPERATING MODEL SCENARIOS – REPORT NO. AR19/60159	(d)	Report, attachments, discussion, resolutions and minutes	Until 31/12/2021	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party	
19/11/2019	Economic & Environment Committee	Item 25.3 CONDITION AND USE OF THE PROPERTY – REPORT NO. AR19/56339	(g), (h) & (i)	Report, attachments, discussion, resolutions and minutes	until the satisfactory resolution of the matter.	includes confidential information and legal advice relating to actual or proposed litigation	
19/11/2019	Economic & Environment Committee	Item 25.2 REVIEW OF COUNCIL KERBSIDE WASTE SERVICE – REPORT NO. AR19/48838	(b)	Costs contained in the report	until 30/6/2021	includes costing information which could benefit a 3rd party or prejudice Council's commercial position	
15/10/2019	People & Place Committee	Item 25.2 PROPERTY - 9 PENOLA ROAD, 1-3 LAWRENCE STREET – REPORT NO. AR19/48305	(b)	Report	until the Council has settled sales transaction(s) in relation to the subject properties, being land excluded from classification as community land.	includes information on the value of land, which could prejudice Council's commercial position in a subsequent sale	
17/09/2019	Council	Item 25.7 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR19/45899	(a)	All Details	until the later of: 12 months, or the matter being settled	Relates to personal information associated with the financial situation and property of a ratepayer	
17/09/2019	Council	Item 25.4 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR19/43265	(a)	All Details	until the later of: 12 months, or the matter being settled	Relates to personal information associated with the financial situation and property of a ratepayer	
17/09/2019	Council	Item 25.3 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR19/41851	(a)	All Details	until the later of: 12 months, or the matter being settled	Relates to personal information associated with the financial situation and property of a ratepayer	



24.2 BUDGET REVIEW QUARTER 3 FY2020-21 – REPORT NO. AR21/25202

Committee:	Council
Meeting Date:	18 May 2021
Report No.:	AR21/25202
CM9 Reference:	AF20/446
Author:	Colin McGregor, Management Accountant
Authoriser:	Darren Barber, General Manager Shared Services
Summary:	This report provides revisions resulting from the Quarter 3 Budget Review (BR3) for consideration by the 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. AR21/25202 titled 'Budget Review Quarter 3 FY2020-21' as presented on 18 May 2021 be noted.
2. That the Quarter 3 Budget Review revisions be adopted for the FY2020-21 financial year, reflecting:
 - (a) \$1,230,000 forecast operating deficit, no change from Quarter 2 Budget Review.
 - (b) \$7,384,000 forecast net surplus, representing a \$4,250,000 reduction from the Quarter 2 Budget Review net surplus.
 - (c) \$29,442,000 forecast capital expenditure, representing a \$5,554,000 reduction from the Quarter 2 Budget Review capital expenditure of \$34,996,000.



TYPE OF REPORT

Other

BACKGROUND

In accordance with the *Local Government (Financial Management) Regulations 2011*, Regulation 9, Council has scheduled to undertake and present the budget reviews as follows:

Budget Review	Inclusive Dates	Council Meeting in
Quarter One (BR1)	1 July to 30 September	November 2020
Quarter Two (BR2)	1 July to 31 December	February 2021
Quarter Three (BR3)	1 July to 31 March	May 2021

PROPOSAL

Changes in Capital Budget

A \$5,554,000 reduction in capital expenditure (Capex) comprised of:

\$2,631,000 of projects carried over to FY2022

\$499,000 reduction of spend on projects expected to be completed in FY2021

\$2,424,000 reduction in Wulanda Recreation and Convention Centre

Carry over to FY2022

There will be a carryover of \$2,631,000 of capital expenditure carried over into FY2022. This amount is composed of

\$974,000 for LED streetlights (scheduled for Aug-Dec 2021)

\$518,000 of roads

\$243,000 of footpaths

\$506,000 of buildings & structures

\$190,000 of plant

\$200,000 of office furniture and IT equipment

These amounts have all been scheduled in the 2021/22 budget along with carryover identified in BR2.

Revision of FY2021 Capex

There has been \$499,000 of Capex savings identified for FY2021

\$73,000 of plant

\$195,000 of buildings

\$231,000 in various infrastructure projects

Wulanda Recreation and Convention Centre

The Wulanda Recreation and Convention Centre expenditure for FY2021 has been revised down \$2,424,000 in line with the latest construction schedules.

Changes in Comprehensive Income

Operating deficit remaining the same at \$1,230,000. The March 2021 YTD result is currently a deficit of \$1,602,492 in line with the BR2 forecast.

A \$4,250,000 reduction in Other Comprehensive income to \$7,384,000 due to changes in timing of grant funding of the Wulanda Recreation and Convention Centre.



LEGAL IMPLICATIONS

Nil

STRATEGIC PLAN

Nil

COUNCIL POLICY

Nil

ECONOMIC IMPLICATIONS

Council is maintaining its operating deficit and capital expenditure below the levels forecast in the Long Term Financial plan.

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

It is recommended that Council adopt the FY2021 Budget Review 3 updated budget.

ATTACHMENTS

1. BR3 Financial Statements [↓](#)



City of Mount Gambier
Statement of Comprehensive Income

	2020	Mar-21 YTD	2021 BR2	2021 BR3
INCOME				
Rates	22,138	17,052	22,795	22,795
Statutory charges	523	472	634	634
User charges	5,318	3,632	5,079	5,079
Grants, subsidies and contributions	4,227	1,866	4,340	4,340
Investment income	55	25	24	24
Reimbursements	38	77	69	69
Other income	439	434	550	550
Total Income	32,738	23,558	33,491	33,491
EXPENSES				
Employee costs	12,230	9,446	13,103	13,103
Materials, contracts & other expenses	13,263	9,660	13,545	13,545
Depreciation, amortisation & impairment	7,625	5,872	7,834	7,834
Finance costs	170	182	237	237
Total Expenses	33,288	25,160	34,719	34,719
OPERATING SURPLUS / (DEFICIT)	(550)	(1,602)	(1,228)	(1,228)
Asset disposal & fair value adjustments	(472)	(93)	(50)	(50)
Amounts received for new or upgraded assets		365	12,912	8,662
Physical resources received free of charge	737	-		-
NET SURPLUS / (DEFICIT)	(285)	(1,330)	11,634	7,384
transferred to Equity Statement				
Other Comprehensive Income				
<i>Amounts which will not be reclassified subsequently to operating result</i>				
Impairment (expense) / recoupments offset to asset revaluation reserve	(327)	-		
Total Other Comprehensive Income	(327)	-	-	-
TOTAL COMPREHENSIVE INCOME	(612)	(1,330)	11,634	7,384



City of Mount Gambier
Statement of Financial Position

	2020 \$'000	31-Mar-2021 \$'000	BR2 2021 \$'000	2021 BR3 \$'000
ASSETS				
Current assets				
Cash and cash equivalents	4,406	1,108	3,094	3,573
Trade & other receivables	2,034	586	2,064	2,034
Other financial assets		-		-
Inventories	55	41	55	55
	<u>6,495</u>	<u>1,734</u>	<u>5,214</u>	<u>5,662</u>
Non-current assets				
Infrastructure, property, plant & equipment	244,262	238,935	247,425	247,652
Other non-current assets	2,581	16,035	25,831	23,408
Total non-current assets	<u>246,843</u>	<u>254,970</u>	<u>273,256</u>	<u>271,060</u>
Total assets	<u>253,338</u>	<u>256,705</u>	<u>278,470</u>	<u>276,722</u>
LIABILITIES				
Current liabilities				
Trade & other payables	2,849	2,435	2,898	2,849
Borrowings	558	368	570	558
Provisions	2,557	2,628	2,625	2,557
Total current liabilities	<u>5,964</u>	<u>5,432</u>	<u>6,093</u>	<u>5,964</u>
Non-current liabilities				
Borrowings	2,189	7,471	15,233	18,189
Provisions	3,863	3,810	4,023	3,863
Total non-current Liabilities	<u>6,052</u>	<u>11,281</u>	<u>19,255</u>	<u>22,052</u>
Total liabilities	<u>12,016</u>	<u>16,713</u>	<u>25,348</u>	<u>28,016</u>
NET ASSETS	<u>241,322</u>	<u>239,992</u>	<u>253,122</u>	<u>248,706</u>
EQUITY				
Accumulated surplus	64,986	63,657	76,786	72,370
Asset revaluation reserves	175,462	175,462	175,462	175,462
Other reserves	874	874	874	874
Total Council Equity	<u>241,322</u>	<u>239,992</u>	<u>253,122</u>	<u>248,706</u>
Minority Interest		-		-
TOTAL EQUITY	<u>241,322</u>	<u>239,992</u>	<u>253,122</u>	<u>248,706</u>



City of Mount Gambier

Statement of Changes in Equity

	Accumulated surplus \$'000	Asset revaluation reserve \$'000	Other reserves \$'000	Total equity \$'000
2021 BR3				
Balance at end of previous reporting period	64,986	175,462	874	241,322
Net surplus / (deficit) for the year	7,384	-	-	7,384
Other Comprehensive Income	-	-	-	-
Transfers between reserves	-	-	-	-
Balance at end of period	72,370	175,462	874	248,706
2021 BR2				
Balance at end of previous reporting period	64,986	175,462	874	241,322
Net surplus / (deficit) for the year	11,632	-	-	11,632
Other Comprehensive Income	-	-	-	-
Transfers between reserves	-	-	-	-
Balance at end of period	76,618	175,462	874	252,954
2020				
Balance at end of previous reporting period	65,609	175,458	860	241,927
Net surplus / (deficit) for the year	(285)	-	-	(285)
Other Comprehensive Income	-	-	-	-
Gain on revaluation of infrastructure, property, plant & equipment	-	1,237	-	1,237
Impairment (expense) / recoupments offset to asset revaluation reserve	(327)	(1,233)	-	(1,560)
Adjustment due to compliance with revised accounting standard	3	-	-	3
Transfers between reserves	(14)	-	14	-
Balance at end of period	64,986	175,462	874	241,322



City of Mount Gambier

Statement of Cash Flows

	2020 \$'000	31-Mar-2021 \$'000	FY BR2 2021 \$'000	2021 BR3 \$'000
CASH FLOWS FROM OPERATING ACTIVITIES				
<u>Receipts</u>				
Rates - general & other	21,957	17,052	22,795	22,795
Fees & other charges	524	472	634	634
User charges	5,696	3,632	5,549	5,079
Investment receipts	57	25	24	24
Grants utilised for operating purposes	4,227	1,866	3,613	4,340
Reimbursements	42	77	76	69
Other revenues	1,002	434	1,102	550
<u>Payments</u>				
Employee costs	(11,915)	(9,446)	(12,875)	(13,103)
Materials, contracts & other expenses	(14,293)	(8,685)	(14,556)	(13,880)
Finance payments	(170)	(182)	(237)	(237)
Net cash provided by (or used in) Operating Activities	7,127	5,244	6,123	6,271
CASH FLOWS FROM INVESTING ACTIVITIES				
<u>Receipts</u>				
Amounts specifically for new or upgraded assets		365	13,639	8,662
Sale of replaced assets	385		481	481
Sale of surplus assets	72			
Repayments of loans by community groups	18			
<u>Payments</u>				
Expenditure on renewal/replacement of assets	(5,627)	(5,673)	(8,525)	(9,531)
Expenditure on new/upgraded assets	(3,813)	(7,962)	(26,085)	(13,377)
Net cash provided by (or used in) Investing Activities	(8,965)	(13,634)	(20,490)	(22,908)
CASH FLOWS FROM FINANCING ACTIVITIES				
Proceeds from borrowings		5,282	13,250	16,000
<u>Payments</u>				
Repayments of borrowings	175	(190)	(195)	(195)
Net cash provided by (or used in) Financing Activities	175	5,092	13,055	15,805
Net increase / (decrease) in cash held	(1,663)	(3,298)	(1,312)	(833)
Cash & cash equivalents at beginning of period	6,069	4,406	4,406	4,406
Cash & cash equivalents at end of period	4,406	1,108	3,094	3,573



City of Mount Gambier

Financial Indicators

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

	2020	FY BR2 2021	2021 BR3
Operating surplus ratio	(6.5%)	(3.7%)	(3.7%)
$\frac{\text{Operating surplus}}{\text{Total operating revenue}}$			

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

Net financial liabilities ratio	63%	76%	67%
$\frac{\text{Net financial liabilities}}{\text{Total operating revenue}}$			

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

Asset renewal funding ratio	105%	118%	96%
$\frac{\text{Net asset renewals}}{\text{Asset Management Plan required expenditure}}$			

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



City of Mount Gambier

Uniform presentation of finances

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

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

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

	2020 \$'000	31-Mar-2021 \$'000	FY BR2 2021 \$'000	2021 BR3 \$'000
Income	32,738	23,558	33,491	33,491
Expenses	33,288	25,160	34,719	34,719
Operating surplus / (deficit)	(550)	(1,602)	(1,228)	(1,228)
Net outlays on existing assets				
Capital expenditure on renewal and replacement of existing assets	5,627	5,673	8,525	9,531
Depreciation, amortisation and impairment	(7,625)	(5,872)	(7,832)	(7,834)
Proceeds from sale of replaced assets	(385)	-	(481)	(481)
	(2,383)	(199)	212	1,216
Net outlays on new and upgraded assets				
Capital expenditure on new and upgraded assets <i>(including investments property & real estate developments)</i>	3,813	7,962	26,085	13,377
Amounts received specifically for new and upgraded assets	-	(365)	(13,639)	(8,662)
Proceeds from sale of surplus assets <i>(including investment property and real estate developments and non-current assets held for resale)</i>	(457)	-	-	-
	3,356	7,597	12,446	4,715
Net lending / (borrowing) for financial year	(1,523)	(9,000)	(13,886)	(7,159)



24.3 SCHEDULE OF FEES AND CHARGES - 2021/22 – REPORT NO. AR21/25401

Committee:	Council
Meeting Date:	18 May 2021
Report No.:	AR21/25401
CM9 Reference:	AF20/446
Author:	Colin McGregor, Management Accountant
Authoriser:	Darren Barber, General Manager Shared Services
Summary:	Annual review of Council’s Schedule of fees and charges for the 2021/22 financial year.
Strategic Plan Reference:	Goal 1: Our People Goal 3: Our Diverse Economy Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR21/25401 titled ‘Schedule of Fees and Charges - 2021/22’ as presented on 18 May 2021 be noted.
2. That Council adopt all recommended fees and charges identified in the ‘Schedule of fees and charges – 2021/22’ noting that:
 - (a) Other than those fees and charges that are identified as having specific commencement or review dates, all fees and charges in the ‘Schedule of fees and charges – 2021/22’ will come into effect on 1 July 2021.
 - (b) Council may see fit to amend any fee or charge as circumstances arise or change.
 - (c) Council authorise the Chief Executive Officer to update the ‘Schedule of fees and charges – 2021/22’ with any externally set statutory fees and charges updates as referenced in the relevant Acts, without needing to return to Council for approval.



TYPE OF REPORT

Corporate

BACKGROUND

Section 188 of the Local Government Act (the Act) 1999 provides the authority for councils to impose fees and charges. Section 188 further provides that:

- “(6) *The Council must keep a list of fees and charges imposed under this section on public display (during ordinary office hours) at the principal office of the Council.*
- (7) *If a Council fixes a fee or charge under this section, or varies a fee or charge under this section the Council must update the list of fees and charges and take reasonable steps to bring the fee or charge, or the variation of the fee or charge, to the notice of persons who may be affected.*”

The fees and charges are one of a number of inputs to the Annual Business Plan and Budget (ABP&B).

PROPOSAL

The Council has undertaken an annual review of fees and charges in preparation for the 2021/22 Fees and charges Register and the drafting of the 2021/22 Annual Business Plan and Budget.

In the interest of consistency across the local government sector, the SA Local Government Association (LGA) developed a standard template format (including the treatment of GST) for use by councils when preparing their schedule of fees and charges. The fees and charges review continues to adopt the model format recommended in the LGA guidelines.

The Council’s review of fees and charges for 2021/22 has been completed having regard to the provisions of the Act as well as the LGA guidelines.

In completing the review for the 2021/22 financial year, consideration was initially given to:

- The South Australian Local Government Price Index;
- Fees and charges published for the current financial year by a sample of Limestone Coast councils;
- Notification, where received, of increases in the cost of services/utilities for the next financial year;
- Actual movement, where known, in the cost of services/utilities during the current 2020/21 financial year (e.g. utility expenses, fuel expenses);
- A previous Council resolution that ‘where practical, Council endeavors to increase fees and charges, on an annual basis, by the ruling consumer price index percentage’.

However, there are a number of fees and charges that are statutory in nature and are not set by the Council. Council will follow the statutory requirements for these fees. Although this is not known at this point in time, these statutory fee changes could potentially include fee increases in some areas. Council records statutory fees and charges on the register to enable staff and members of the public access to a single information source, rather than having to refer to various different Acts.

At the time of preparing the draft fees and charges, the statutory charges for the 2021/22 financial year had not been released by the relevant State Government departments. It is anticipated that updated statutory charges will be known by 31 August 2021, at which point the Schedule of fees and charges – 2021/22 will be updated accordingly.

LEGAL IMPLICATIONS

Nil



STRATEGIC PLAN

Nil

COUNCIL POLICY

Nil

ECONOMIC IMPLICATIONS

The 2021/22 budget is based on the charges contained in this report

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

It is recommended that the Schedule of fees and charges for 2021/22 be considered and adopted by Council.

ATTACHMENTS

1. 2021/22 Draft Fees and Charges [↓](#)



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT	UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease	
COMMUNITY								
	Library (for commercial hires)	Taxable						
	Multi Function Room (all facilities)							
	Full Day				\$ 162.00	\$ 165.00	1.9%	Increase
	Half Day		up to 4 hours		\$ 84.00	\$ 85.00	1.2%	Increase
	Per Hour		per hour		\$ 35.00	\$ 35.00	0.0%	Same
	Multi Function Room (kitchen part only)	Taxable						
	Full Day				\$ 94.00	\$ 95.00	1.1%	Increase
	Half Day		up to 4 hours		\$ 54.00	\$ 55.00	1.9%	Increase
	Per Hour		per hour		\$ 25.00	\$ 25.00	0.0%	Same
	Multi Function Room (smartboard part only)	Taxable						
	Full Day				\$ 84.00	\$ 85.00	1.2%	Increase
	Half Day				\$ 44.00	\$ 45.00	2.3%	Increase
	Per Hour				\$ 25.00	\$ 25.00	0.0%	Same
	IT Training Room	Taxable						
	Full Day				\$ 84.00	\$ 85.00	1.2%	Increase
	Half Day				\$ 44.00	\$ 45.00	2.3%	Increase
	Per Hour				\$ 25.00	\$ 25.00	0.0%	Same
	Group Room	Taxable						
	Full Day				\$ 44.00	\$ 45.00	2.3%	Increase
	Half Day				\$ 25.00	\$ 25.00	0.0%	Same
	Per Hour				\$ 10.00	\$ 10.00	0.0%	Same
	Study Room	Taxable						
	Full Day				\$ 44.00	\$ 45.00	2.3%	Increase
	Half Day				\$ 25.00	\$ 25.00	0.0%	Same
	Per Hour				\$ 10.00	\$ 10.00	0.0%	Same
	Meeting Room	Taxable						
	Full Day				\$ 44.00	\$ 45.00	2.3%	Increase
	Half Day				\$ 25.00	\$ 25.00	0.0%	Same
	Per Hour				\$ 10.00	\$ 10.00	0.0%	Same
	Library (for community hires - ref: AR18/40941)							
	All rooms				Free	Free		Same
Hire Recreation	Council Maintained Land - Rental (refer Council Policy R200)	Taxable						
	Lease Fee (R200 Community Land (Reserves) Leases/Licence/Rental Arrangement Policy)	Taxable						
	Is the previous year's fee (excl. GST) x the declared rate increase/decrease pa plus GST				\$ 544.50	\$ 569.00	4.5%	Increase
	City Hall Hire	Taxable						
	Reception Area							
	Part Day		3 hours		\$ 135.00	\$ 138.00	2.2%	Increase
			6 hours		\$ 240.00	\$ 246.00	2.5%	Increase
	Full Day				\$ 390.00	\$ 400.00	2.6%	Increase
	Hall	Taxable						
	Part Day		3 hours		\$ 180.00	\$ 185.00	2.8%	Increase
			6 hours		\$ 260.00	\$ 265.00	1.9%	Increase
	Full Day				\$ 410.00	\$ 420.00	2.4%	Increase
	All Facilities	Taxable						
	Part Day		3 hours		\$ 280.00	\$ 285.00	1.8%	Increase
			6 hours		\$ 460.00	\$ 470.00	2.2%	Increase
	All Day				\$ 735.00	\$ 750.00	2.0%	Increase
	Kitchen				\$50 to \$200	\$50 to \$200		Same
	Bond for events using City Hall Bar (refundable)	No GST if refunded			\$500 to \$2000	\$500 to \$2000		Same



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT	UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease	
	The Riddoch Foyer	Taxable						
	Exhibition Openings Only				\$ 260.00	\$ 266.50	2.5%	Increase
	Media & VR Studio	Taxable						
	Part Day		3 hours		\$ 100.00	\$ 102.50	2.5%	Increase
			6 hours		\$ 160.00	\$ 165.00	3.1%	Increase
	All Day				\$ 225.00	\$ 230.00	2.2%	Increase
	Dress Circle (excluding balcony)	Taxable						
	Part Day		3 hours		\$ 230.00	\$ 235.00	2.2%	Increase
			6 hours		\$ 365.00	\$ 375.00	2.7%	Increase
	Full Day				\$ 670.00	\$ 685.00	2.2%	Increase
	Dress Circle (including Balcony)	Taxable						
	Part Day		3 hours		\$ 310.00	\$ 320.00	3.2%	Increase
			6 hours		\$ 445.00	\$ 455.00	2.2%	Increase
	Full Day				\$ 770.00	\$ 790.00	2.6%	Increase
	All Facilities	Taxable						
	Part Day		6 hours		\$ 1,020.00	\$ 1,050.00	2.9%	Increase
	Full Day				\$ 1,800.00	\$ 1,845.00	2.5%	Increase
Institute Facilities not included	The Riddoch A&CC / City Hall All Facilities	Taxable						
	Full Day				\$ 2,020.00	\$ 2,070.00	2.5%	Increase
	The Riddoch A&CC Exhibition space	Taxable						
	Red Wall - Foyer		4 week block		\$ 150.00	\$ 155.00	3.3%	Increase
	Southlink		4 week block		\$ 150.00	\$ 155.00	3.3%	Increase
	Balcony		4 week block		\$ 150.00	\$ 155.00	3.3%	Increase
	Kings Floor North (exhibitions)		4 week block		\$ 200.00	\$ 205.00	2.5%	Increase
	Other							
	IT Support if required		per hour		\$ 50.00	\$ 50.00	0.0%	Same
	Staffing after hours		per hour		\$ 45.00	\$ 45.00	0.0%	Same
	Mandatory fee for fee waived events (cleaning & utilities)		per booking		\$ 50.00	\$ 50.00	0.0%	Same
	Art Studio							
	Part Day		3 hours		\$ 100.00	\$ 100.00	0.0%	Same
			6 hours		\$ 160.00	\$ 165.00	3.1%	Increase
	Full Day				\$ 180.00	\$ 185.00	2.8%	Increase
****longer periods by negotiation	Community Gallery	Taxable						
	1 Month****		per month		\$ 230.00	\$ 235.00	2.2%	Increase
	Main Gallery	Taxable						
	1 Month****		per month		\$ 550.00	\$ 565.00	2.7%	Increase
	Margaret Scott Gallery	Taxable						
	1 Month****		per month		\$ 330.00	\$ 340.00	3.0%	Increase
	Event/Program/Workshops - Cover Charges	Taxable						
	A Fee may be charged for programmed activities:							
	Adults				\$1 to \$250	\$1 to \$250		Same
	Children (12 and under)				From \$1	From \$1		Same
	Security Bond (Booking Only)	Taxable if forfeited						
	Minimum Bond	Taxable if forfeited			\$ 500.00	\$ 500.00	0.0%	Same
	Maximum Bond	Taxable if forfeited			\$ 2,000.00	\$ 2,000.00	0.0%	Same
	Exhibition Administration Fee	Taxable			\$ 100.00	\$ 100.00	0.0%	Same



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT	UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease
	Sale of Works (Individual Artist/Supplier)						
	Works	% is exclusive of GST			25% sale price	25% sale price	Same
	Merchandise	% is exclusive of GST			25% sale price	25% sale price	Same
	Sale of Works (Other)		per item		by negotiation	by negotiation	Same
Library fees	Fines	Free					
	Lost/replacement cards, items and overdue books				At Cost	At cost	Same
	Photocopying/Printing	Taxable					
	A4 Black/White (self sufficient)		per page		\$ 0.30	\$ 0.30	0.0% Same
	A4 Black/White (double sided) (self sufficient)		per page		\$ 0.50	\$ 0.50	0.0% Same
	A4 Colour (self sufficient)		per page		\$ 0.70	\$ 0.70	0.0% Same
	A4 Colour (double sided) (self sufficient)		per page		\$ 1.30	\$ 1.30	0.0% Same
	A3 Black/White (self sufficient)		per page		\$ 0.60	\$ 0.60	0.0% Same
	A3 Black/White (double sided) (self sufficient)		per page		\$ 1.00	\$ 1.00	0.0% Same
	A3 Colour (self sufficient)		per page		\$ 1.40	\$ 1.40	0.0% Same
	A3 Colour (double sided) (self sufficient)		per page		\$ 2.60	\$ 2.60	0.0% Same
	Photocopying over 5 pages - Staff service - additional charge		per page		\$ 0.10	\$ 0.10	0.0% Same
	3D Printing				At cost	At cost	Decrease
	Scanning to email	Taxable					
	Under 5 pages				Free	Free	Same
	Over 5 pages		per page		\$ 0.10	\$ 0.10	0.0% Same
	Laminating	Taxable					
	A4		each		\$ 2.20	\$ 2.20	0.0% Same
	A3		each		\$ 4.40	\$ 4.40	0.0% Same
	Miscellaneous	Taxable					
	Sale of Memory Sticks				\$ 8.00	\$ 8.20	2.5% Increase
	Earphones		each				
	Material replacement charges				At cost	At cost	Same
	Library Bags				\$ 2.00	\$ 2.00	0.0% Same
	Faxing		per page		\$ 1.00	\$ 1.00	0.0% Same
	Local History Photos	Taxable					
	Photocopying - A4				\$ 0.40	\$ 0.40	0.0% Same
	Photocopying - A3				\$ 0.60	\$ 0.60	0.0% Same
	A3 laser printed/photo quality				\$ 5.50	\$ 5.50	0.0% Same
	A4 laser printed/paper quality				\$ 3.50	\$ 3.50	0.0% Same
	The Less Hill / Forestry	Taxable					
	Image to USB (provided by customer)				\$ 4.00	\$ 4.00	0.0% Same
	SA Photographic Collection	Taxable					
	(i) Study/Research/Community Use		1 to 4 images		\$ 5.00	\$ 5.00	0.0% Same
			>4 images, 20 max		\$ 20.00	\$ 20.00	0.0% Same
	(ii) Commercial Use (Les Hill only - No commercial use of Forestry SA Collection)				\$ 20.00	\$ 20.00	0.0% Same
	Events	Taxable					
	Various author events		per attendee		\$ 6.00	\$ 8.00	33.3% Increase



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT	UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease
Event Support	Event support	Taxable					
	Wireless PA system					no charge	
	Silent disco					no charge	
	COVID support pack					no charge	
	Electronic signage trailer		per event			\$ 100.00	
	Plant Hire	Taxable					
	Bunting (only 30mt rolls)		roll			\$ 1.00	
	Barricade Mesh (30 or 50 mt rolls)		roll			\$ 1.00	
	Bollards		each			\$ 1.00	
	Wooden Droppers		each			\$ 1.00	
	Cocky Perch		each			\$ 1.00	
	Witches Hats		each			\$ 1.00	
	Sandbags		each			\$ 1.00	
	High-Vis Vests		each			\$ 1.00	
	3-Phase Distribution Board		each			\$ 50.00	
	Cable Covers		each			\$ 5.00	
	Crowd Control Fencing		each			\$ 5.00	
	Electric Fence Droppers		each			\$ 1.00	
	Signage - Community Events		each			\$ 5.00	
	Stage		unit/event			\$ 25.00	
	inflatable screen		event			\$ 55.00	
	Aluminium Seating		based on event requirements			refer events staff	
	Grandstand Seating		based on event requirements			refer events staff	
	Events Services	Taxable					
	Bin Delievery		based on event requirements			refer events staff	
	Road Closures estimates		based on event requirements			refer events staff	
	Line Marking		based on event requirements			refer events staff	
	Council Land	Taxable					
	Use of council land		based on event requirements			see events staff	
	Lost key		each			\$ 25.00	
	Lost / damaged lock		each			\$ 95.00	
	Advertisements	Taxable					
	Road Closures					\$ 130.00	

Unless otherwise indicated, all charges are independent and will be aggregated (i.e. Equipment Hire requiring delivery/collection by Council will also incur hourly rates for labour (driver/operator) and Plant Hire.



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT UNITS		STATUTORY	2020/21	2021/22	% Increase / Decrease	
DEVELOPMENT								
Advertising	Advertising as required (category 3)	Taxable			\$156 to \$187.50	\$156 to \$187.50	Same	
Development Application Fees Under the Planning Development and Infrastructure Act, 2016	Lodgement Fees							
	Electronic Lodgement							
	Hard Copy Lodgement							
Assessment Planning	Deemed to Satisfy							
	Deemed to Satisfy							
	Performance Assessed							
	Impact Assessed (Restricted)							
	Impact Assessed (EIS) Declaration							
	Impact Assessed (EIS) Assessment							
	Crown Development							
	Public Notification							
Land Division fees	Assessment, 4 or less allotments							
	Assessment, 5 or more allotments							
	Statement of Requirements							
	Land Division Certificate							
Referral Agency Fees	Referral Agency Fees							
Assessment Building Fees	Building Assessment - Class 1							
	Building Assessment - Class 2 - 9							
	Up to \$20000 - \$670.00							
	Up to \$200000 - \$670 plus .4% over \$20,000							
	Greater than \$200000 to \$1Mill - \$1390 plus .25% over \$200000							
	greater than \$1 mill \$3,390.00 plus 0.15% over \$1mill							
	Building Assessment - Class 10							
	Demolition							
	Issue Essential Safety Provision (class 2 - 9)							
	Change of Classification							
	Referral to Commission (Concurrence)							
	Referral to Commission (Opinion)							
Compliance Fees	Certificate of Occupancy							
	Class 1 Inspection							
	Swimming Pool Inspection							
	Class 10							
	Class 2 - 9							
Open Space	Open Space Contributions							
	S.50 (1) (d) and (7) Land division contributions	Exempt	Per application	Y	refer formula	refer formula	Same	
Storm Water Drainage	Developer Contribution - Downstream Drainage							
	For developments of 1 hectare or greater	Exempt	flat rate		\$ 5,700.00	\$ 5,842.00	2.5%	Increase
	For developments less than 1 hectare	Exempt	per m ²		\$ 0.90	\$ 0.93	3.3%	Increase

See the Planning SA development portal



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT	UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease
REGULATORY							
Dog Expiations	Dog nuisance, attack, harassment, injury, wandering, presence in schools, shops & other areas, failure to register, display registration disc, advice of change of address or owner, muzzle, leash, desex, remove faeces etc	No GST	per offence	Y	\$170 to \$750	TBA	Increase
Dog Registrations	Non-Standard Dog*	Exempt	per dog		\$ 50.00	\$ 55.00	10.0% Increase
	Non-Standard Dog (Desexed)*	Exempt	per dog		\$ 35.00	\$ 40.00	14.3% Increase
* 50% Fee concession for Pensioner/health Cardholders and Part Year	Non-Standard Dog (Microchipped)*	Exempt	per dog		\$ 40.00	\$ 45.00	12.5% Increase
	Non-Standard Dog (Trained)*	Exempt	per dog		\$ 40.00	\$ 45.00	12.5% Increase
	Non-Standard Dog (Desexed and Trained)*	Exempt	per dog		\$ 25.00	\$ 30.00	20.0% Increase
	Non-Standard Dog (Microchipped and Trained)*	Exempt	per dog		\$ 35.00	\$ 40.00	14.3% Increase
	Standard Dog (Desexed and Microchipped)*	Exempt	per dog		\$ 25.00	\$ 30.00	20.0% Increase
	Standard Dog (Desexed, Microchipped & Trained)*	Exempt	per dog		\$ 25.00	\$ 30.00	20.0% Increase
	Working Livestock Dogs	Exempt	per dog		\$ 25.00	\$ 30.00	20.0% Increase
	Greyhounds (Registered with Greyhound Racing SA)	Exempt	per dog		\$ 25.00	\$ 30.00	20.0% Increase
	Fee for Late Registrations	Exempt	each		\$ 20.00	\$ 25.00	25.0% Increase
	Fee for Impound	Exempt	each		\$ 50.00	\$ 55.00	10.0% Increase
	Fee for Daily Holding at Pound	Exempt	per day		\$ 25.00	\$ 30.00	20.0% Increase
	Replacement Disc	Exempt	per disc		\$ -	\$ -	Same
	Assistance Dogs (determined by DACO)	Exempt	per dog		Free of charge	Free of Charge	Same
Expiations	Notices	Exempt					
	Reminder Notice fees (waived under Council COVID-19 regulations)		per notice	Y	\$ 55.00	TBA	Increase
	Enforcement Warning Notices			Y	no charge	TBA	Increase
	Vehicle Search Fee		per search		At cost	At cost	Same
	Burning	Exempt					
	Fines & expiations in relation to burning, burning out of hours & burning particular material		per offence	Y	\$ 320.00	TBA	Increase
	By-laws	Exempt					
	Fines & expiations in relation to Council by-laws		per offence		\$ 71.50	\$ 73.29	2.5% Increase
	Littering	Exempt					
	Fines & expiations in relation to littering		per offence	Y	\$210 to \$1,000	TBA	Increase
	Parking & Traffic	Exempt					
	Fines & expiations in relation to stopping & parking of motor vehicles, double parking & obstruction of access (Private Parking Areas Act 1986)		per offence	Y	\$54 to \$397	TBA	Increase
	Impounding of Vehicles	Exempt					
	Removal e.g. towing		per vehicle		At Cost	At Cost	Same
	Storage		per week		\$ 90.00	\$ 92.00	2.2% Increase
	Search Fees		per vehicle		At Cost	At Cost	Same
	Notification to owner		per vehicle		\$ 48.00	\$ 49.00	2.1% Increase
	Advertising/Tendering		per vehicle		At Cost	At Cost	Same
	Auctioneers Charge (if applicable)		per vehicle		At Cost	At Cost	Same
	Any other charges		per item		At Cost	At Cost	Same
	Overtime only for Council Officers (if applicable) in respect of a vehicle		per hr/vehicle		At Cost	At Cost	Same
	Administrative charge		per vehicle		\$ 85.00	\$ 87.00	2.4% Increase



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT	UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease
	Removal of Property						
	Shopping Trolleys, Pedal Cycles	Exempt					
	Removal		per item		\$ 48.00	\$ 49.00	2.1% Increase
	Storage		per day/part for each item		\$ 9.40	\$ 10.00	6.4% Increase
	Signboards and Other Objects	Exempt					
	Removal		per item		\$ 48.00	\$ 49.00	2.1% Increase
	Storage		per day/part for each item		\$ 9.40	\$ 10.00	6.4% Increase
	Removal of Vegetation	Taxable					
	Slash/burning & other removal of vegetation for fire prevention				At cost + 100%	At cost +100%	Increase
	Administration Fee				\$ 77.50	\$ 80.00	3.2% Increase
Cat/Possum Traps	Hire of Cage/Trap - non-refundable	Taxable			\$ 30.00	\$ 31.00	3.3% Increase
	Hire of Cage/Trap - non-refundable (concession holders)	Taxable			\$ 10.00	\$ 11.00	10.0% Increase



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease	
HEALTH SERVICES							
Food Act Fees <small>*generally applied where the same non-compliance is raised more than 3 times</small>	Food Inspection Fees - Small business (definition as per Food Act)*	Exempt	per inspection	Y	\$ 127.00	TBA	Increase
	Food Inspection Fees - Other (definition as per Food Act)*	Exempt	per inspection	Y	\$ 315.00	TBA	Increase
Supported Residential Facilities (SRF)	Inspection Fees as per Schedule 1 of the of the SRF Regulations 2009	Exempt	per inspection	Y	\$ 197.00	TBA	Increase
	Application fees for licence - new, renewal, transfer	Exempt	per application	Y	\$ 82.50	TBA	Increase
	Late application fees for licence and/or lodging a dispute application	Exempt	per application	Y	\$ 49.25	TBA	Increase
	Licensing Fees - new or renewal	Exempt	per annum, per granted license	Y	\$ 384.00	TBA	Increase
Public Health Act <small>* covers madatory notifiable steps as per prescribed</small>	HRMWS registration fees - new (registration of 1 system)	Exempt	per system	Y	\$ 39.75	TBA	Increase
	HRMWS registration fees - new (registration of additional systems)	Exempt	per system	Y	\$ 26.50	TBA	Increase
	HRMWS registration fees - renewal (dependent on number on premise)	Exempt	per system	Y	\$ 20.00	TBA	Increase
	Inspection fee HRMWS (for 1 system)	Exempt	per inspection	Y	\$ 159.00	TBA	Increase
	Inspection fee HRMWS (for each additional system on the same premises)	Exempt	per inspection	Y	\$ 106.00	TBA	Increase
	Minister determination or approval	Exempt	per application	Y	\$ 665.00	TBA	Increase
	(Wastewater) - Septic Tank Application - New Dwelling*	Exempt	per application	Y	\$ 491.00	TBA	Increase
	(Wastewater) - Septic Tank Application - Existing Dwelling*	Exempt	per application	Y	\$ 365.00	TBA	Increase
(Wastewater) - Septic Tank Application - to alter existing*	Exempt	per application	Y	\$ 239.00	TBA	Increase	
(Wastewater) - Additional Inspections	Exempt	per inspection	Y	\$ 126.00	TBA	Increase	



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT	UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease
INFORMATION SERVICES							
Council Documents (First ten (10) pages of any document requested in hard copy free of charge (effective from 01/07/2015))	Audited Financial Statements	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
	Annual Report, Annual Business Plan Summary, strategic management plans	Exempt	N.A.		Free of charge	Free of charge	Same
	Annual Business Plan (Draft) and Final	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
	Assessment Record	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
	Council By-Laws	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
	Council Assessment Panel, Agenda and Minutes	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
	Council and Committee Agendas, Minutes and Notices	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
	Council Policies (various covered under schedule 5 LG Act 1999)	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
	Council Registers (e.g. Community Land, Dogs, Fees & Charges, Parking, Public Roads)	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
	Election Campaign Donations Returns	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
	Information Statement for F.O.I.	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
	Rate Rebates Report	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
	Supplementary Development Plans (previously on exhibition)	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase
Voters Roll	Exempt	per page		\$ 0.25	\$ 0.26	2.5% Increase	
Freedom of Information	On application, access and review in relation to Council documents (excluding members of Parliament in accordance with the Freedom of Information Act 1991)	Exempt	per application		\$ 37.50	TBA	Increase
	First 2 hours are only no charge for documents concerning personal affairs of the applicant	Exempt	-	Y	Free of charge	Free of charge	Same
	Each subsequent 15 minutes	Exempt	per 15 minutes	Y	\$ 14.10	TBA	Increase
	Non-personal applications are charged for each 15 minutes from commencement	Exempt	per 15 minutes	Y	\$ 14.10	TBA	Increase
	Where access is to documents is given in the form of a photocopy	Exempt	per page	Y	\$ 0.20	TBA	Increase
	Where access is to documents is given in the form of a written transcript	Exempt	per page	Y	\$ 8.40	TBA	Increase
	Where access is to documents is given in the form of a photograph, x-ray, DVD or other	Exempt	per item	Y	At cost	At cost	Same
Property Searches	Rate searches (section 7 & 187), certificates of liability & extracts from assessment book	Exempt	per search	Y	\$ 61.25	TBA	Increase
	Rates Certificate only	Exempt	per certificate	Y	\$ 35.75	TBA	Increase
	Rates Update (if previously obtained Rates searches or certificate) within the financial year	Exempt	per update	Y	Free of charge	Free of charge	Same
Voters Roll for Election Candidates only	Certified hard copy of combined roll - first copy per candidate		per election	Y	TBC	TBA	Decrease
	Certified hard copy of combined roll - subsequent copy(ies) per candidate	Taxable	per page		\$ 0.20	\$ 0.25	25.0% Increase
Issue of Keys	General	taxable	per key		\$ 22.00	\$ 25.00	13.6% Increase



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT	UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease
LICENCES AND PERMITS							
Mobile Vendors	Permit for mobile ice cream & other food vendors S188(1)(f) LGA - annual	Exempt	per vendor		\$ 836.00	\$ 856.90	2.5% Increase
	Permit for mobile ice cream & other food vendors S188(1)(f) LGA - monthly	Exempt	per vendor		\$ 102.00	\$ 104.55	2.5% Increase
Outdoor Dining	One Setting (is up to) - 1 x table, 4 x chairs, 1 x umbrella S188(1)(f) LGA	Exempt	pa per setting		\$ 58.50	\$ 60.00	2.6% Increase
	Minimum Charge		per annum		\$ 104.00	\$ 107.00	2.9% Increase
	Additional chairs				\$ 13.50	\$ 14.00	3.7% Increase
	Additional tables				\$ 13.50	\$ 14.00	3.7% Increase
	Additional umbrellas				\$ 13.50	\$ 14.00	3.7% Increase
Outdoor Displays (Trading)	On footways (permit under LGA S.222) S188(1)(f) LGA	Exempt	per display unit		\$ 58.50	\$ 60.00	2.6% Increase
Parking	Private Parking Areas Act Fees - when authorised by Council	Exempt		Y	TBC	TBC	Same
Road Closures	Applications & consents (incl advertising fees) in relation to temporary road closures	Exempt			Nil	Nil	Same
Trading	Street Traders	Exempt					
	Annual licence - at least equal to Council's fixed charge for same financial year as the licence (see per week permit below)		Fixed charge		Nil	Nil	Same



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease
CEMETERIES						
Carinya and/or Lake Terrance	Interment Rights	Taxable				
*all fees assume completion between 9am to 3.00pm Monday to Friday (excluding ** includes first interment	All Burial sites excluding family allotments and children's gardens			\$ 1,980.00	\$ 2,030.00	2.5% Increase
	Children's Burial Gardens (Carinya)			\$ 830.00	\$ 850.00	2.4% Increase
	Family Allotments (Carinya)			\$ 7,920.00	\$ 8,120.00	2.5% Increase
	Vault (Lake Cemetery)			\$ 12,000.00	\$ 12,300.00	2.5% Increase
	Waterfall Area - Granite (Carinya)**			\$ 940.00	\$ 965.00	2.7% Increase
	Waterfall Area - Plinth (Carinya)**			\$ 740.00	\$ 760.00	2.7% Increase
	Cross Area - Granite (Carinya)**			\$ 680.00	\$ 700.00	2.9% Increase
	Cross Area - Plinth (Carinya)**			\$ 640.00	\$ 660.00	3.1% Increase
	Boronia Garden - Granite (Carinya)**			\$ 680.00	\$ 700.00	2.9% Increase
	Rotunda Memorial - Granite (Carinya)**			\$ 940.00	\$ 970.00	3.2% Increase
	Rose Gardens - Plinth (Carinya)**			\$ 640.00	\$ 660.00	3.1% Increase
	Rustic (Granite) Wall (Carinya)**			\$ 500.00	\$ 515.00	3.0% Increase
	Block Wall (Carinya)**			\$ 440.00	\$ 450.00	2.3% Increase
	Burial Fees	Taxable				
	Single depth burial 1.67 metres*			\$ 1,665.00	\$ 1,710.00	2.7% Increase
	Double depth burial 2.13 metres*			\$ 1,715.00	\$ 1,760.00	2.6% Increase
	Triple depth burial 3.05 metres*			\$ 1,800.00	\$ 1,845.00	2.5% Increase
	Children under twelve (12) years of age - Childrens Gardens ONLY (Carinya)*			\$ 635.00	\$ 650.00	2.4% Increase
	Vault Opening Fees (Lake Terrance)	Taxable				
	Vault Opening Fees (Lake Terrance)			\$ 1,200.00	\$ 1,230.00	2.5% Increase
	Cremation Fees (Carinya)	Taxable				
	Adults*			\$ 990.00	\$ 880.00	11.1% Decrease
	Children under twelve (12) years of age*			\$ 490.00	\$ 490.00	0.0% Same
	Infant under two (2) years of age*			\$ 270.00	\$ 270.00	0.0% Same
	Infant under one year of age if undertaken on same day as another cremation*			Nil	Nil	Same
	Fees Payable in Addition to Cremations (Carinya)	Taxable				
	Witnessing no chapel service*			\$ 125.00	\$ 130.00	4.0% Increase
	Delivery of cremated remains (in Australia)			\$ 140.00	\$ 145.00	3.6% Increase
	Delivery of cremated remains (outside Australia)			TBC	TBC	Same
	Chapel Fees (Carinya)	Taxable				
	Weekdays (excluding public holidays)*			\$ 290.00	\$ 300.00	3.4% Increase
	Weekdays (excluding public holidays) under Council COVID-19 regulations			\$ 55.00	\$ 56.38	2.5% Increase
	Non Standard Extra Fees	Taxable				
	Weekdays after 3pm and Saturdays (excluding public holidays)			\$ 640.00	\$ 656.00	2.5% Increase
	Sundays and Public Holidays (on application ONLY)			\$ 980.00	\$ 1,100.00	12.2% Increase
	Interment of Ashes	Taxable				
*** second interment	Interred in to existing grave*			\$ 455.00	\$ 465.00	2.2% Increase
	Waterfall Area - Granite (Carinya)***			\$ 470.00	\$ 480.00	2.1% Increase
	Waterfall Area - Plinth (Carinya)***			\$ 370.00	\$ 380.00	2.7% Increase
	Cross Area - Granite (Carinya)***			\$ 340.00	\$ 350.00	2.9% Increase
	Cross Area - Plinth (Carinya)***			\$ 320.00	\$ 330.00	3.1% Increase
	Boronia Garden - Granite (Carinya)***			\$ 340.00	\$ 350.00	2.9% Increase
	Rotunda Memorial - Granite (Carinya)***			\$ 470.00	\$ 480.00	2.1% Increase
	Rose Gardens - Plinth (Carinya)***			\$ 320.00	\$ 330.00	3.1% Increase



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT	UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease
	Fees Payable in Addition to Interments	Taxable					Same
	Oversize Coffins and Caskets if notified						
	Oversize Coffins and Caskets - notification not received or received after excavation				\$ 155.00	\$ 160.00	3.2% Increase
	Memorial Plaques - Burials	Taxable					
	Single Bronze		6 lines		\$ 655.00	\$ 670.00	2.3% Increase
	Dual Conversion Bronze				\$ 840.00	\$ 860.00	2.4% Increase
	Dual Conversion Bronze detachable plate				\$ 315.00	\$ 325.00	3.2% Increase
	Family Allotment Bronze (includes Granite Plinth) (Carinya)				\$ 670.00	\$ 685.00	2.2% Increase
	Family Allotment Bronze name plate (Carinya)				\$ 400.00	\$ 410.00	2.5% Increase
			75 letters, 3 photos				
	Lasting Memories				\$ 1,800.00	\$ 1,845.00	2.5% Increase
	Life's Memories				\$ 1,735.00	\$ 1,780.00	2.6% Increase
	Memorial Seat (Carinya)				\$ 425.00	\$ 435.00	2.4% Increase
	Memorial Plaques - Cremations	Taxable					
	Single Bronze Granite		6 lines		\$ 545.00	\$ 560.00	2.8% Increase
	Single Bronze Plinth		6 lines		\$ 455.00	\$ 465.00	2.2% Increase
	Lasting Memories Granite				\$ 1,400.00	\$ 1,435.00	2.5% Increase
	Life's Memories Granite				\$ 1,475.00	\$ 1,515.00	2.7% Increase
	Single Bronze Rustic (Granite) Wall (Carinya)		6 lines		\$ 440.00	\$ 450.00	2.3% Increase
	Single Bronze Dual Conversion Rustic (Granite) Wall (Carinya)				\$ 675.00	\$ 690.00	2.2% Increase
	Dual Conversion Bronze detachable plate Rustic (Granite) Wall (Carinya)				\$ 295.00	\$ 305.00	3.4% Increase
	Single Bronze Block Wall (Carinya)		6 lines		\$ 420.00	\$ 430.00	2.4% Increase
	Memorial Plaques - Additional Fees	Taxable					
	Extra lines		per line		\$ 42.00	\$ 43.00	2.4% Increase
	Cleaner		each		\$ 30.00	\$ 35.00	16.7% Increase
	Refurbishment - single		single		\$ 165.00	\$ 170.00	3.0% Increase
	Refurbishment - dual conversion		dual conversion		\$ 195.00	\$ 200.00	2.6% Increase
	Photograph - 'True to Life' (5cm x 7cm)		each		\$ 350.00	\$ 360.00	2.9% Increase
	Photograph - Ceramic (5cm x 7cm)		each		\$ 125.00	\$ 130.00	4.0% Increase
	Emblem		standard		\$ 85.00	\$ 88.00	3.5% Increase
	Additional Proof		each		\$ 55.00	\$ 57.00	3.6% Increase
	Monument Licence Fee (Lake Terrace)	Taxable					
	Single		single		\$ 430.00	\$ 440.00	2.3% Increase
	Double		double		\$ 650.00	\$ 665.00	2.3% Increase
	Each additional		additional		\$ 85.00	\$ 90.00	5.9% Increase
	Other Fees	Taxable					
	Exhumation after minimum period when authorised		authorised		\$ 2,400.00	\$ 2,460.00	2.5% Increase
	Remove and fit existing plaques		plaques		\$ 40.00	\$ 41.00	2.5% Increase



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT	UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease
PRIVATE WORKS							
Footpaths, Stormwater Pipes, Culverts, Inverts & Crossovers, Sundry Works	Concrete Crossover	Taxable	per m ²		\$ 110.00	\$ 115.00	4.5% Increase
	Bitumen Crossover - minimum charge (including first m ²)	Taxable			\$ 200.00	\$ 205.00	2.5% Increase
	Bitumen Crossover - (every meter after first m ²)	Taxable	per m ²		\$ 25.00	\$ 26.00	4.0% Increase
	Inverts	Taxable	lineal metre		\$ 150.00	\$ 155.00	3.3% Increase
Mowing Ovals	Mowing ovals for schools/sporting clubs / per hours	Taxable			\$ 115.00	\$ 120.00	4.3% Increase
Reinstatements	Concrete Reinstatement	Taxable	per m ³		\$ 1,050.00	\$ 1,076.00	2.5% Increase
	Asphalt Reinstatement - (First m2) @50mm thickness only	Taxable	per m ³		\$ 850.00	\$ 500.00	41.2% Decrease
	Ashpalt Reinstatement - (Every m2 after the first m2)	Taxable	per m ³		\$ 850.00	\$ 50.00	94.1% Decrease
	Bitumen Resinstatement - minimum charge (including fist m ²)	Taxable			\$ 200.00	\$ 205.00	2.5% Increase
	Bitumen Reinstatement- (every meter after first m ²)	Taxable	per m ²		\$ 25.00	\$ 25.63	2.5% Increase



Schedule of fees and charges 2020/21

FEE OR CHARGE	DESCRIPTION AND COMMENTS	GST TREATMENT	UNITS	STATUTORY	2020/21	2021/22	% Increase / Decrease	
WASTE MANAGEMENT								
Waste Transfer Centre (Rubbish Removal)	General Public	Taxable						
	Single garbage bag		per bag		\$ 6.00	\$ 6.00	0.0%	Same
	Car boot load		per load		\$ 26.00	\$ 27.00	3.8%	Increase
	Small trailer or utility (standard)		per load		\$ 47.00	\$ 48.00	2.1%	Increase
	Small trailer or utility (heaped)		per load		\$ 69.00	\$ 71.00	2.9%	Increase
	Small trailer or utility (caged)		per load		\$ 91.00	\$ 94.00	3.3%	Increase
	Tandem trailer (standard)		per load		\$ 74.00	\$ 76.00	2.7%	Increase
	Tandem trailer (heaped)		per load		\$ 99.00	\$ 100.00	1.0%	Increase
	Tandem trailer (caged)		per load		\$ 123.00	\$ 126.00	2.4%	Increase
	Truck or large trailer		per tonne		\$ 170.00	\$ 175.00	2.9%	Increase
	Disposal by arrangement (direct to landfill) e.g. asbestos, genetically modified material				\$ 245.00	\$ 255.00	4.1%	Increase
	Mattresses (regardless of size)		per mattress		\$ 28.00	\$ 29.00	3.6%	Increase
	Arm chair		each		\$ 35.00	\$ 36.00	2.9%	Increase
	Lounge		each		\$ 48.00	\$ 49.00	2.1%	Increase
	Cooking Oil		per litre		\$ 0.30	\$ 0.30	0.0%	Same
	Fridges and other appliances that require degassing or deoiling		per item		\$ 72.00	\$ 74.00	2.8%	Increase
	Car tyre		each		\$ 6.50	\$ 7.00	7.7%	Increase
	Truck tyre		each		\$ 19.50	\$ 20.00	2.6%	Increase
	Senior's Card/Aged Pensioners Card - must present valid Seniors/Aged Pensioners/Health card							
	Single garbage bag		per bag		\$ 4.70	\$ 5.00	6.4%	Increase
	Limit car boot load only		per load		\$ 18.00	\$ 20.00	11.1%	Increase
	Private Contractors	Taxable						
	Charge per tonne via Waste Transfer Centre (to landfill)		per tonne		\$ 190.00	\$ 200.00	5.3%	Increase
	Minimum charge for account customers:				\$ 85.00	\$ 100.00	17.6%	Increase
	Minimum charge where weight under half tonne but volume excessive (as deemed by operator)		per load		\$ 164.50	\$ 200.00	21.6%	Increase
	eWaste and Recycling	Taxable						
	CDs, discs, USBs, calculators, household batteries etc		each		Free of charge	Free of charge		Same
	Small light globes - Compact fluoro lights (CFLs)		per item		\$ 0.50	\$ 0.50	0.0%	Same
	Larger light globes - Fluoro tubes, high density lamps		per item		\$ 1.00	\$ 1.50	50.0%	Increase
	Keyboards, toaster, frypans, lamps, etc		per item		\$ 6.00	\$ 6.00	0.0%	Same
	Microwaves, vacuums, DVDs, small printers, etc		per item		\$ 15.00	\$ 15.00	0.0%	Same
	Medium items - Computer package, large TVs, medium printers, etc***		per item		\$ 25.00	\$ 25.00	0.0%	Same
	Extra large items i.e. photocopiers etc		per kg		\$ 1.20	\$ 1.20	0.0%	Same
	Rubbish Collection							
	Bins and Containers							
	240L Bins (Greenwaste)	Taxable			\$ 75.00	\$ 80.00	6.7%	Increase
	240L Bins (Garbage/Recycling) - replacement	Taxable			\$ 75.00	\$ 80.00	6.7%	Increase
	**cost for provision of bin plus collection service	Exempt	per bin & service		\$ 129.00	\$ 135.00	4.7%	Increase
	Sharps Container - 5L	Taxable	each		\$ 12.00	\$ 12.30	2.5%	Increase
	Sharps Container - 2L	Taxable	each		\$ 8.00	\$ 8.50	6.3%	Increase



24.4 COMMUNITY CONSULTATION 2021/22 DRAFT ANNUAL BUSINESS PLAN AND BUDGET INCLUDING WASTE SERVICE CHARGE – REPORT NO. AR21/25426

Committee:	Council
Meeting Date:	18 May 2021
Report No.:	AR21/25426
CM9 Reference:	AF20/446
Author:	Colin McGregor, Management Accountant
Authoriser:	Darren Barber, General Manager Shared Services
Summary:	This report presents the proposed approach and timeline for community consultation on the draft 2021/22 Annual Business Plan and Budget.
Strategic Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy

REPORT RECOMMENDATION

1. That Council Report No. AR21/25426 titled 'Community consultation 2021/22 Draft Annual Business Plan and Budget including Waste Service Charge' as presented on 18 May 2021 be noted.
2. That Council endorses the Draft 2021/22 Annual Business Plan and Budget for the purposes of public consultation.
3. That Council endorses the Waste Services Charge FAQ for the purposes of public consultation.
4. That Council adopts the community consultation approach and timelines as per the report and directs the Chief Executive Officer to implement the necessary public consultation in accordance with current legislative provisions.



TYPE OF REPORT

Corporate

BACKGROUND

Annual Business Plan and Budget

Under Section 123 of the Local Government Act 1999 (the Act), councils are required to adopt a draft Annual Business Plan (ABP) on an annual basis. Once adopted, the Draft Annual Business Plan is required to be circulated for the purposes of public consultation.

The Local Government Act 1999 Chapter 8, Part 2 Annual Business Plans and Budget, Section 3 (b) states that councils must:

“Follow the relevant steps set out in its public consultation policy, taking into account the requirements of subsection (4).”

Section 123(5) of the Act requires the Council to:

- *“Publish in a newspaper circulating within the area of the council and on a website a notice informing the public of the preparation of the draft Annual Business Plan; and*
- *Consult with its community for at least 21 days on its Annual Business Plan; and*
- *Invite interested persons to attend a public meeting or a meeting of the council the date of which is to be included in the notice at which members of the public may ask questions and make submissions in relation to the Annual Business Plan.*
- *That a copy of the draft Annual Business Plan be available at the meeting.*
- *That a copy of the draft Annual Business Plan be available for inspection (without charge) and purchase (on payment of a fee fixed by the council) at the principal office of the council and on the website at least 21 days before the date of the meeting.”*

The Council's Policy P195 Community Consultation and Engagement Policy sets out the policy the Council for Community Public Consultation and Engagement under normal circumstances. This Policy affirms Council's commitment to effective, ongoing and timely community engagement as an integral part of local governance and key decision making.

COVID-19 amendments

In accordance with the emergency provisions and recognition of the temporary COVID-19 amendments to the Local Government Act 1999, the regular Community Consultation and Engagement Policy has been amended.

Council Report 'Policy Review - C410 Code of practice for conduct of meetings - holding and participating in meeting by electronic means - Report No. AR20/21246', which re-presents policy provisions and updated Policy C410 Conduct of Meetings to address Member attendance at meetings and informal gatherings by electronic means have been endorsed in line with the changes to the act.

Consequently, the updated 'Community Consultation and Engagement policy April 2020' indicates that "Council will not publish a notice in a newspaper ... regarding a public meeting or a meeting of Council". However, it "will publish a notice inviting interested person to make written submissions within the period stated in the notice (which will not be less than 21 days after the publication of the notice) in relation" to the ABP&B.



Under B. Statutory Requirements to hold public meeting suspended the P195 policy now indicates:

“The Council will not publish a notice in a newspaper circulating in the area of the Council inviting interested persons to attend a public meeting or meeting of the Council in relation to any matter within the scope of Sections 123, 151 or 156 of the Local Government Act 1999 for which public consultation is required under the Local Government Act 1999. The Council will not hold such a public meeting or invite persons to attend a meeting of the Council to ask questions or make submissions on the matter.

The Council will publish a notice in a newspaper circulating in the area of the Council inviting interested persons to make written submissions within the period stated in the notice (which will not be less than 21 days after the publication of the notice) in relation any matter within the scope of Sections 123, 151 or 156 of the Local Government Act 1999 for which public consultation is required under the Local Government Act 1999. The Council will consider the submissions at a meeting of the Council”.

Waste Services Charge

The Local Government Act 1999 paragraph 155 introduces a service charge as (1) (b) a prescribed service for ‘the collection, treatment or disposal (including by recycling) of waste’

For the City of Mount Gambier this charge is intended to include the expenditure related to:

- Waste collection
- Green waste collection
- Waste Transfer Station
- Re-Use Centre
- Bulky waste collection (if this is not financed in alternative ways)

The Local Government Act 1999 paragraph 151 (1) (c) says that Before a council

“changes the imposition of rates on land by declaring or imposing a separate rate, service rate or service charge on any land,”

The council must (e)

“follow the relevant steps set up in its public consultation policy”

Paragraph 151 (8a) (b) says this

“may be undertaken as part of the public consultation required with respect to the council's draft annual business plan.”

PROPOSAL

Annual Business Plan and Budget

Council has prepared the attached ‘Draft 2021/22 Annual Business Plan and Budget’ for community consultation purposes. The following steps have occurred as part of the preparation of the Draft 2021/2022 ABP&B:

- Schedule of Fees and Charges for 2021/22 – for adoption by Council on 18 May 2021.
- Elected Member ABP&B Workshop No. 1 - held on 2 February 2021, including a review of:
 - The Long Term Financial Plan
 - The Asset Management Plans(both adopted by Council on 16 February 2021)
- Elected Member APB&B Workshop No. 2 - held on 24 March 2021



- Elected Member APB&B Workshop No. 3 - held on 14 April 2021
- Elected Member APB&B Workshop No. 4 – held on 27 April 2021

The community consultation will provide another important avenue of input into the 2021/22 ABP&B process.

The 'Draft 2021/22 Annual Business Plan and Budget' is document includes a high-level overview of the Council's Annual Business Plan as well as pro-forma statements of the 2021/22 budget.

A summary of the financial position of the draft 2021/22 budget is:

Operating revenue	\$ 33,908,000
<u>Less Operating expenditure</u>	<u>\$ 34,480,000</u>
Operating surplus / (deficit)	(\$ 572,000)
Plus Asset disposal adjustment	(\$ 113,000)
<u>Plus Amounts received specifically for new/upgraded assets</u>	<u>\$ 18,355,000</u>
<u>Net surplus / (deficit)</u>	<u>\$ 17,670,000</u>
Capital expenditure on:	
Council's assets and infrastructure ⁽¹⁾	\$ 10,594,000
<u>Wulanda Recreation and Convention Centre</u>	<u>\$ 45,193,000</u>
<u>Total Capital expenditure</u>	<u>\$ 55,787,000</u>

(1) Excluding the Wulanda Recreation and Convention Centre

Waste Service Charge

There are two proposed changes to the current rating assumptions and directions:

- 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.
- 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

Consultation process and documentation

Council's Policy P195 Community Consultation and Engagement Policy defines community consultation as being *"part of community engagement and means a planned process by which the Council formally invites its constituents and stakeholders to comment about matters upon which Elected members are to deliberate."*

The proposed approach to community consultation on the Draft 2021/22 Annual Business Plan and Budget is as follows:

Tuesday 18 May 2021	Council considers the Community Consultation approach as well as the documentation to be made available as part of the Community Consultation for the draft 2021/22 ABP&B
Friday 21 May 2021	Notice in the newspaper
Friday 21 May 2021	Community consultation period starts
Friday 11 June 2021	Community consultation period closes
Monday 21 June 2021	Special Council Meeting to review submissions received during consultation period
Tuesday 29 June 2021	Special Council Meeting to consider and adopt the 2021/22 ABP&B



The documentation made available to the public will include the following:

- Draft 2021-2022 Annual Business Plan & Budget (ABP&B) and proposed Waste Service Charge (WSC) for community consultation
- Appendix A - Draft 2021-2022 Budget Financial Statements
- Appendix B - 2021-2022 Proposed Waste Service Charge (WSC) Fact Sheet
- Appendix C - Draft 2021-2022 Budget Snapshot
- Appendix D - Draft 2021-2022 Operating Budget by Master Account
- Appendix E - Draft 2021-2022 Capital Budget by Master Account

This documentation will be made available in the following ways:

- From the Council's website at www.mountgambier.sa.gov.au; or
- Can be requested to be sent to the rate payer electronically or by post by contacting Council's Customer Service at 08 8721 2555 or city@mountgambier.sa.gov.au.

LEGAL IMPLICATIONS

Nil

STRATEGIC PLAN

Nil

COUNCIL POLICY

Nil

ECONOMIC IMPLICATIONS

This budget is in line with the long term financial plan.

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

The community consultation process set out in this report and recommended to Council for consultation on the Draft 2021/22 Annual Business Plan and Budget and the implementation of a waste services charge complies with the requirements of the Local Government Act 1999, Council's Policy P195 Community Consultation and Engagement Policy, taking into account the current COVID-19 temporary amendments to the Act and Council's policies in relation to public meetings and access to information.

The documentation for public access will be provided online as well as be available through email or postal services upon the request of rate payers.

The timeframes allow sufficient time for the community to present their submissions to Council, and for Council to consider this submission as part of the ABP&B process and conclusion at the end of June 2021.

A report on the submissions and feedback received through the consultation process will be prepared and presented to Council and Elected Members at a Special meeting following the conclusion of the consultation period.

ATTACHMENTS

1. Draft 2021/2022 Annual Business Plan & Budget (ABP&B) and proposed Waste Service Charge (WSC) for community consultation [↓](#)
2. Appendix A - Draft 2021-2022 Budget Financial Statements [↓](#)
3. Appendix B - 2021-2022 Proposed Waste Service Charge (WSC) Fact Sheet [↓](#)
4. Appendix C - Council Report - Proposed Rating Structure and Waste Service Charge 16/2/2021 [↓](#)
5. Appendix D - Draft 2021-2022 Budget Snapshot [↓](#)
6. Appendix E - Draft 2021-2022 Operating Budget by Master Account [↓](#)
7. Appendix F - Draft 2021-2022 Capital Budget by Master Account [↓](#)





DRAFT

2021/2022
Annual Business
Plan & Budget &
proposed Waste
Service Charge
(WSC)

For community
consultation



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2021/2022 DRAFT ANNUAL BUSINESS PLAN & BUDGET & PROPOSED WASTE SERVICE CHARGE (WSC)

FROM THE MAYOR

The Draft 2021/2022 Annual Business Plan and Budget (ABP&B) is a statement of Council's intended program of work and objectives for the upcoming financial year.

The ABP&B outlines how Council plans to achieve its goals and the methods we will implement to monitor and measure performance. It also includes a summary of the revenue and expenditure required to deliver the program, developed within the context of Council's commitment to financial sustainability and long-term financial planning. The impact on rates and implications for ratepayers is also outlined.

This budget continues to ensure that service delivery is maintained while Council oversees the development of its largest ever infrastructure project, the Wulanda Recreation and Convention Centre. The build at Olympic Park is expected to be completed in Autumn 2022 and I am very excited for the community to have access to this much needed state of the art facility. Wulanda will be a place for all, providing aquatic, sports, cultural, youth, café and creche facilities as well as a convention space for the benefit of the entire community.

I am pleased to share that in recent months Council secured \$800,000 in State Government funding to extend the shared cycling/walking path from Wandilo Road to Wireless Road and install solar lighting along the total length, spanning 11.3 kilometres. Council will match this funding amount dollar for dollar and work on the path is expected to be undertaken within the next year.

To ensure Council's priorities reflect the needs of our community, annual financial planning and budgeting is undertaken with long-term goals in mind. Council continues to review its strategic response to COVID-19 in an ongoing effort to support the community as we move forward to a sustainable recovery. This follows a multi-million-dollar COVID-19 stimulus and recovery allocation provided by Council as part of the 2020/2021 ABP&B.

As of 1 July 2021, Council proposes to implement a Waste Service Charge (WSC) to highlight the cost of waste management on rate notices. It is important to note that this \$200 charge is not an additional cost to most ratepayers, as it is already included within the total General Rate Revenue and will be separated out as an additional line item on your rates notice. Council hopes the WSC will encourage ratepayers to consider their personal environmental impact and the costs associated with waste management and does not intend to raise overall rates and charges associated with the WSC. You can have your say about the proposed WSC as part of the Draft Annual Business Plan and Budget community consultation process. Visit www.haveyoursaymountgambier.com.au for further details.

Key influences on the Draft 2021/2022 ABP&B include:

- The vision outlined in the 2020-2024 Strategic Plan: *An inclusive city, where people lead fulfilling lives* through the delivery of services and essential infrastructure.
- A focus on economic development including tourism and the development of a strategic plan for the city's tourism assets.
- Continuing investment to promote Mount Gambier as a visitor destination, a regional retail and commercial hub and as a quality destination to host major events and conferences.
- Development of the Mount Gambier Sport, Recreation and Open Space Strategy, informed by community feedback.
- Continuing development of Council's Asset Management Plans, the blueprints we use to maintain our portfolio of assets throughout the city, worth approximately \$247 million.
- Completion of building works on the Wulanda Recreation and Convention Centre with the support of grant funding from the Commonwealth and State Governments.
- Additional capital works program of approximately \$10.6 million including work on 20 roads as part of the road reconstruction program, the completion of the Pinehall Avenue and O'Leary Road intersection and 12 new footpaths.
- Maintaining the wide range of community support programs and initiatives, and

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- Retaining and developing Council's workforce to enable Council to maintain its service delivery.

The Draft 2021/2022 ABP&B shows a budgeted net surplus of \$17.67 million. This includes budgeted amounts received for new assets of \$18.36 million related to State, Federal and additional funding for the construction of the Wulanda Recreation and Convention Centre. The operating result for the 2021/2022 ABP&B provides for an operating deficit as at 30 June 2022 of \$0.571 million as a result of COVID-19 initiatives undertaken during 2020.

Council will formally consider all feedback provided as part of the Draft 2021/2022 Annual Business Plan and Budget community consultation process which will occur from 19 May until 10 June 2021. The final 2021/2022 Annual Business Plan and Budget will be adopted by Council in June 2021.

Lynette MARTIN OAM
MAYOR
CITY OF MOUNT GAMBIER



OUR CITY

Mount Gambier has a population of 27,433 people (ABS ERP 2020), is centred halfway between (approximately 440 kilometres) the capital cities of Adelaide and Melbourne as South Australia's second largest city. Mount Gambier is the regional centre for the Limestone Coast region of South Australia, the Western District of Victoria and is widely known as the home of Australia's softwood timber industry and the wine regions of Coonawarra and Padthaway. The city services the commercial, retail, health, social, tourism, sporting, arts and cultural needs of a regional population of more than 70,000 people.

Mount Gambier covers 3,388 hectares with a population density of 8.10 persons per hectare. The 2016 Census resident population was 26,276, living in 12,328 dwellings with an average household size of 2.3 persons. This represents an increase in population from 25,773 persons recorded in the 2011 Census.

The majority of City of Mount Gambier residents are employed in the retail and services sectors including health care, financial and social assistance and the manufacturing sector. Further information about Mount Gambier's demographics is available at: <https://profile.id.com.au/mount-gambier/home>

With a diverse and stable economic base, the Mount Gambier region is one of the most significant contributors to the South Australian economy in both export, local income and tourism. Key industries that contribute to the city and regional economy are:

- Softwood timber industry,
- Visitor economy,
- Health services,
- Agribusiness, and
- Transport and logistics.

A focus for growth is the visitor economy, a diverse and wide-reaching sector that impacts broadly across service and product groups. The growth of this sector impacts on business opportunities from hospitality, to growing existing products and services and providing exciting new opportunities. This sector strongly links to the agribusiness sector, with farm experiences increasingly sought after by international visitors.

Transport and logistics are key employers in Mount Gambier. The city is one hour from Portland's major deep sea port and ensures that Mount Gambier remains a key transport hub. The transport sector remains strong, with growing demand, particularly in the city's forestry sector.



OVERVIEW

The City of Mount Gambier ABP&B is an important part of Council's suite of strategic management plans and integrated planning and budgeting framework. It aligns with:

- The 2020-2024 Strategic Plan and its strategies, initiatives and projects,
- Long Term Financial Plan (LTFP), and
- The Infrastructure and Asset Management Plans (IAMPs)

to ensure that Council optimises the mix of services, programs, infrastructure and facilities for the benefit of the local community. The draft 2021/2022 budget provides for:

- \$55.8 million in capital expenditure projects. \$10.6 million is drawn from the Council's detailed Asset Management Plans and \$45.2 million from the Wulanda Recreation and Convention Centre project co-funded with Commonwealth and State grant funding,
- \$0.572 million operating deficit as at 30 June 2021 before the Wulanda Recreation and Convention Centre funding,
- \$17.67 million net surplus after funding for the Wulanda Recreation and Convention Centre.

Key initiatives for 2021/2022 are detailed in the budget section of this document. Rates income accounts for approximately 65% of Council's operating income. Council proposes to alter the standard rating policy structure for 2021/2022 to include:

- A fixed charge - applicable to every rateable property that will raise approximately 37% of Council's overall general rate revenue,
- A Waste Service Charge (WSC) – to separate and highlight the annual individual ratepayer waste component currently absorbed within the General Rates, as per the 'Proposed Rating Structure and Waste Service Charge' Council resolution on 16 February 2021. Further information about the WSC is provided in the rating strategy section of this document and in Appendix C.
- Differential rates based on land use multiplying the capital value supplied by state valuation office by the differential rate in the dollar adopted.

BUDGET INFLUENCES

Council operates in a dynamic environment with pressures from economic, operating and political influences. The Draft 2021/2022 Annual Business Plan and Budget includes the following:

- Confirmed grant funding for the Wulanda Recreation and Convention Centre. Significant resources will be committed to the governance, financial and construction processes for the oversight of the project in the 2021/2022 financial year,
- New strategies aligned to Council's 2020-2024 Strategic Plan,
- Council's focus on economic development and tourism opportunities, and
- Employee cost increases linked to Enterprise Bargaining Agreements.

STRATEGIC DIRECTIONS

The City Development Framework Project

The City Development Framework Project involved the establishment of overall strategies for development, incorporating economic, social, environment and community opportunities and aspirations based on four interrelated themes:

<i>Our People</i>	<i>How do we ensure a highly skilled and educated population for the future challenges facing our community? A community reflecting good health, connectedness and wellbeing.</i>
<i>Our Location</i>	<i>How do we take advantage of our location and expand our potential as a regional hub? Building on our regional centre for the provision of services, shopping, tourism, cultural, sporting and recreation.</i>

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<p><i>Our Diverse Economy</i></p>	<p><i>How do we build on and diversify our existing economy? We have existing high quality and skilled industry sectors including fabrication, manufacturing, forest products, agriculture, health and education. We also have emerging opportunities for digital technology and related industries.</i></p>
<p><i>Our Climate, Natural Resources and Heritage</i></p>	<p><i>How do we promote and preserve our climate, natural resources and environment? We have a temperate climate, the Crater Lakes Volcanic Complex incorporating the world renowned Blue Lake, a unique natural environment and enviable natural resources. We also have a remarkable wealth of Indigenous and European heritage.</i></p>

Outcomes from the City Development Framework Project were incorporated within the Futures Paper which is a guide for the future direction and development of the city based upon the ideas and aspirations of the community.

2020 - 2024 Strategic Plan

The 2020 - 2024 Strategic Plan represents Council's vision, aspirations and priorities for the community now and into the future. It describes Council's values, how we work together and outlines the strategic initiatives to achieve ongoing sustainability and prosperity.

The Strategic Plan together with the Futures Paper are Council's key strategic guiding documents and are supported by its Long Term Financial Plan (LTFP), Infrastructure and Asset Management Plans (IAMPs) and the Annual Business Plan and Budget. This suite of plans identifies the direction, services, programs, infrastructure and facilities that Council wishes to provide for the community, specifically for the next four years and into the future.

Our vision

Within the Strategic Plan, Council describes its vision as:

“An inclusive city where people lead fulfilling lives.”

The richness and diversity of:

- Our People,
- Our Location,
- Our Economy, and
- Our Climate, Natural Resources, Art, Culture and Heritage

makes Mount Gambier the thriving and successful place that people are proud to call home.

These themes contribute towards the future growth, propensity and development of the city.

Council strives to create vibrancy, promote the city's identity and build on its reputation as a place to live, work, visit and invest in. To provide a future for current and future generations, we need additional economic growth and employment as well as art, cultural, recreational and educational opportunities. Working together, Council and the community can collectively achieve these goals.

Council's plans demonstrate that the role of local government has grown from its traditional base of roads, rates and rubbish. The scope of services now considerably broader and more diverse including health, services for the aged, youth, support for sector and special interest groups within the community and economic development and tourism.

Long Term Financial Plan

The development of a Long Term Financial Plan (LTFP) is a requirement of Section 122 (1) of the Local Government Act 1999. The purpose is to translate the vision, objectives and strategies of the Strategic Plan into financial terms and to guide the direction of Council in a financially sustainable manner.



Council's LTFP was adopted in February 2021 and is reviewed regularly (and at a minimum within two years of each Local Government Council election) and acts as a reference point in the formulation of future Annual Business Plans and Budgets.

The LTFP is driven by Council's suite of strategic management plans and includes future estimated revenue and expenditure particularly focusing on the financing and scheduling of major projects, loan indebtedness, rating level, asset replacement/renewal and impact on operating expenditure.

Council's LTFP assumes:

- Continuation of existing services and infrastructure at current service standards,
- No internal changes to services or investment in new or upgraded assets other than what is already resolved and planned, and
- Construction and operation of the Wulanda Recreation and Convention Centre.

Council's financial projections over the long term planning horizon are not a prediction of financial position or performance, rather an indication of direction and financial capacity.

The LTFP outlines that Council is meeting its financial obligations and targets over the term of the plan and has the financial capacity to continue to meet the service demands of the community, together with the flexibility to respond to changing circumstances.

The projections indicate that based on current assumptions, Council is in a sound financial position with a favourable outlook over the term of the LTFP.

The Futures Paper, Strategic Plan, IAMPs and LTFP are available on Council's website:
www.mountgambier.sa.gov.au

Financial sustainability

Financial sustainability in local government ensures that each generation pays their way rather than any one generation living off their assets and leaving the responsibility for infrastructure/asset renewal to future generations.

South Australian local government has developed a set of indicators to measure councils' financial sustainability. Financial Sustainability Indicators and their targets are used by the Council as a guide in the LTFP. The principal indicators are derived from Council's audited financial statements being:

- Operating surplus / (deficit),
- Net financial liabilities, and
- Asset renewal funding (or asset sustainability).

The following table presents a comparison of the key financial indicators, including Council's budget targets, to maintain its financial performance.

Key financial indicators	2016	2017	2018	2019	2020	2021	2022
Operating surplus ratio (Target: 0% - 15% over 5 years)	3%	6%	(3%)	1%	(1.7%)	(3.7%)	(1.7%)
Net financial liabilities ratio (Target: Not to exceed 100%)	25%	28%	45%	41%	17%	67%	154%*
Asset renewal funding ratio (Target: 90% - 100% over 3 years)	57%	62%	74%	74%	110%	96%	101%

- > 100% forecast due to the construction of the Wulanda Recreation and Convention Centre.



The financial indicators represent the following:

- Operating surplus / (deficit) ratio - expresses the operating surplus (or deficit) as a percentage of general and other rates, net of rebates.
- Net financial liabilities ratio - indicates the extent to which net financial liabilities of the Council can be met by Council's total operating revenue. Where the ratio is falling it indicates Council's capacity to meet its financial obligations from operating revenues is strengthening. Where the ratio is increasing it indicates a greater amount of Council's operating revenue is required to service its financial obligations.
- Asset renewal funding ratio (or asset sustainability ratio) - indicates whether the Council is renewing or replacing existing physical assets at the rate at which they are wearing out. Councils with a high ratio are replacing and renewing capital assets at a rate comparable to depreciation/wear.

SERVICES

All councils have mandatory responsibilities under the Local Government Act, the Development Act, the Public and Environmental Health Act and other relevant legislation for the provision of services. These include:

- Regulatory activities e.g. maintaining the voters roll, property ownership data and supporting the elected Council body,
- Setting rates, preparing an annual business plan, budget and determining longer-term strategic management plans,
- Management and maintenance of infrastructure including roads, footpaths, parks, public open spaces, street lighting and storm-water drainage,
- Street cleaning, rubbish collection and recycling,
- Development planning and control, including building safety assessment,
- Various environmental health services including food safety, public health,
- Protection of natural resources, and
- Inspectorial services (parking, animal control).

In response to community demands, Council also provides discretionary services and programs including:

- Libraries and associated facilities and programs,
- The Main Corner Complex and room hire,
- Youth development and programs,
- Economic development,
- Environmental programs,
- Tourism and visitor services,
- Attracting major events to the city,
- Community events programs,
- Events, sponsorship and grants,
- Free public Wi-Fi,
- Public parks and gardens,
- Community programs,
- Sporting and recreational facilities,
- Lifelong learning,
- Community engagement and social inclusion,
- Cemeteries,
- Advocating on behalf of the community to Federal/State Governments, and
- Citizenship ceremonies.

In accordance with the LTFP, Council's 2020/2021 Annual Business Plan and Budget will provide for existing service levels to be maintained.



ANNUAL BUSINESS PLAN AND BUDGET

The Draft 2021/2022 Annual Business Plan and Budget proposes that Council will spend a total of \$34.5 million in operating expenditure, including depreciation of \$7.7 million and total capital expenditure of \$55.8 million on the delivery of services and programs, maintenance of assets and development of new or upgraded assets (including \$45.2 million towards the Wulanda Recreation and Convention Centre).

The provision of services such as the Library, parks and infrastructure maintenance, waste collection and disposal continue to be a significant component of Council's budget.

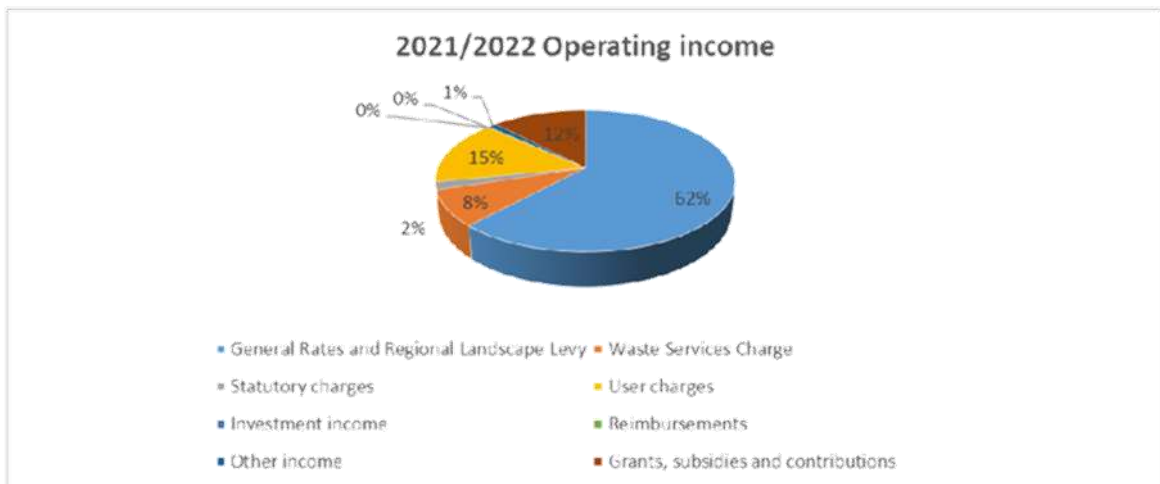
Appendices included in the Annual Business Plan and Budget are:

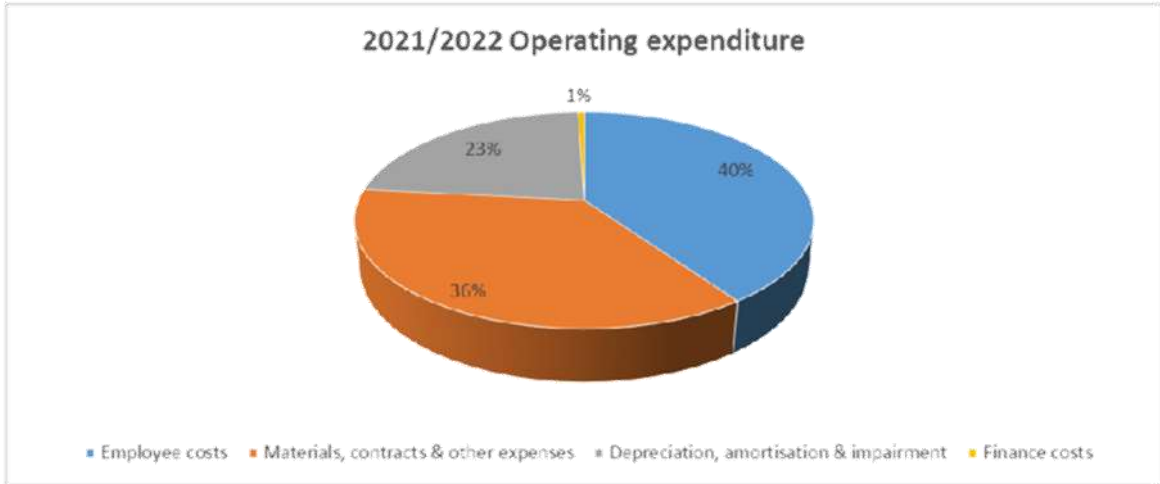
- Draft 2021/2022 Budgeted Financial Statements
- Council Report – Proposed Rating Structure and Waste Service Charge 16/02/2021
- 2021/2022 Proposed Waste Service Charge (WSC) Fact Sheet
- Draft 2021/2022 Budget Snapshot
- Draft 2021-2022 Operating Budget by Master Account
- Draft 2021-2022 Capital Budget by Master Account

This Annual Business Plan includes references to *To Be Confirmed (TBC)* in places. The TBCs are not known at the time of preparing this Draft Annual Business Plan and Budget as the figures are reliant upon:

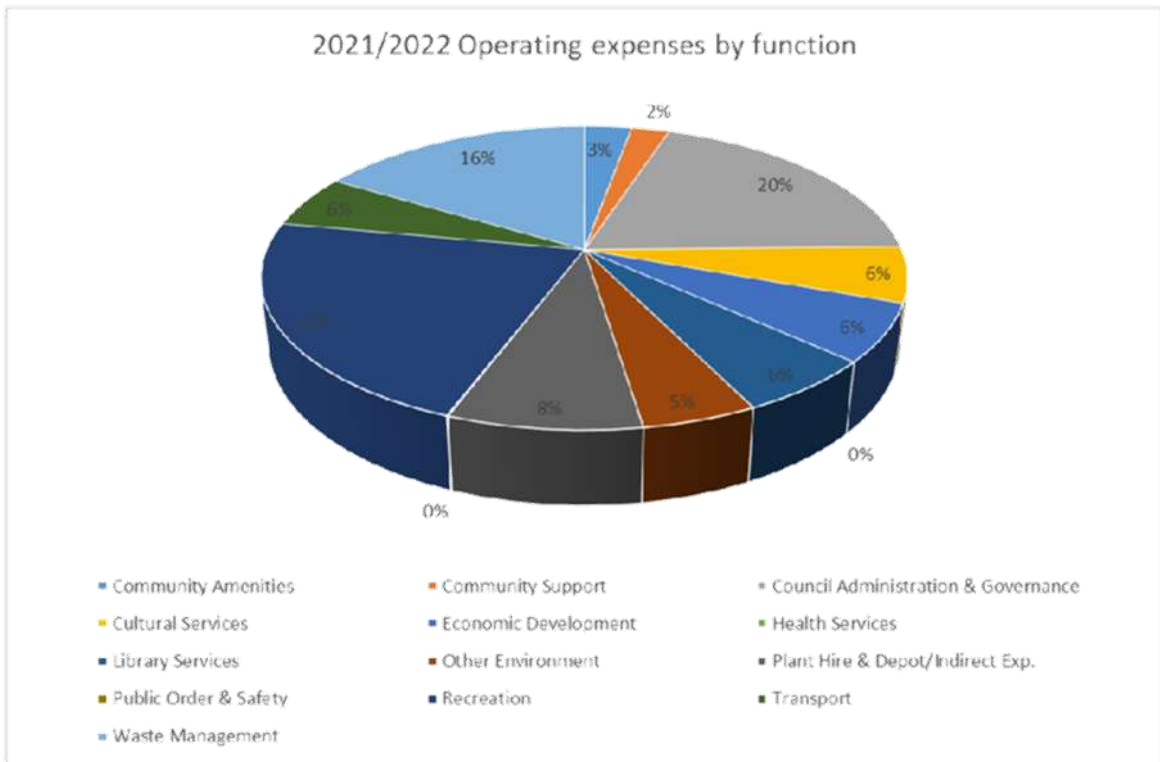
- Valuation information provided by the State Valuation Office in late June,
- Council's rates modelling which is based on the State Valuation Office valuations.

The following graphs show Council's draft budgeted operating income and expenditure for 2021/2022 as a percentage of total income and expenditure respectively:





The following graph shows Council's draft 2021/2022 budgeted expenditure (%) by function:



MEASURING PERFORMANCE

Measuring and monitoring Council's performance is fundamental to ensure specified objectives are achieved and programs and services are delivered to the community.

Council monitors financial performance through a range of financial reports including regular financial statements, quarterly comprehensive budget reviews, quarterly performance against the interim and final audits by Council's appointed external auditors and the presentation of audited financial statements each year as required under the Local Government Act 1999. The financial reports also take into account the principles of financial sustainability adopted by the Council along with the three key financial sustainability indicators.

The Council's Annual Report also provides information on overall performance.

RATING STRATEGY

In 2021/2022 approximately 65% of Council's operating revenue will come from rate revenue. As a result, Council's rating policies and strategies are key components of financial planning.

The 2021/2022 Annual Business Plan and Budget includes a 4.5% rate increase in line with the Long Term Financial Plan. External grant funding will be received during the build and commissioning of the Wulanda Recreation and Convention Centre project. To accommodate and manage the timing of grant income payments and project expenditure, Council has modelled the Long Term Financial Plan to include drawing upon loan facilities through the Local Government Finance Authority.

The following increases in general rate revenue have been applied over recent years:

Year	Rate Increase	Growth Benefit	Total
2015/16	3.85%	0.65%	4.5%
2016/17	3.84%	0.66%	4.5%
2017/18	4.02%	0.48%	4.5%
2018/19	4.08%	0.42%	4.5%
2019/20	4.26%	0.24%	4.5%
2020/21	0.00%*	1.74%	1.74%
2021/22	TBC%	TBC%	4.5%

Note: Growth is predominantly the result of new housing and property improvements as reported by the State Valuation Office.

* Strategic response to COVID-19.

Valuation method

Capital Value is used as the basis for valuing land within the Council area in common with almost all other South Australian councils. This method values the land and all of the improvements on the land. This valuation method is considered the fairest and most efficient method of distributing the rate responsibility across all ratepayers because:

- It is the most appropriate measure of relative wealth in the community,
- As a measure of wealth, it most closely reflects the property owners' capacity to pay, and
- It equates with the taxation principle that people should contribute to community, social and physical infrastructure in accord with their capacity to pay as measured by property wealth.

Other valuation methods available are: site value (value of land only) and annual value (value of the rental potential of property).



Capital valuation comparison

Year	Rateable land	Non-rateable land	Total
2015/16	3,251,510,225	205,393,515	3,456,903,740
2016/17	3,259,233,035	212,100,805	3,471,333,840
2017/18	3,329,622,852	217,152,488	3,546,775,340
2018/19	3,494,031,387	221,599,753	3,715,631,140
2019/20	3,593,454,480	223,783,100	3,817,237,580
2020/21	3,687,501,965	255,679,555	3,913,181,250
2021/22 ^{Note 1}	TBC	TBC	TBC

Note 1: Property values in the Council Area (as provided by the State Valuation Office) for 2021/2022 financial year are yet to be received therefore comparison to the previous year are unable to be provided at the time this document was prepared.

General Rates

Section 147 of the Local Government Act 1999 provides Council with the power to rate all land within the City of Mount Gambier, except for land specifically exempted, such as Crown Land.

Fixed Charge

Council has determined that a component of the total rate will be a fixed charge on every rateable property. The fixed charge applies to all ratepayers and continues to raise slightly less than one half of total rate revenue (before rebates and remissions) required for the 2021/2022 financial year.

Council's reasons for including a fixed charge component are:

- To be able to deliver a range of services to the community, Council must maintain a range of internal support, infrastructure and administrative services. No particular group of ratepayers benefit more than any other group of ratepayers by the provision of these services, and
- Council considers it appropriate that all ratepayers contribute equally to the cost of administering Council's services and activities.

Fixed charge comparison

Year	Fixed Charge	% of Total Rates
2015/16	\$585.80	45%
2016/17	\$606.90	45%
2017/18	\$630.30	45%
2018/19	\$655.20	45%
2019/20	\$682.70	45%
2020/21	\$682.70	45%
2021/22 ^{Note 1}	TBC	TBC

Note 1: Council anticipates that the fixed charge of Council's rating structure will continue to raise approximately 36.5% of Council's overall rate revenue. The fixed rate component will be set by Council.

Proposed Waste Service Charge

The cost associated with waste management including bin collection, waste treatment and disposal is not currently identified on individual City of Mount Gambier rate notices as it is included within Council's 'General Rate Revenue'.

To highlight the cost of waste management, Council proposes to adjust its rating structure to remove the annual individual ratepayer waste component from the General Rates and introduce it as a **new separate fixed Waste Service Charge (WSC)**.



The proposed WSC will be administered in accordance with the Local Government Act 1999 and **will not be an additional cost to most ratepayers**. Council **does not** intend to raise overall rates and charges associated with the WSC.

The proposed WSC is an environmental decision to make waste management costs visible and clear to ratepayers by highlighting the waste fee for each property on the rates notice. Waste management is one of the largest costs to the community and Council wishes to encourage ratepayers to consider their personal environmental impact and the costs associated with waste management.

The proposed WSC is \$200.00 per year and is calculated based on last year's (2019/2020) and this year's (2020/2021) actual and budgeted waste collection, treatment and disposal costs per rateable assessment. The proposed WSC will be charged on the basis of the service being available to a property. It will exclude vacant land and primary production where there is no dwelling on the land.

The proposed separate WSC will establish the framework to allow for flexibility to provide future incentives for ratepayers who demonstrate good waste management. Council will continue to work with the community to provide waste education and awareness programs to encourage waste reduction and recycling to divert rubbish from landfill.

The proposed WSC will be used to cover all waste associated costs. In any year that the total WSC results in a surplus, funds will be accounted for in a specific 'waste' reserve as per the Local Government Act 1999, to be used on waste related services.

The introduction of the WSC has no significant concerns in relation to equity across most rateable assessments within the community. The WSC is a component of the overall rating system and has been structured such that any broader social implications are minimised. By reducing the general rates fixed charge by the amount of the WSC there is no bottom-line impact on most ratepayer assessments.

Council will maintain the existing discretionary rebate assessment process and non-rateable assessments as per our current rating policy. It is noted that current recipients of rebates of less than 100% of their total assessment will experience a proportionate reduction in rebate, attributable to the WSC amount, and recipients of 100% rebates will now incur the WSC amount. Whilst this imposes a modest annual WSC charge on a small number of affected assessments, this is attributable to the actual cost of a service that benefits the relevant property, and the application of this non-rebatable charge reduces the subsidy for that service to those assessments otherwise absorbed by all other ratepayers within the WSC amount and/or or general rates. Further, the application of the WSC ensures that current recipients of the service are contributing toward the total current costs of providing the service including capital/depreciation costs and thus addressing potential burden that could otherwise accrue to future ratepayers as a result of absorption of such costs within general rates.

The calculation of the WSC amount takes into account the actual cost and is also benchmarked against similar public (Council) and private/commercial charges for similar services, and whilst some ratepayers may have a greater or lesser need or use of the service, the WSC amount, considered as part of the overall rating structure, provides an equitable and competitive charge such that no particular group or category of ratepayers are considered to be oversubsidising any other for a service that is provided equally to all rateable properties.

It is proposed that the WSC will be highlighted on rates notices as 'Waste Service Charge' from 1 July 2021.

The community is encouraged to provide feedback about the proposed WSC. For further information see Appendix B Council Report – Proposed Rating Structure and Waste Service Charge and Appendix C Proposed Waste Service Charge (WSC) Fact Sheet or visit www.haveyoursaymountgambier.com.au



Differential rates

In addition to a fixed charge, Council will declare differential general rates in the dollar according to the use of the land, for rateable land within the Council area, as follows:

- Category 1: (residential) use,
- Categories 2, 3 and 4: (commercial shop, commercial office or commercial other) use,
- Categories 5 and 6: (industrial light and industrial other) use,
- Category 7: (primary land) use,
- Category 8: (vacant land) use, and
- Category 9: (other) use.

Every resident benefits from the general amenity of the Council area in some way. This amenity includes the local economy, general Council operations and the ability of every resident to use Council facilities and infrastructure including parks, gardens, libraries, etc.

The main reasons for providing differential rates are:

- Ability to pay,
- Potential income taxation deductions,
- Materially heavier/lighter use of services by ratepayers/employees/customers/suppliers, and
- To provide a disincentive to withholding land from development.

Differential rate in dollar comparison

Year	Residential	Commercial	Industrial	Primary Production	Vacant Land	Other
2015/16	0.226310	0.611037	0.611037	0.226310	0.611037	0.226310
2016/17	0.236370	0.638199	0.638199	0.236370	0.638199	0.236370
2017/18	0.241940	0.653238	0.653238	0.241940	0.653238	0.241940
2018/19	0.240850	0.650295	0.650295	0.240850	0.650295	0.240850
2019/20	0.245125	0.661838	0.661838	0.245125	0.661838	0.245125
2020/21	0.245125	0.661838	0.661838	0.245125	0.661838	0.245125
2021/22	TBC	TBC	TBC	TBC	TBC	TBC

Note: Rates in the dollar are expressed as a fraction of a cent in the dollar.

Separate Rates

Mount Gambier is in the Limestone Coast Landscape Board area and is legally required under the Landscape South Australia Act 2019 to contribute to the funding of the operations of the Board.

Council collects revenue on behalf of the Board and does not retain any revenue collected nor does it determine how the revenue is spent.

Landscape (NRM) levy comparison

Year	Landscape (NRM) levy	Total NRM revenue
2015/16	\$ 42.00 (per assessment)	\$578,276
2016/17	Res/Vac/Other \$ 69.00 (per assessment)	\$1,041,246
	Commercial \$127.00 (per assessment)	
	Industrial \$156.00 (per assessment)	
	Primary Production \$290.00 (per assessment)	
2017/18	Res/Vac/Other \$ 72.65 (per assessment)	\$1,079,041
	Commercial \$110.05 (per assessment)	
	Industrial \$174.30 (per assessment)	
	Primary Production \$323.00 (per assessment)	
2018/19	Res/Vac/Other \$ 73.00 (per assessment)	\$1,086,828
	Commercial \$109.00 (per assessment)	
	Industrial \$174.00 (per assessment)	
	Primary Production \$335.00 (per assessment)	
2019/20	Res/Vac/Other \$ 77.10 (per assessment)	\$1,150,426

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	Commercial	\$115.00	(per assessment)	
	Industrial	\$184.00	(per assessment)	
	Primary Production	\$337.00	(per assessment)	
2019/20	Res/Vac/Other	\$ 78.60	(per assessment)	\$1,179,069
	Commercial	\$117.00	(per assessment)	
	Industrial	\$186.00	(per assessment)	
	Primary Production	\$343.00	(per assessment)	
2021/22 ^{Note 1}	Res/Vac/Other	\$ TBC	(per assessment)	TBC
	Commercial	\$ TBC	(per assessment)	
	Industrial	\$ TBC	(per assessment)	
	Primary Production	\$ TBC	(per assessment)	

Note 1 Preliminary advice received from the South Australian State government indicates there will be no significant increase in the levy for 2021/2022 to fund increased costs associated with the operations of the Board. Council has no control over the levy amount which is set by the Minister for Environment and Water.

Minimum Amount

Council uses a Fixed Charge as part of its rating structure instead of a Minimum Rate amount.

RATE REBATE AND RATE RELIEF ASSISTANCE

To address any potential inequities in how rates are levied across the Council area, the following rate relief assistance options continue to be available:

Residential rate cap

Where an owner/occupier/principal place of residence property with a Category 1 (Residential) Land Use experiences an increase greater than 15% in general rates (excluding any rebates/remissions) payable, the amount of the rate rebate is the amount of gross rates for the current year over and above the general rates imposed in the preceding financial year plus 15%. All calculations referenced herein are gross rates figures i.e. exclusive of any rebates/remissions.

The rebate will not apply where:

- (a) Any such increase is due in whole or part to an increase in valuation of the land in the Assessment because of improvements made to it worth more than \$20,000, or
- (b) Any such increase is in whole or part because the zoning of land use category of the land has changed, or
- (c) Any such increase is due in full or part to the use of the land being different for rating purposes on the date Council declared its general rates for the current financial year than on the date Council declared its general rates for the preceding financial year, or
- (d) The ownership of the rateable property has changed since 1 July in the preceding financial year i.e. the residential property has changed ownership and the new owners have purchased the residential property at the new current market value, or
- (e) The subject property boundary(ies) have been altered in some way e.g. subdivision, boundary alignment etc. i.e. the subject property is not the exact same property, for valuation purposes, as assessed in the previous financial year, or
- (f) Other factors considered relevant by the Chief Executive Officer that do not warrant the granting of the discretionary rate rebate.

The rebate will only apply to:

- (a) A ratepayer in respect of their principal place of residence only, excluding second and subsequent properties and all other non-principal place of residence properties, and
- (b) The current financial year only then subject to an annual review.



Vacant land

The vacant land rate in the dollar is usually higher than the residential rate in the dollar. For owners of vacant land who intend to develop that land, in the short term as their principal place of residence, may be entitled to a rebate on Council rates. Applications must be in writing with the maximum rate rebate calculated so that the rates payable are equivalent to the average residential land use.

Postponement of rates – Senior Citizens

Any person holding a South Australian State Government issued State Seniors Card may make application to Council for a postponement of the prescribed proportion of rates for the current or future financial years. All applications for postponement will be considered in accordance with the relevant legislative provisions.

Hardship

Any ratepayer experiencing difficulties in meeting rates payments or experiencing hardship will be able to access payment plans tailored to meet their particular circumstances. This approach has been widened as a result of the impact of COVID-19. All arrangements will be strictly confidential.

Mandatory and discretionary rate rebates

The Local Government Act 1999 requires councils to rebate rates on some land uses (mandatory rebates) and the ability to grant discretionary rebates for land used for the purposes of community benefit provided the land meets certain legislative and Council policy criteria.

The Council's Rate Rebate Policy (incorporating Rate Rebate Application) and the Schedule of Rate Rebates granted, is available for inspection at the Council Office or on Council's website www.mountgambier.sa.gov.au

COMMUNITY ENGAGEMENT AND BUDGET MEETINGS

The 2021/2022 Annual Business Plan and Budget and proposed Waste Service Charge (WSC) is presented in the context of Council's strategic directions as set out in the Strategic Plan 2020-2024. This Plan reflects the Council's continuing focus on ensuring that the physical infrastructure within the city is fit for purpose and maintained in a cost-effective way. Through implementation of this year's Annual Business Plan and Budget, Council aims to deliver a well-managed, sustainable city environment to residents and ratepayers now and in the future.

Members of the community are encouraged to take part in the community consultation process regarding the Draft 2021/2022 Annual Business Plan and Budget and proposed Waste Service Charge (WSC) before it is finalised and adopted by Council. Consultation also enables comment on the potential distribution of rates across the city and any rate relief options Council should consider or issues it should be aware of when modelling valuation data and determining the distribution of rates for the 2021/2022 financial year.

Council's Community Consultation and Engagement Policy has been amended in recognition of the temporary COVID-19 amendments to the Local Government Act 1999 as per 'Policy Review – C410 Code of practice for conduct of meetings – holding and participating in meeting by electronic means – Report No. AR20/21246'. In accordance with the policy, Council *will publish a notice inviting interested persons to make written submissions within the period stated in the notice (which will not be less than 21 days after the publication of the notice)* in relation to the Draft ABP&B. A public meeting for deputations will not be held.

Copies of the Draft 2021/2022 Annual Business Plan and Budget are available on Council's website at www.mountgambier.sa.gov.au or please contact Council's Customer service team by phone on 08 8721 2555 or via email at city@mountgambier.sa.gov.au to request a hard copy.



Submissions, including feedback and questions regarding the Draft 2021/2022 Annual Business Plan and Budget and proposed Waste Service Charge (WSC), close at 5:00pm on Friday 11 June 2021 and can be made via:

- 'Have Your Say' website at <https://www.haveyoursaymountgambier.com.au/>
- Email to: city@mountgambier.sa.gov.au include in the subject field 'Draft 2021/2022 Annual Business Plan and Budget Consultation'
- Written submissions:

Draft 2021/2022 Annual Business Plan and Budget Consultation
City of Mount Gambier
PO Box 56
MOUNT GAMBIER SA 5290

Council will consider feedback and public submissions on the Draft 2021/2022 Annual Business Plan and Budget at a special meeting on 21 June 2021. Council will consider the draft 2021/2022 detailed Budget at a special Council meeting on Tuesday 29 June 2021. The document is scheduled to be finalised and adopted in June 2021.



City of Mount Gambier
Statement of Comprehensive Income

	2020	2021 BR3	2022 Budget	2022 LTFP
INCOME				
Rates	22,138	22,795	23,750	23,811
Statutory charges	523	634	602	328
User charges	5,318	5,079	5,058	5,773
Grants, subsidies and contributions	4,227	4,340	4,091	4,793
Investment income	55	24	-	-
Reimbursements	38	69	79	53
Other income	439	550	365	796
Total Income	32,738	33,491	33,945	35,553
EXPENSES				
Employee costs	12,230	13,103	13,875	14,163
Materials, contracts & other expenses	13,263	13,545	12,595	13,636
Depreciation, amortisation & impairment	7,625	7,834	7,864	7,823
Finance costs	170	237	182	464
Total Expenses	33,288	34,719	34,516	36,086
OPERATING SURPLUS / (DEFICIT)	(550)	(1,228)	(571)	(534)
Asset disposal & fair value adjustments	(472)	(50)	(113)	(13)
Amounts received for new or upgraded assets		8,662	18,355	17,175
Physical resources received free of charge	737	-	-	
NET SURPLUS / (DEFICIT)	(285)	7,384	17,671	16,628
transferred to Equity Statement				
Other Comprehensive Income				
<i>Amounts which will not be reclassified subsequently to operating result</i>				
Impairment (expense) / recoupments offset to asset revaluation reserve	(327)			
Total Other Comprehensive Income	(327)	-	-	3,443
TOTAL COMPREHENSIVE INCOME	(612)	7,384	17,671	20,071



City of Mount Gambier
Statement of Financial Position

	2020 \$'000	2021 BR3 \$'000	2022 Budget	2022 LTFF
ASSETS				
Current assets				
Cash and cash equivalents	4,406	3,573	2,421	5,601
Trade & other receivables	2,034	2,034	2,125	1,313
Other financial assets		-		
Inventories	55	55	57	43
	<u>6,495</u>	<u>5,662</u>	<u>4,603</u>	<u>6,957</u>
Non-current assets				
Infrastructure, property, plant & equipment	244,262	247,652	318,597	312,334
Other non-current assets	2,581	23,408		2,581
Total non-current assets	<u>246,843</u>	<u>271,060</u>	<u>318,597</u>	<u>314,915</u>
Total assets	<u>253,338</u>	<u>276,722</u>	<u>323,200</u>	<u>321,872</u>
LIABILITIES				
Current liabilities				
Trade & other payables	2,849	2,849	2,977	3,437
Borrowings	558	558	2,311	2,311
Provisions	2,557	2,557	2,672	2,548
Total current liabilities	<u>5,964</u>	<u>5,964</u>	<u>7,960</u>	<u>8,297</u>
Non-current liabilities				
Borrowings	2,189	18,189	45,000	41,700
Provisions	3,863	3,863	3,863	3,912
Total non-current Liabilities	<u>6,052</u>	<u>22,052</u>	<u>48,863</u>	<u>45,612</u>
Total liabilities	<u>12,016</u>	<u>28,016</u>	<u>56,823</u>	<u>53,909</u>
NET ASSETS	<u>241,322</u>	<u>248,706</u>	<u>266,377</u>	<u>267,963</u>
EQUITY				
Accumulated surplus	64,986	72,370	90,041	88,183
Asset revaluation reserves	175,462	175,462	175,462	178,905
Other reserves	874	874	874	874
Total Council Equity	<u>241,322</u>	<u>248,706</u>	<u>266,377</u>	<u>267,963</u>
Minority Interest		-		
TOTAL EQUITY	<u>241,322</u>	<u>248,706</u>	<u>266,377</u>	<u>267,963</u>



City of Mount Gambier				
Statement of Changes in Equity				
	Accumulated surplus \$'000	Asset revaluation reserve \$'000	Other reserves \$'000	Total equity \$'000
2022 Draft Budget				
Balance at end of previous reporting period	72,370	175,462	874	248,706
Net surplus / (deficit) for the year	17,671	-	-	17,671
Other Comprehensive Income				-
Transfers between reserves	-	-	-	-
Balance at end of period	90,041	175,462	874	266,377
2021 BR3				
Balance at end of previous reporting period	64,986	175,462	874	241,322
Net surplus / (deficit) for the year	7,384	-	-	7,384
Other Comprehensive Income				-
Transfers between reserves	-	-	-	-
Balance at end of period	72,370	175,462	874	248,706
2020				
Balance at end of previous reporting period	65,609	175,458	860	241,927
Net surplus / (deficit) for the year	(285)	-	-	(285)
Other Comprehensive Income				-
Gain on revaluation of infrastructure, property, plant & equipment		1,237		1,237
Impairment (expense) / recoupmnts offset to asset revaluation reserve	(327)	(1,233)		(1,560)
Adjustment due to compliance with revised accounting standard	3			3
Transfers between reserves	(14)		14	-
Balance at end of period	64,986	175,462	874	241,322



City of Mount Gambier

Statement of Cash Flows

	2020 \$'000	2021 BR3 \$'000	2022 Budget \$'000	2022 LTFP \$'000
CASH FLOWS FROM OPERATING ACTIVITIES				
<u>Receipts</u>				
Rates - general & other	21,957	22,795	23,750	23,781
Fees & other charges	524	634	602	327
User charges	5,696	5,079	5,058	5,757
Investment receipts	57	24	-	-
Grants utilised for operating purposes	4,227	4,340	4,091	4,468
Reimbursements	42	69	79	53
Other revenues	1,002	550	365	1,341
<u>Payments</u>				
Employee costs	(11,915)	(13,103)	(13,875)	(14,130)
Materials, contracts & other expenses	(14,293)	(13,880)	(12,558)	(13,705)
Finance payments	(170)	(237)	(182)	(464)
Net cash provided by (or used in) Operating Activities	7,127	6,271	7,330	7,430
CASH FLOWS FROM INVESTING ACTIVITIES				
<u>Receipts</u>				
Amounts specifically for new or upgraded assets		8,662	18,355	17,175
Sale of replaced assets	385	481		
Sale of surplus assets	72			
Repayments of loans by community groups	18			
<u>Payments</u>				
Expenditure on renewal/replacement of assets	(5,627)	(9,531)	(6,401)	(7,140)
Expenditure on new/upgraded assets	(3,813)	(13,377)	(30,645)	(38,562)
Net cash provided by (or used in) Investing Activities	(8,965)	(22,908)	(37,046)	(28,527)
CASH FLOWS FROM FINANCING ACTIVITIES				
Proceeds from borrowings		16,000	28,759	29,300
<u>Payments</u>				
Repayments of borrowings	175	(195)	(195)	(1,030)
Net cash provided by (or used in) Financing Activities	175	15,805	28,564	28,270
Net increase / (decrease) in cash held	(1,663)	(833)	(1,152)	7,173
Cash & cash equivalents at beginning of period	6,069	4,406	3,573	(1,572)
Cash & cash equivalents at end of period	4,406	3,573	2,421	5,601



City of Mount Gambier

Financial Indicators

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

	2020	2021 BR3	2022 Budget	2022 LTFP
Operating surplus ratio	(6.5%)	(3.7%)	(1.7%)	(1.5%)

$$\frac{\text{Operating surplus}}{\text{Total operating revenue}}$$

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

Net financial liabilities ratio	63%	67%	154%	132%
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$$\frac{\text{Net financial liabilities}}{\text{Total operating revenue}}$$

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

Asset renewal funding ratio	105%	96%	101%	100%
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$$\frac{\text{Net asset renewals}}{\text{Asset Management Plan required expenditure}}$$

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



City of Mount Gambier

Uniform presentation of finances

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

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

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

	2020 \$'000	2021 BR3 \$'000	2022 Budget	2022 LTFP
Income	32,738	33,491	33,945	35,553
Expenses	33,288	34,719	34,516	36,086
Operating surplus / (deficit)	(550)	(1,228)	(571)	(534)
Net outlays on existing assets				
Capital expenditure on renewal and replacement of existing assets	5,627	9,531	6,401	7,140
Depreciation, amortisation and impairment	(7,625)	(7,834)	(7,864)	(7,823)
Proceeds from sale of replaced assets	(385)	(481)	-	-
	(2,383)	1,216	(1,463)	(683)
Net outlays on new and upgraded assets				
Capital expenditure on new and upgraded assets <i>(including investments property & real estate developments)</i>	3,813	13,377	30,645	38,562
Amounts received specifically for new and upgraded assets	-	(8,662)	(18,355)	(17,175)
Proceeds from sale of surplus assets <i>(including investment property and real estate developments and non-current assets held for resale)</i>	(457)	-	-	-
	3,356	4,715	12,290	21,387
Net lending / (borrowing) for financial year	(1,523)	(7,159)	(11,398)	(21,237)



Proposed Waste Service Charge (WSC) Fact Sheet



What is the proposed Waste Service Charge (WSC)?

The cost associated with waste management including bin collection, waste treatment and disposal is not currently identified on individual City of Mount Gambier rate notices as it is included within Council's 'General Rate Revenue'.

To highlight the cost of waste management, Council proposes to adjust its rating structure to remove the waste component from the General Rates and introduce it as a new separate fixed Waste Service Charge (WSC).

The proposed WSC will be administered in accordance with the Local Government Act 1999 and will not be an additional cost to most ratepayers. Council does not intend to raise overall rates and charges associated with the WSC.

Rate notice example (based on 2020/2021 average residential property rates)

ENQUIRIES	RATING DETAILS	RATEABLE VALUE	AMOUNT
Rating or general enquiries: Tel: 08 8721 2555 Valuation enquiries: Tel: 1300 653 345 Regional Landscape Levy enquiries: Tel: 08 8735 1177	RESIDENTIAL	230,210 CV @ .00245125	\$564.30
	FIXED CHARGE		\$682.70
	<i>Waste Service Charge</i>		<i>\$2.00</i>
	REGIONAL LANDSCAPE LEVY RESIDENTIAL		\$78.60
TOTAL LIABILITY			\$1,325.60
AMOUNT NOW DUE			\$332.60

\$482.70 (minus \$2.00)

Total remains the same

EXAMPLE

Want to know what you get for your Rates?
Visit www.lga.sa.gov.au/goto/rates

1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
\$332.60	\$331.00	\$331.00	\$331.00
Due By 10/09/2021		Due By 11/03/2022	Due By 10/06/2022

BPAY this payment via internet or phone banking.
BPAY View*: View and pay this bill using internet banking.
BPAY View Registration No.: 1397 33

B Biller Code: 464263
Ref: 1397 33

Cit Payment Method
Pay over front

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*Figures subject to variation based on 2021/2022 rates and individual property.

Why does Council plan to implement the WSC?

The proposed WSC is an environmental decision to make waste management costs visible and clear to ratepayers by highlighting the waste fee for each property on the rates notice.

Waste management is one of the largest costs to the community and Council wishes to encourage ratepayers to consider their personal environmental impact and the costs associated with waste management. The proposed WSC will also bring the City of Mount Gambier in line with neighbouring council areas which already specify waste charges on rates notices.

How much is the proposed WSC and how is it calculated?

The proposed WSC is \$200.00 per year and is calculated based on last year's (2019/2020) and this year's (2020/2021) actual and budgeted waste collection, treatment and disposal costs per rateable assessment.



Proposed Waste Service Charge (WSC) Fact Sheet



Who will need to pay the proposed WSC?

The proposed WSC will be charged on the basis of the service being available to a property. It will exclude vacant land and primary production where there is no dwelling on the land.

Will my rates go up as a result of the proposed WSC?

No. It is proposed that the WSC will be financed by reducing the General Rates - Fixed Charge by \$200.00. Therefore, the introduction of the WSC is cost neutral and there is no bottom-line impact on most ratepayer assessments.

However, in the draft 2021/2022 Annual Business Plan and Budget Council has determined that there will be an increase in the overall general rate revenue equivalent to 4.5% in accordance with the Long Term Financial Plan.

How will Council encourage responsible personal waste management with the introduction of the proposed WSC?

The proposed separate WSC will establish the framework to allow for flexibility to provide future incentives for ratepayers who demonstrate good waste management.

Council will continue to work with the community to provide waste education and awareness programs to encourage waste reduction and recycling to divert rubbish from landfill.

Where will the funds for the proposed WSC go?

The proposed WSC will be used to cover all waste associated costs.

In any year that the total WSC results in a surplus, funds will be accounted for in a specific 'waste' reserve as per the Local Government Act 1999, to be used on waste related services.

When will Council implement the proposed WSC?

It is proposed that the WSC will be highlighted on rates notices as 'Waste Service Charge' from 1 July 2021.

How can I have my say about the proposed WSC?

The community is encouraged to provide feedback about the WSC through the draft 2021/2022 Annual Business Plan and Budget and Waste Service Charge community consultation process which will occur from Wednesday 19 May until Friday 11 June 2021.

Submissions, including feedback and questions, regarding the proposed Waste Service Charge and Draft Business Plan and Budget close at 5:00pm on Friday 11 June 2021 and can be made via:



www.haveyoursaymountgambier.com.au



city@mountgambier.sa.gov.au



PO Box 56
Mount Gambier SA 5290



City of Mount Gambier
Agenda

24.7 PROPOSED RATING STRUCTURE AND WASTE SERVICE CHARGE – REPORT NO. AR21/7731

Committee:	Council
Meeting Date:	16 February 2021
Report No.:	AR21/7731
CM9 Reference:	AF20/446
Author:	Jeroen Zwijnenburg, Manager Finance and Customer Service
Authoriser:	Darren Barber, General Manager Shared Services
Summary:	The Rating Structure is proposed to be adjusted by the introduction of a Waste Service Charge (WSC) and the principle that this is financed from the general rates - fixed charge. This is an environmental decision to make it very clear to rate payers that the overall rates and charges include a visible rate for garbage collection.
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. AR21/7731 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.

City of Mount Gambier
Agenda

TYPE OF REPORT

Legislative

BACKGROUND

At the 19 May 2020 meeting, where the resolution was passed in relation to the 'Suspension of Green Waste Tag Fees' Council requested a review in mid-2021 to enable a reassessment of the impacts of the suspension of green waste tag fees as part of the 2021/22 preparation of the Annual Business Plan and Budget.

Combined with the Annual Review of the Valuation and Rating System - see previous Council Report - investigations were made around the alternative ways to incentivise rate payers with regards to waste management as part of the overall rating system.

The report proposes the introduction of a Waste Service Charge (WSC) as part of Council's Rating system for 2021/22.

The Local Government Act 1999 (LGA 1999), under Chapter 10 Rates and charges, paragraph 146 indicates 'A Council may impose rates and charges' including:

- General rates
- Separate rates
- Service rates
- Service charges

To date Council imposes rates and charges only under 'General rates', being the Fixed Charge and the Differential Rate.

The Local Government Act 1999 (paragraph 151 (5) indicates that, before a council changes the imposition of rates on land by declaring or imposing a separate rate, service rate or service charge on any land the council must prepare a report on the proposed change; and follow the relevant steps set out in its public consultation policy.

With the introduction of the WSC Council does not intend to raise the overall rates and charges. For that reason, the introduction of the WSC will lead to a similar reduction in the fixed charge general rate.

i.e. Council intends to apply the following formula and assumptions:

- (Fixed Charge + Differential General Rate) FY2021 = General rates FY2021
- (Fixed Charge + Differential General Rate + Waste Service Charge) FY2022 = Council rates and charges FY2022
- Council rates and charges FY2022 / General rates FY2021 * 100% = 104.5% (this 4.5% is consistent with Council's LTFP with regards to rates and charges income.)

PROPOSAL

Service Charge

The Local Government Act 1999 paragraph 155 introduces a service charge as (1) (b) a prescribed service for 'the collection, treatment or disposal (including by recycling) of waste'

For the City of Mount Gambier this charge is intended to include the expenditure related to:

- Waste collection
- Green waste collection
- Waste Transfer Station
- Re-Use Centre
- Bulky waste collection (if this is not financed in alternative ways)

City of Mount Gambier
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For completeness it is noted that this will include the direct costs that Council incurs for dumping waste at the Caroline landfill, however it does not include the overall financial result of the Caroline landfill. As Caroline landfill is a facility is used as cost/profit centre with a much wider regional impact and major risk management implications and it is not considered appropriate to either subsidise or charge Council's rate payers for regional related outcomes of this facility.

Considering past and FY2021 expenses the amount of the WSC is set at \$200 per assessment

Waste Service Charge in other SA Councils

Within South Australia most Councils do charge a Waste Service Charge. Neighbouring Councils, including the District Council of Grant, Wattle Range Council, Tatiara and Naracoorte Lucindale Council all include a variant of the WSC on their rates notice.

A major advantage of the introduction of the WSC, funded from the fixed charge general rates component, is that it introduces a trigger and incentive to local rate payers about the cost of waste. With the 2020/21 suspension of the green waste tag Council achieved higher levels of waste segregation, impacting the overall waste cost for Council. With the introduction of a WSC such impacts might result in a downward change in the WSC in future years.

At the same time Council is impacted by multiple external factors that influence to cost of waste (including EPA levies, global transitions like the China Sword policy, etc.). By introducing the WSC Council will be more able to communicate the impact of these initiatives on waste costs. Similarly, these matters can be reflected in future WSC.

Application of the Waste Service Charge

The WSC will be charged on the service being available to the property i.e. there is no need to vary the charge based on the question of the land-owner/ occupier is using the service or not, but it is dependent on Council making the service available to the property.

Consequently, when the rate payer who pays for the WSC asks for the service, Council is obliged to deliver this service.

An example where this might be relevant is where a shop might have arranged their own waste pick-up, Council will charge the WSC irrespective and where the WSC shops might now put out one bin per tenancy, where this previously did not occur. However, a shop, B&B or unoccupied property, irrespective if they are vacant, will be charged for the WSC as part of their rates and charges.

The WSC will not be applicable to the 'Vacant Land' or 'Primary Production' land where there no dwelling on the land. As of 30 June 2020, this represented respectively 361 Vacant Land and 36 Primary Production assessments.

Accounting for the WSC

The charge is to cover the expenditure related to the collection, treatment or disposal (including by recycling) of waste over multiple years. However, actual expenditure per year may fluctuate, dependent on many factors. As a consequence, in any year that the WSC results in more or less income than expenditure in the area of waste the 'overs' and 'unders' are to be accounted for (per paragraph 155 (5) and (6) the Local Government Act 1999) in a specific 'Waste' reserve, reducing next year's potential increase in the WSC.

Rating structure implications

The result of the WSC introduction will have a different impact on different categories of rate payers. The Vacant Land assessments and the Primary Production without dwelling assessments are excluded from the payment of the WSC therefore the average WSC per assessment results in a lesser figure than \$200 per assessment. Based on June 2020 figures for number of assessments, on June 2020 capital values, a WSC of \$200 and an overall 4.5% combined general rates and service fee charges increase the average rates and charges for all categories of ratepayers will be approximately as per the table below:

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Comparison	FY2021	FY2022	Difference	Difference
Fixed Charge	\$682.70	\$513.42	-\$169.28	-24.8%
Waste Service Charge	-	\$194.41	\$194.41	
Total Fixed Charge and WSC	\$682.70	\$707.83	\$25.13	3.7%
Average differential Rate	\$850.78	\$894.60	\$43.82	5.2%
Total	\$1,533.48	\$1,602.43	\$68.95	4.5%

It be noted that the actual figures for FY2022 will be different and the above is for general comparison purposes only.

Council wide, the fixed charge will form 36.5% of the general rates (i.e. combined fixed charge and differential rate), while the fixed charge and the WSC combined will form 44.2% of the total rates and charges. For rate payers, including residential rate payers, who pay both the fixed charge and the WSC, the combined fixed charge and WSC will amount to \$713.42 on average, which is 4.5% increase compared to the FY2021 fixed charge of \$682.70.

Process from endorsement to adoption

Council's endorsement for inclusion in the public consultation process allows time for the preparation of the report for community consultation and for the detailed implementation of these changes in Council's systems.

The Local Government Act 1999 paragraph 151 (7) indicates that public consultation policy must at least provide for a publication in a newspaper, advising the public of the report and inviting interested persons to attend a public meeting or to make a written submission. Paragraph 151 (8a) indicates that this report may form part of the council's draft annual business plan and that the public consultation may be undertaken as part of the public consultation required with respect to the council's draft annual business plan.

It is council's intention to combine the report and the public consultation with the draft annual business plan and budget process.

LEGAL IMPLICATIONS

The Local Government Act 1999 provides the legal parameters which Council works within. Some specific advice might be sought if and when required.

STRATEGIC PLAN

The Strategic Plan 2020 - 2024 - item 3.5 - is focussed on reducing our per capita tonnage of waste from the City going to the Caroline landfill. The introduction of the WSC fits within this plan.

COUNCIL POLICY

[Council Policy W125 Waste Management - Refuse Collection](#) requires a review for this purpose.

- Where there are references to 'rateable premises within the Council areas and on which an occupied building is erected' the wording requires updating to reflect consistency with the WSC, which does not limit its applicability to occupied buildings or rateable premises.
- In case the WSC applies to non-rateable premises the clause around weekly collection at non-rateable premises requires updating.
- The policy references to the provision 'on a fee for service basis' organic waste collection. This has become free of charge and some updates are required.

ECONOMIC IMPLICATIONS

The implications for overall Council income for FY2022 are minimal, as the WSC is financed from a reduction in the general rates - fixed charge. It will provide Council with the tools to become more



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responsive to waste management related costs and sharing the costs and benefits with the community.

There will be economic implications for Vacant Land and Rural properties, as the WSC will be reducing the fixed rate and these assessments are exempt from the WSC, therefore will have an overall reduction in their general rates.

There will be economic implications for assessments that receive a mandatory rebate, as the reduced general rates lead to a reduced rebate in nominal terms - see under Social Implications.

ENVIRONMENTAL IMPLICATIONS

The introduction of the WSC stresses the importance Council places on waste reduction, recycling and environmental waste management practices in general.

SOCIAL IMPLICATIONS

The WSC has been structured such that the social implications are minimised. By reducing the general rates fixed charge by the amount of the WSC there is no bottom-line impact on most of the assessments for rate payers.

Rebates

Were there will be an impact is in those rateable properties that currently receive a mandatory or discretionary rebate of the general rates. From FY2022 onwards these assessments will now include the WSC of \$200, which will not be rebated. Also, by reducing the general rates by \$200 for the WSC the assessments that receive a 75% rebate will have a reduced rebate of 25% of the \$200 or \$50. This will mean an overall impact of \$250 for these assessments.

Based on the total of 176 properties with a mandatory rebate this means a total of \$35,200 in WSC and an additional \$8,800 in reduced rebate (i.e. increase in rates income). This compares total rates to be levied before rebate of \$326,000. The largest owner in this group is Anglicare SA Housing limited with 91 assessments, followed by SA Housing trust with 26 properties.

For the discretionary rebate assessments (total of 10) - these are dealt with on an individual basis by Council. Most of these (6) are at 50%, with one at 25%, 57%, 29% and 23%

As part of the reporting to the community in Council's community consultation examples will be provided explaining this to the community.

Non rateable assessments

The Local Government Act 1999 allows the application of a WSC to non-rateable premises. However non-rateable assessments are not included for this WSC proposal.

Most of these assessments are Council landholdings (parks, etc.). Further this includes churches and other places of worship, schools & kindergartens, sport clubs, which are legislated as non-rateable.

Council's 'W125 Waste Management - Refuse Collection' excludes these assessments from waste collection, except upon the payment of a separate fee, charged under LGA Act 1999 paragraph 188 - fees and charges, i.e. not under the WSC. This fee is separately from the WSC.

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

The introduction of the WSC will have some short-term implications for the officers in the revenue section of Council in the process of introducing this within Council's Authority system.

VALUE FOR MONEY

The WSC will be financed from a reduction in the general rates - fixed charge and is therefore income neutral for Council.



City of Mount Gambier
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RISK IMPLICATIONS

The risk of not implementing the WSC is that Council will be less agile in communicating the waste message to rate payers and less able to recover or pass on any future additional or reduced costs related to the collection, treatment or disposal (including by recycling) of waste.

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

Any change to Council's Valuation and Rating Strategy requires detailed Community Consultation (see Local Government Act 1999 paragraph 151 (5)). Council will align this communication with the community consultation process that will occur as part of the FY2022 Annual Business Plan & Budget process.

IMPLEMENTATION STRATEGY

See under Engagement and Communication Strategy.

CONCLUSION AND RECOMMENDATION

The recommendation is that Council endorses the introduction of the WSC and the principle to finance this from the general rates - fixed charge. More specifically:

1. That Council endorses to include in the public consultation process regarding rates and charges, the following two changes to the current rating assumptions and directions (referred to in Council Report No. AR20/80665 titled 'Council's current Valuation and Rating System'):
 - (b) the introduction of a Waste Service Charge at \$200 per year for FY2022
for all assessments where applicable, including properties where Council applies mandatory or discretionary rebates on the general rates, excluding non-rateable properties, and
 - (c) the introduction of the principle that the combined General Rates - Fixed Charge and the Waste Service Charge will raise approximately 45% of Council's overall rates and charges revenue.
2. That Council uses these, and the other rating assumptions and directions referred to in the above mentioned report to prepare Council's Annual Business Plan and Budget for 2021/2022.
3. That Council endorses a period of 21 days public consultation detailing the application of the Waste Service Charge to the various categories of rate payers in accordance with the Local Government Act 1999. This consultation will occur in conjunction with the community consultation process related to the Annual Business Plan and Budget process for 2021/22.

ATTACHMENTS

Nil



2021/2022 DRAFT BUSINESS PLAN AND BUDGET



City of
Mount Gambier

BUDGET SNAPSHOT

Rates raise 62%
\$21.0m

Waste Service Charge
8%
\$2.8m

Key functions of operating expenditure

Environmental
services incl. waste
management
\$6.5m

Fees and charges
raise 17%
\$5.6m

Other income raises
13%
\$4.5m

Recreation incl. parks
& gardens
\$3.8m

Total operating
revenue
\$33.9m

Total operating
expenditure
\$34.5m

Tourism and Economic
Development
\$2.3m

Operating deficit
\$0.5m

Total capital
expenditure
\$55.8m
Incl. \$45.2m on Wulanda
Recreation & Convention Centre

Library
\$2.1m

Key statistics

Population
27,433

Number of dwellings
12,328

Median resident age
40

Total land area
3,388ha

Sealed roads
238km

Kerbs and gutters
457.5km

276 reserves
(incl. screening reserves)
total approx. area
540.8ha

Sealed footpaths
147km

Unsealed footpaths
372.8km

Cultural incl. The
Riddoch Arts and
Cultural Centre
\$2.0m

2021/2022 DRAFT BUSINESS PLAN AND BUDGET

BUDGET SNAPSHOT



KEY HIGHLIGHTS

▲ Railway Lands play space	\$300,000
▲ Valley Lakes toilet refurbishment	\$400,000
▲ Library upgrades, including Bookmark Café	\$145,000
▲ Extend shared walking/cycling path from Wandilo Road to Wireless Road and install solar lighting (including \$800,000 in State Government funding)	\$1,100,000
▲ LED street lighting project (including \$400,000 in State Government funding)	\$600,000
▲ 12 new footpaths included in the works program	\$374,125
▲ 20 roads included in the road reconstruction program	\$2,121,500

PROPOSED WORKS PROGRAM

Boundary Roads

▲ O'Leary Road / Pinehall Avenue intersection upgrade	\$488,000
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Car Park Renewal

▲ Malseed Park	\$57,600
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Road Reseal Program	\$448,999
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Submissions, including feedback and questions, regarding the Draft Business Plan and Budget close at 5:00pm on Friday 11 June 2021 and can be made via:



www.haveyoursaymountgambier.com.au



city@mountgambier.sa.gov.au



PO Box 56
Mount Gambier SA 5290

City of Mount Gambier					
Operating Budget by Master Account					
		2020	2021 BR3	2022 Budget	
Finance	0000 Rates	6960 Revenue	-24,331,218	-21,688,701	-22,587,415
	0001 Finance Costs	6962 Finance Costs	0	220,716	-3,055,493
	0001 Grants	6961 UGGC - general purpose	0	-2,908,547	126,386
Finance Total			-24,331,218	-24,376,532	-25,516,522
Office of the CEO	4001 Chief Executive Office	6000 Elected members	274,918	269,088	273,528
		6002 Organisational	905,345	779,691	739,595
	4003 Communications	6023 Media and communications	251,602	307,968	315,036
Office of the CEO Total			1,431,865	1,356,766	1,328,159
Shared Services	5000 Shared Services	6004 GM SHARED SERVICES	81,302	105,905	219,823
		6006 Business & Strategic Planning	10	-10,590	
		6018 Occupancy	515,766	466,748	427,080
	5001 Finance	6010 Strategic finance and accountability	360,990	353,862	352,346
		6011 Finance	551,245	630,365	675,155
		6012 Payroll	0		
		6016 Rates administration	286,251	297,652	274,388
	5003 Governance & Executive Administration	6005 Executive administration	184,796	425,094	415,447
		6021 Other support services	192,837	0	
	5004 Services	6014 Services	597,032	621,636	706,420
		6015 Communication	42,909	67,283	45,288
		6017 Records Management	17,101	0	
	5005 Customer Service	6020 Customer service	569,395	564,769	683,972
	5006 Human Resources	6013 Human resources	213,086	415,852	657,720
Shared Services Total			3,612,720	3,938,576	4,457,637
Community Wellbeing	6000 Community Wellbeing	6101 GM Community Wellbeing	320,602	337,874	321,155
		6126 Community assistance	126,915	108,154	84,850
		6129 Other community support	122,695	127,675	142,033
		6160 Other recreation	107,269	161,776	126,400
	6001 Library	6200 Public library	1,967,889	1,793,791	1,893,983
		6201 Other library services	15,171	15,928	
	6002 Community Development	6022 Community development and engagement	282,434	265,594	302,236
		6121 Senior citizens	42,472	46,335	44,565
		6125 Children and youth services	1,264	6,826	6,168
	6003 Environmental	6112 Immunisation	-124		
		6114 Preventive health services	0	0	
		6115 Community health services	3,541	5,146	2,600
		6460 Environmental sustainability	90,152	159,549	95,163
		6660 Health inspection	241,288	259,300	247,227
	6004 Roddick Art Gallery	6230 Roddick Arts and Cultural Centre	920,061	1,580,881	1,708,258
	6005 Cultural Venues	6138 Other community amenities	196,487	0	
		6210 Cultural venues - City Hall	161,839	153,000	267,655
Community Wellbeing Total			4,600,054	5,021,829	5,242,093
City Growth	7000 City Growth	6300 GM City Growth	224,056	113,796	303,024
		6320 Economic and Regional development	644,532	320,005	205,102
		6340 Other economic development	18,819	16,900	
	7002 Events Management	6240 Cultural events	147,120	197,562	140,617
		6350 Community/Tourism events	508,042	496,761	548,087
	7003 Tourism General	6370 Tourism general	199,847	327,550	336,919
	7004 Visitor Information	6360 Tourism - Mount Gambier Visitor Centre	705,746	749,288	635,879
	7005 Development Services	6225 Heritage restoration expenditure	0	20,000	
		6620 Building control	216,916	176,912	390,950
		6630 City planning	157,723	85,785	148,694
	7006 General Inspectorate	6103 Other fire protection	458	-1,300	1,000
		6104 Other public order and safety	326	1,190	1,200
		6111 Pest control	1,054	336	500
		6600 Dog control	148,984	81,889	41,276
		6670 Parking control & footpath displays	-7,022	-11,592	-8,260
City Growth Total			2,966,601	2,565,082	2,744,988
City Infrastructure	8000 City Infrastructure	6440 Street lighting	367,564	439,894	438,288
		6800 GM City infrastructure	17,881	914,493	1,473,057
		6810 Asset management	3,554	16,926	17,022
		6820 City Infrastructure - AWU employees	739,126	2,078,872	1,601,294
		6830 City Infrastructure - indirect	74,320	320,542	590,485
		6840 Indirect expenditure - labour oncost	-90,424	0	-92,698
		6850 Plant and machinery	1,761,775	1,606,346	1,626,748
		6860 Plant and machinery - internal hire	-1,244,457	-2,155,046	-1,299,079
	8001 Engineering	6320 Sports facilities-indoor	21,129	27,066	24,640
	8003 Construction & Maintenance	6135 Gaspik	199,517	130,191	136,276
		6420 Stormwater drainage	177,715	193,630	168,866
		6730 Footpaths kerbing	1,851,097	1,205,723	1,227,932
		6740 Roads sealed	1,444,676	1,199,065	1,506,152
		6741 UGGC - roads components	0	-312,710	-447,046
		6780 Traffic management	252,818	204,178	189,830
		6900 Private works	-6,568	12,271	16,090
	8005 Building Maintenance	6100 Crime prevention	6,400	12,765	14,388
		6131 Bus shelter	7,242	12,768	6,864
		6215 Cultural Venues Expenditure - Other	221,659	300,954	192,698
		6220 Heritage	505,275	27,944	46,872
		6250 Other cultural services	24,904	116,619	33,840
		6940 Sundry	-21,197	209,331	122,850
	8006 Parks & Gardens	6450 Streetscaping	223,612	265,946	753,460
		6500 Parks/Gardens/Reserves	2,756,906	2,798,870	2,338,378
		6530 Sports facilities-outdoor	787,787	641,229	608,782
	8007 Waste Management	6134 Public conveniences	284,129	287,498	255,012
		6410 Waste management	5,718	-28,179	16,168
		6411 Garbage collection	1,380,296	1,595,886	1,406,814
		6412 Greenwaste	-228,327	316,019	319,080
		6413 Kerbside recycling	718,357	483,834	463,010
		6430 Street cleaning	420,386	411,940	319,180
	8008 Waste Transfer/ReUse Market	6414 Re-Use Market	279,899	139,115	247,073
		6415 Waste Transfer Centre	69,496	197,950	252,760
		6416 E-waste	3,173	2,349	6,000
	8009 Landfill	6418 Caroline landfill	-589,406	-1,047,409	-1,409,849
		6419 Orchard Road waste management plan	32,562	83,796	81,824
	8010 Cemetery & cematonia	6132 Lake Terrace Cemetery	62,126	37,980	25,627
		6133 Caninya Gardens Cemetery	-202,467	-139,546	-210,664
City Infrastructure Total			11,739,235	12,609,100	12,234,005
Wulanda	9000 Business transition & project administration	6545 Wulanda - Building project opex	91,883	115,482	81,472
		6550 Aquatic Centre	416,146	0	0
		6580 CaRM - Cafeteria	3,180	0	0
Wulanda Total			511,209	115,482	81,472
OPERATING DEFICIT / (SURPLUS)			590,465	1,230,302	571,832



City of Mount Gambier
Capital Budget by Master Account

			2020	2021 BR3	2022 Budget
Shared Services	5004 Services	7460 Office equipment (purchase)	179,558	93,451	130,000
Shared Services Total			179,558	93,451	130,000
Community Wellbeing	6001 Library	7470 Library books/materials (purchase)	121,438	33,753	108,000
		7630 Library	12,418	13,503	267,000
	6005 Cultural Venues	7560 Other community support	102,162	158,401	290,000
Community Wellbeing Total			236,019	205,657	665,000
City Growth	7002 Events Management	7640 Cultural	52,669	26,909	105,000
	7004 Visitor Information	7660 Tourism	55,731	1,745	235,000
City Growth Total			108,400	28,654	340,000
City Infrastructure	8000 City Infrastructure	7300 Staff vehicles (purchase)	35,851	166,220	0
		7320 Trucks (purchase)	1,284,343	1,095,256	788,000
		7370 Loaders (purchase)	175,790	383,710	0
		7400 Sundry Plant (purchase)	166,214	110,812	214,000
		7450 Minor plant (purchase)	17,549	52,773	0
		7740 Works depot	17,213	68,084	550,000
	8001 Engineering	7500 Administration	102,255		50,000
		7620 Carparks	14,076	73,775	57,600
		7665 Street trees and lighting	91,516	54,840	80,000
		7800 Stormwater/drainage capital expenditure	10,269	120,000	62,400
		7830 Footpaths capital expenditure	1,045,311	970,757	1,550,525
	8003 Construction & Maintenance	7900 Roads sealed capital expenditure	3,623,647	3,802,738	3,189,699
	8005 Building Maintenance	7570 Bus shelters	35,032	17,377	35,800
		7650 Heritage	7,994	24,248	0
	8006 Parks & Gardens	7680 Parks/gardens/reserves	668,292	899,091	811,400
		7700 Sports facilities - outdoor	94,014		0
	8007 Waste Management	7600 Public conveniences	105,914	177,574	0
		7670 Waste Management	222,899	263,393	2,059,087
	8010 Cemetery & cematoria	7580 Cemeteries/crematoria	7,500	5,241	10,000
City Infrastructure Total			7,725,680	8,285,889	9,458,511
Wulanda	9000 Business transition & project administration		62,000		
		7735 Wulanda	1,346,679	20,827,088	45,193,967
Wulanda Total			1,408,679	20,827,088	45,193,967
Total Capex			9,658,335	29,440,739	55,787,478



24.5 REVIEW OF COUNCIL DELEGATION UPDATES - MAY 2021 – REPORT NO. AR21/27084

Committee:	Council
Meeting Date:	18 May 2021
Report No.:	AR21/27084
CM9 Reference:	AF20/446
Author:	Michael McCarthy, Manager Governance and Property
Authoriser:	Darren Barber, General Manager Shared Services
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. AR21/27084 titled 'Review of Council Delegation Updates - May 2021' as presented on 18 May 2021 be noted.
2. The City of Mount Gambier (Council) delegates each function or power of the Council listed in the tables attached to Council Report No. AR21/27084 to the identified delegate(s).
3. The delegations granted in resolution 2:
 - (a) are granted pursuant to section 44 of the Local Government Act 1999, excepting that the functions and powers of the Council:
 - (i) 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;
 - (ii) under the Planning, Development and Infrastructure Act 2016 (attached to Report No. AR21/27084 and titled Instrument B) are delegated pursuant to section 100 of the Planning, Development and Infrastructure Act 2016.
 - (b) may, unless indicated herein or in the attachments to Council Report No. AR21/27084, be sub-delegated by the Chief Executive Officer or delegate under relevant legislative provisions, excepting delegations under the Fire and Emergency Services Act only permitted to a Fire Prevention Officer.
 - (c) if made to two or more delegates, then each delegate may exercise the power or function independently of any other delegate.
 - (d) must only be exercised by a delegate in accordance with:
 - (i) applicable legislative and other legal requirements; and
 - (ii) due regard to relevant policies and guidelines adopted by the Council;
 - (e) 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;
 - (f) are granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.
 - (g) if 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.
 - (h) will come into operation on Wednesday 20 May 2021 and remain in force until varied or revoked by resolution of the Council.
4. Previous delegations and sub-delegations granted under the legislative instruments and attachments listed in Council Report No. AR21/27084 are revoked this day 19 May 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 conducted a comprehensive review of delegations in March 2021 based upon a new and expanded delegations framework prepared by the Local Government Association (LGA) to provide a simpler and more contemporary approach to managing delegations.

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

This report presents updated delegations based upon changes made to the LGA template delegations since March 2021 as summarised in the following table:

<u>Legislative Instrument</u>	<u>Amendments</u>
• Fire and Emergency Services Act 2005.....	1 deleted provision
• Local Government Act 1999.....	1 changed provision
• Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A).....	30 deleted provisions
• 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).....	1 deleted provision
• Mining Act 1971.....	3 deleted provisions
• Roads (Opening and Closing) Act 1991.....	1 changed provision

These updates are not totally unexpected considering the newly implemented nature of both the LGA delegations framework and the Planning, Development and Infrastructure Act.

PROPOSAL

Updated delegations based on changes made since March 2021 to LGA template delegations are provide in the tables for each of the abovementioned legislation at Attachment 1.

If the Council resolves to grant the delegations, then the updated delegations will come into operation on the day following the date of the Council resolution and previous delegations will be revoked.

The updated delegations will be published on the Council website [here](#).

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 valid delegations are made in accordance with relevant legislation.



Council uses the template delegations and processes as provided and updated by the Local Government Association, and amended to suit the specific circumstances applicable 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 decisions being presented to a formal meeting of Council, which for routine administrative matters would be a resource intensive, inefficient and untimely decision making process.

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 an 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.

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 in support of this a full extract of the delegation register is published on the Council website. This is proposed to continue.

IMPLEMENTATION STRATEGY

The implementation of updated delegations (and sub-delegations) is proposed to follow the same existing process as for recent reviews and updates using a delegation software register.

Once delegations are made by Council, the Chief Executive Officer will re-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 grant updated delegations for the legislation listed in the report background in the form contained in the tables attached to Council Report No. AR21/27084.

The recommendations contain conditions associated with the grant of delegations and include the revocation of pre-existing delegations and sub-delegations associated with the relevant instruments.

ATTACHMENTS

1. Delegations Update - 18/05/2021 [↓](#)





Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

PO Box 56
Mount Gambier SA 5290

Telephone 08 87212555
Facsimile 08 87249791
city@mountgambier.sa.gov.au

mountgambier.sa.gov.au

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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	rural council councils with a designated





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			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	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	rural council councils with a designated





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			council function and powers	urban bushfire risk area
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





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
409728	Fire and Emergency Services	section	Issue notice to owner of land who has failed to take	authorised person





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
	2005	105F(5)	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	
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





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
409739	Fire and Emergency Services 2005	section 105J(4)(b)	Take photographs, films, audio, video or other recordings	authorised person





Fire and Emergency Services Act 2005

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
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





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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			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	
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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;	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			(c) the use of local goods and services; and (d) the sale or disposal of land or other assets.	
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			achieve its objectives	
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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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	Determine the manner and form of an application for a rebate of rates	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		159(1)		
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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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	Impose a condition that the ratepayer pay interest on postponed rates	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		182(2)(a)		
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
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	Determine the manner and form of an application under section 182A(1)	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		182A(2)	of the Local Government Act	
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	Place a copy of the notice sent to the principal ratepayer in a newspaper	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		184(4)(a)	circulating throughout the State	
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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			is held in credit against future liabilities for rates or charges on the land	
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	Provide for:	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		188(3)	(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.	
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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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 or 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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	Give notice to the owner of land in regard to the proposed action to drain	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		215(4)	water into the land	
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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	Grant an authorisation to alter a public road	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		221(1)		
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
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	Give the holder of an authorisation or permit written notice of the	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		225(2)(a)	proposed cancellation of the authorisation or permit	
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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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	Sell a vehicle by public auction or public tender	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		237(5)		
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 Planning, Development and Infrastructure Act 2016 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
410459	Local Government Act 1999	section 259(3)	Consider submissions	council
410460	Local Government Act 1999	section	Amend a policy	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		259(4)		
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	Develop and maintain policies, practices and procedures for dealing with	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		270(a1)	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	
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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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:	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			(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.	
410513	Local Government Act 1999	clause 24(2)(a), Schedule 1A	Enter into an agreement with the owner of private land	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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),	Agree to other parties entering a building upgrade agreement	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		Schedule 1B		
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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
410536	Local Government Act 1999	clause 13(1), Schedule 1B	Keep a register of building upgrade agreements	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),	Publish a copy of an amended charter for a subsidiary on a website determined by the chief executive officer	council





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
		Schedule 2		
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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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
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





Local Government Act 1999

ID	Delegation Source	Provision	Item Delegated	Capacity of 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





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

ID	Delegation Source	Provision	Item Delegated
312115	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s7(5)(b)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>1.1 The power pursuant to Section 7(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act), in relation to proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to concur in the granting of the development authorisation to the development.</p>
312116	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s22(4)(a)(i)	<p>2. Functions</p> <p>2.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations.</p>
312117	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(1)(a)	<p>3. Planning Agreements</p> <p>3.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act.</p>





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

ID	Delegation Source	Provision	Item Delegated
312118	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and</p>
312119	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	<p>3. Planning Agreements</p> <p>3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:</p> <p>3.2.2 the constitution of a joint planning board including, in relation to such a board:</p> <p>3.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and</p> <p>3.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and</p> <p>3.2.2.3 the procedures to be followed with respect to the appointment of members; and</p> <p>3.2.2.4 the terms of office of members; and</p> <p>3.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by</p>





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

ID	Delegation Source	Provision	Item Delegated
			which, a member may be removed from office; and 35.2.2.6 the appointment of deputy members; and 3.2.2.7 the procedures of the board; and
312120	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	3. Planning Agreements 3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 3.2.3 the delegation of functions and powers to the joint planning board (including, if appropriate, functions or powers under another Act); and
312121	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	3. Planning Agreements 3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 3.2.4 the staffing and other support issues associated with the operations of the joint planning board; and
312122	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as	s35(3)	3. Planning Agreements 3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the





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

ID	Delegation Source	Provision	Item Delegated
	a Council; a Designated Authority; a Designated Entity (Instrument A)		outcomes that the agreement is intended to achieve and to provide for: 3.2.5 financial and resource issues associated with the operations of the joint planning board, including: 3.2.5.1 the formulation and implementation of budgets; and 3.2.5.2 the proportions in which the parties to the agreement will be responsible for costs and other liabilities associated with the activities of the board; and
312123	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(3)	3. Planning Agreements 3.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for: 3.2.6 such other matters as the delegate thinks fit.
312124	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s35(5)(a)	3. Planning Agreements 3.3 The power pursuant to Section 35(5)(a) of the PDI Act, at the expiry of a planning agreement, to replace it with a new agreement (in the same or different terms).
312125	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and	s35(5)(b)	3. Planning Agreements 3.4 The power pursuant to Section 35(5)(b) of the PDI Act, to vary or terminate a





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

ID	Delegation Source	Provision	Item Delegated
	Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		planning agreement by agreement between the parties to the agreement.
312127	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(6)(a)	4. Community Engagement Charter 4.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council).
312128	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(9)(b)	4. Community Engagement Charter 4.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case.
312129	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s44(10)	4. Community Engagement Charter 4.3 The power pursuant to Section 44(10) of the PDI Act to: 4.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and 4.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter.





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

ID	Delegation Source	Provision	Item Delegated
312130	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s45(2)(c)	<p>5. Preparation and Amendment of Charter</p> <p>5.1 The power pursuant to Section 45(2)(c) of the PDI Act to make representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter.</p>
312132	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(6)	<p>6. Preparation and Amendment</p> <p>6.1 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied:</p> <p>6.1.1 to prepare a draft of the relevant proposal; and</p> <p>6.1.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and</p> <p>6.1.3 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – consult with the joint planning board; and</p> <p>6.1.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give:</p> <p>6.1.4.1 an owner or occupier of the land; and</p>





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

ID	Delegation Source	Provision	Item Delegated
			<p>6.1.4.2 an owner or occupier of each piece of adjacent land, a notice in accordance with the regulations; and</p> <p>6.1.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and</p> <p>6.1.6 to carry out such investigations and obtain such information specified by the Commission; and</p> <p>6.1.7 to comply with any requirement prescribed by the regulations.</p>
312134	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(8)	<p>6. Preparation and Amendment</p> <p>6.2 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act.</p>
312135	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s73(9)	<p>6. Preparation and Amendment</p> <p>6.3 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)).</p>
312136	Instrument of Delegation under the Planning,	s74(8)(c)	7. Parliamentary Scrutiny





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

ID	Delegation Source	Provision	Item Delegated
	Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		7.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks.
385340	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s75(3)	8. Complying Changes – Planning and Design Code 8.1 The power pursuant to Section 75(3) of the PDI Act to effect an amendment under Section 75 of the PDI Act by an instrument deposited on the SA Planning database (in accordance with requirements established by the Chief Executive).
312137	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s82(d)	9. Entities Constituting Relevant Authorities 9.1 The power pursuant to Section 82(d) of the PDI Act, subject to the PDI Act, to appoint an assessment panel.
312138	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s83(1)	10. Panels Established by Joint Planning Boards or Councils 10.1 The power pursuant to Section 83(1) of the PDI Act in relation to an assessment panel appointed by the Council under Division 1 of Part 6 of the PDI Act, to: 10.1.1 appoint more than 1 assessment panel and if the delegate does so, to clearly





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





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





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ID	Delegation Source	Provision	Item Delegated
	a Council; a Designated Authority; a Designated Entity (Instrument A)		require.
312147	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(1)(c)(iv)	<p>13. Matters Against which Development Must be Assessed</p> <p>13.1 The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting.</p>
312148	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(1)(d)(iv)	<p>13. Matters Against which Development Must be Assessed</p> <p>13.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting.</p>
312149	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s102(11)(b)	<p>13. Matters Against which Development Must be Assessed</p> <p>13.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken.</p>





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

ID	Delegation Source	Provision	Item Delegated
312150	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(2)(b)	14. Restricted Development 14.1 The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of planning consent.
312151	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(c)(ii)	14. Restricted Development 14.2 The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council's representation.
312152	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s110(7)	14. Restricted Development 14.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development.
312153	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as	s112(b)	15. Level of Detail 15.1 The power pursuant to Section 112(b) of the PDI Act to express views in relation to the level of detail required in relation to an EIS.





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ID	Delegation Source	Provision	Item Delegated
	a Council; a Designated Authority; a Designated Entity (Instrument A)		
312156	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s130(6)	16. Essential Infrastructure – Alternative Assessment Process 16.1 The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act.
312157	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s130(14)	16. Essential Infrastructure – Alternative Assessment Process 16.2 The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council's opposition.
312158	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s131(7)	17. Development Assessment – Crown Development 17.1 The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act.





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
312159	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s131(15)	17. Development Assessment – Crown Development 17.2 The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition.
312160	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s138(1)	18. Land Division Certificate 18.1 The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate security and if the regulations so require in a form prescribed by the regulations.
312161	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s138(2)	18. Land Division Certificate 18.2 The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations.
312162	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as	s141(1)	19. Action if Development Not Completed 19.1 The power pursuant to Section 141(1) of the PDI Act, if: 19.1.1 an approval is granted under the PDI Act; but





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ID	Delegation Source	Provision	Item Delegated
	a Council; a Designated Authority; a Designated Entity (Instrument A)		19.1.2 - 19.1.2.1 the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or 19.1.2.2 in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the manner or within the period contemplated by the approval, to apply to the Court for an order under Section 141 of the PDI Act.
312163	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s141(5)	19. Action if Development Not Completed 19.1.3 The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and to recover the costs of that work, as a debt from the person.
312164	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s141(6)	19. Action if Development Not Completed 19.1.4 The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act: 19.1.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
312165	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(1)	20. Completion of Work 20.1 The power pursuant to Section 142(1) of the PDI Act, if: 20.1.1 an approval is granted under the PDI Act; but 20.1.2 the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse of the approval, to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice.
312166	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(2)	20. Completion of Work 20.2 The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out.
312167	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(3)	20. Completion of Work 20.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act.





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
312168	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s142(4)	20. Completion of Work 20.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act: 20.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
312169	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s146(3)	21. Notification During Building 21.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications.
312170	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s151(2)	22. Classification of Buildings 22.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council's area a classification that conforms with the regulations.
312171	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as	s151(3)	22. Classification of Buildings 22.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification





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ID	Delegation Source	Provision	Item Delegated
	a Council; a Designated Authority; a Designated Entity (Instrument A)		assigned to the building.
312172	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(2)	23. Certificates of Occupancy 23.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy.
312173	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(3)(a)	23. Certificates of Occupancy 23.2 The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate.
312174	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(3)(c)	23. Certificates of Occupancy 23.3 The power pursuant to Section 152(3)(c) of the PDI Act to determine the appropriate fee.





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





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
	Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		23.7 The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building.
312179	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s152(13)	23. Certificates of Occupancy 23.8 The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances.
312180	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(1)	24. Temporary Occupation 24.1 The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy.
312181	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a	s153(2)	24. Temporary Occupation 24.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose.





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ID	Delegation Source	Provision	Item Delegated
	Designated Entity (Instrument A)		
312182	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s153(3)	24. Temporary Occupation 24.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of: 24.3.1 the refusal; and 24.3.2 the reasons for the refusal; and 24.3.3 the applicant's right of appeal under the PDI Act.
312183	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s155(5)	25. Emergency Orders 25.1 The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out.
312184	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s155(6)	25. Emergency Orders 25.2 The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act.





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ID	Delegation Source	Provision	Item Delegated
312185	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s155(7)	25. Emergency Orders 25.3 The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
312186	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(16)	26. Fire Safety 26.1 The power pursuant to Section 157(16) of the PDI Act to establish a body and designate it as an appropriate authority under Section 157 of the PDI Act.
312187	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.1 appoint to the appropriate authority: 26.2.1.1 a person who holds prescribed qualifications in building surveying; and 26.2.1.2 an authorised officer under Part 3 Division 5 or Section 86 of the Fire and Emergency Services Act 2005 who has been approved by the Chief Officer of the relevant fire authority to participate as a member of the appropriate authority; and





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ID	Delegation Source	Provision	Item Delegated
			26.2.1.3 a person with expertise in the area of fire safety; and 26.2.1.4 if so determined by the delegate, a person selected by the delegate;
312188	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.2 specify a term of office of a member of the appropriate authority (other than a member under Section 157(17)(a)(ii) of the PDI Act;
312189	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.3 remove a member of the appropriate authority from office for any reasonable cause;
312190	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s157(17)	26. Fire Safety 26.2 The power pursuant to Section 157(17) of the PDI Act to: 26.2.4 appoint deputy members;





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





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





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

ID	Delegation Source	Provision	Item Delegated
			consult with the Council in relation to the matter; and 30.2.3 ensure that proper consideration is given to the views of the road maintenance authority.
312205	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(5)(b)	30. Authorised Works 30.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter.
312206	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s187(6)	30. Authorised Works 30.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances.
312207	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s188(1)	31. Entry onto Land 31.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to:





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 Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)**

ID	Delegation Source	Provision	Item Delegated
	Designated Entity (Instrument A)		31.1.1 enter and pass over any land; and 31.1.2 bring onto any land any vehicles, plant or equipment; and 31.1.3 temporarily occupy land; and 31.1.4 do anything else reasonably required in connection with the exercise of the power.
312208	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s188(4)	31. Entry onto Land 31.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act.
312210	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(1)	32. Land Management Agreements 32.1 The power pursuant to Section 192(1) of the PDI Act to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land or a designated entity.
312211	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as	s192(2)	32. Land Management Agreements 32.2 The power pursuant to Section 192(2) of the PDI Act to enter into an agreement relating to the management, preservation or conservation of the land





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

ID	Delegation Source	Provision	Item Delegated
	a Council; a Designated Authority; a Designated Entity (Instrument A)		with a greenway authority.
312212	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(4)	<p>32. Land Management Agreements</p> <p>32.3 The power pursuant to Section 192(4) of the PDI Act in considering whether to enter into an agreement under Section 192 of the PDI Act which relates to the development of land and, if such an agreement is to be entered into, in considering the terms of the agreement, to have regard to:</p> <p>32.3.1 the provisions of the Planning and Design Code and to any relevant development authorisation under the PDI Act; and</p> <p>32.3.2 the principle that the entering into of an agreement under Section 192 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.</p>
312213	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(5)	<p>32. Land Management Agreements</p> <p>32.4 The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations.</p>
312214	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,	s192(8)	32. Land Management Agreements





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

ID	Delegation Source	Provision	Item Delegated
	Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		32.5 The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by agreement under Section 192 of the PDI Act.
312215	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(9)	32. Land Management Agreements 32.6 The power pursuant to Section 192(9) of the PDI Act to include in an agreement under Section 192 of the PDI Act an indemnity from a specified form of liability or right of action, a waiver or exclusion of a specified form of liability or right of action, an acknowledgment of liability, or a disclaimer, on the part of a party to the agreement.
312216	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(10)	32. Land Management Agreements 32.7 The power pursuant to Section 192(10) of the PDI Act to express a provision under Section 192(9) of the PDI Act as extending to, or being for the benefit of, a person or body who or which is not a party to the agreement.
312217	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(11)	32. Land Management Agreements 32.8 The power pursuant to Section 192(11) of the PDI Act to consent to the owner of land entering into an agreement under Section 192 of the PDI Act where the Council has a legal interest in the land.





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

ID	Delegation Source	Provision	Item Delegated
312218	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(12)	32. Land Management Agreements 32.9 The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-General, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.
312219	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(15)	32. Land Management Agreements 32.10 The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.
312220	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s192(16)	32. Land Management Agreements 32.11 The power pursuant to Section 192(16) of the PDI Act to provide in an agreement under Section 192 of the PDI Act for remission of rates or taxes on the land.
312222	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as	s192(17)	32. Land Management Agreements 32.12 The power pursuant to Section 192(17) of the PDI Act to consent to an agreement entered into by the Minister under Section 192 of the PDI Act, providing





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

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





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

ID	Delegation Source	Provision	Item Delegated
	Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		33.2 The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to the assessment of the development under the PDI Act).
312226	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(3)	33. Land Management Agreements – Development Applications 33.3 The power pursuant to Section 193(3) of the PDI Act to have regard to: 33.3.1 the provisions of the Planning and Design Code; and 33.3.2 the principle that the entering into of an agreement under Section 193 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act.
312227	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(5)	33. Land Management Agreements – Development Applications 33.4 The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance with the regulations.
312228	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as	s193(10)	33. Land Management Agreements – Development Applications 33.5 The power pursuant to Section 193(10) of the PDI Act to consent to an application to note the agreement against the relevant instrument of title or the land.





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

ID	Delegation Source	Provision	Item Delegated
	a Council; a Designated Authority; a Designated Entity (Instrument A)		
312229	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(11)	33. Land Management Agreements – Development Applications 33.6 The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land.
312230	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(13)	33. Land Management Agreements – Development Applications 33.7 The power pursuant to Section 193(13) of the PDI Act to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.
312231	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(15)	33. Land Management Agreements – Development Applications 33.8 The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land.





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

ID	Delegation Source	Provision	Item Delegated
312232	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s193(16)	<p>33. Land Management Agreements – Development Applications</p> <p>33.9 The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval.</p>
312234	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(2)	<p>34. Off-setting Contributions</p> <p>34.1 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate:</p> <p>34.1.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or</p> <p>34.1.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or</p> <p>34.1.3 any other initiative or policy:</p> <p>34.1.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act;</p> <p>34.1.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act.</p>





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

ID	Delegation Source	Provision	Item Delegated
312235	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(3)	34. Off-setting Contributions 34.2 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act: 34.2.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act): 34.2.1.1 to make a contribution to a fund established as part of the scheme; or 34.2.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or 34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act, in order to provide for or address a particular matter identified by the scheme; and 34.2.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and 34.2.3 an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act.
312236	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(4)	34. Off-setting Contributions 34.3 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister.





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

ID	Delegation Source	Provision	Item Delegated
312237	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s197(4)(c)	<p>34. Off-setting Contributions</p> <p>34.4 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme.</p>
312239	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(1)	<p>35. Open Space Contribution Scheme</p> <p>35.1 The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the division of land in the Council's area into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require:</p> <p>35.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or</p> <p>35.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or</p> <p>35.1.3 that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of the PDI Act,</p> <p>according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates land as open space and to seek the concurrence of the Commission to taking any action that is at variance with the Planning and Design Code.</p>





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

ID	Delegation Source	Provision	Item Delegated
312240	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(3)	35. Open Space Contribution Scheme 35.2 The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act.
312241	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(4)(a)	35. Open Space Contribution Scheme 35.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council.
312242	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s198(11)	35. Open Space Contribution Scheme 35.4 The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space.
312243	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as	s198(12)	35. Open Space Contribution Scheme 35.5 The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages.





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

ID	Delegation Source	Provision	Item Delegated
	a Council; a Designated Authority; a Designated Entity (Instrument A)		
312245	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(2)	36. Urban Trees Fund 36.1 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette.
312246	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(3)	36. Urban Trees Fund 36.2 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code.
312247	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(5)	36. Urban Trees Fund 36.3 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund.





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

ID	Delegation Source	Provision	Item Delegated
312248	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(6)	<p>36. Urban Trees Fund</p> <p>36.4 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund:</p> <p>36.4.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or</p> <p>36.4.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act.</p>
312249	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s200(7)	<p>36. Urban Trees Fund</p> <p>36.5 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b).</p>
312250	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(1)	<p>37. Appointment of Authorised Officers</p> <p>37.1 The power pursuant to Section 210(1) of the PDI Act to:</p> <p>37.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and</p> <p>37.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
			to do so by the regulations.
312251	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(2)	37. Appointment of Authorised Officers 37.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions.
312252	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(3)	37. Appointment of Authorised Officers 37.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card: 37.3.1 containing a photograph of the authorised officer; and 37.3.2 stating any conditions of appointment limiting the authorised officer's appointment.
312253	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s210(5)	37. Appointment of Authorised Officers 37.4 The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.





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312254	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(1)	<p>38. Enforcement Notices</p> <p>38.1 The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances:</p> <p>38.1.1 direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach;</p> <p>38.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate;</p> <p>38.1.3 take such urgent action as is required because of any situation resulting from the breach.</p>
312255	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(2)	<p>38. Enforcement Notices</p> <p>38.2 The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required.</p>
312256	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a	s213(5)	<p>38. Enforcement Notices</p> <p>38.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken.</p>





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ID	Delegation Source	Provision	Item Delegated
	Designated Entity (Instrument A)		
312257	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(6)	38. Enforcement Notices 38.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action
312258	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s213(7)	38. Enforcement Notices 38.5 The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
312259	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(1)	39. Applications to Court 39.1 The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act.
312260	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,	s214(2)	39. Applications to Court





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





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ID	Delegation Source	Provision	Item Delegated
312264	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(10)	39. Applications to Court 39.6 The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act.
312265	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(11)	39. Applications to Court 39.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person.
312266	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(12)	39. Applications to Court 39.8 The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that work, as a debt, from the respondent
312267	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as	s214(13)	39. Applications to Court 39.9 The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to,





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ID	Delegation Source	Provision	Item Delegated
	a Council; a Designated Authority; a Designated Entity (Instrument A)		by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.
312268	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s214(17)	39. Applications to Court 39.10 The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act.
312269	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s219(1)	40. Proceedings for Offences 40.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act.
312270	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(2)	41. Adverse Publicity Orders 41.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order.





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ID	Delegation Source	Provision	Item Delegated
312271	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(4)	<p>41. Adverse Publicity Orders</p> <p>41.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to:</p> <p>41.2.1 take the PDI Action or actions specified in the order; and</p> <p>41.2.2 authorise a person in writing to take the PDI Action or actions specified in the order.</p>
312272	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s223(5)	<p>41. Adverse Publicity Orders</p> <p>41.3 The power pursuant to Section 223(5) of the PDI Act, if:</p> <p>41.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and</p> <p>41.3.2 despite the evidence, the delegate is not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order,</p> <p>to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions.</p>
312273	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a	s223(6)	<p>41. Adverse Publicity Orders</p> <p>41.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of</p>





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ID	Delegation Source	Provision	Item Delegated
	Designated Entity (Instrument A)		taking the PDI Action or actions, as a debt, due to the Council.
312274	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(1)	42. Civil Penalties 42.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention.
312275	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(2)	42. Civil Penalties 42.2 The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors.
312276	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(3)	42. Civil Penalties 42.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention.
312277	Instrument of Delegation under the Planning,	s225(13)	42. Civil Penalties





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ID	Delegation Source	Provision	Item Delegated
	Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		42.4 The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act.
312278	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s225(17)	42. Civil Penalties 42.5 The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act.
312279	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s228(7)	43. Make Good Order 43.1 The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act.
312280	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s229(5)	44. Recovery of Economic Benefit 44.1 The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act.





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ID	Delegation Source	Provision	Item Delegated
	Designated Entity (Instrument A)		
312281	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(1)	45. Enforceable Voluntary Undertakings 45.1 The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act.
312282	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(4)	45. Enforceable Voluntary Undertakings 45.2 The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking.
312283	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(7)	45. Enforceable Voluntary Undertakings 45.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to: 45.3.1 vary the undertaking; or 45.3.2 withdraw the undertaking.
312284	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,	s230(11)	45. Enforceable Voluntary Undertakings





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ID	Delegation Source	Provision	Item Delegated
	Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)		45.4 The power pursuant to Section 230(11) of the PDI Act to accept an undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised.
312285	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(12)	45. Enforceable Voluntary Undertakings 45.5 The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible.
312286	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s230(14)	45. Enforceable Voluntary Undertakings 45.6 The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act.
312287	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s231(1)	46. Advertisements 46.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding: 46.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or





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ID	Delegation Source	Provision	Item Delegated
			<p>46.1.2 is contrary to the character desired for a locality under the Planning and Design Code,</p> <p>to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice).</p>
312288	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s231(3)	<p>46. Advertisements</p> <p>46.2 The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the person on whom the notice was served.</p>
312289	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	s235(1)	<p>47. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>47.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.</p>





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





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ID	Delegation Source	Provision	Item Delegated
	a Council; a Designated Authority; a Designated Entity (Instrument A)		documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, proclamation or notice under the PDI Act.
312294	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl13(3)(b) sch2	50. Reporting 50.1 The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the delegate.
312298	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)	cl3(16) sch4	51. Review of Performance 51.1 The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act.
385341	Planning, Development and Infrastructure (General) Regulations 2017	r11B(1)	52. Mutual Liability Scheme – Rights of Indemnity 52.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to: 52.1.1 in being responsible under Section 83(1)(h)(ii) of the PDI Act for the costs and other liabilities associated with the activities of an assessment panel appointed by the Council; and





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ID	Delegation Source	Provision	Item Delegated
			<p>52.1.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act,</p> <p>have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel.</p>
385342	Planning, Development and Infrastructure (General) Regulations 2017	r11B(5)	<p>52. Mutual Liability Scheme – Rights of Indemnity</p> <p>52.2 The power pursuant to Regulation 11B(5) of the General Regulations to:</p> <p>52.2.1 in being responsible under Section 87(f) of the PDI Act for the costs and other liabilities associated with the activities of an assessment manager for an assessment panel appointed by the Council; and</p> <p>52.2.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act,</p> <p>have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as an assessment manager.</p>
385343	Planning, Development and Infrastructure	r47(4)(d)	53. Performance Assessed Development and Restricted Development





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	(General) Regulations 2017		53.1 The power pursuant to Regulation 47(4)(d) of the General Regulations to determine the fee payable by the applicant as being appropriate to cover the reasonable costs of placing the notice on the land.
312306	Planning, Development and Infrastructure (General) Regulations 2017	r78(1)	54. Underground Main Areas 54.1 The power pursuant to Regulation 78(1) of the General Regulations if the delegate considers an area should be declared an underground mains area to seek a report from the relevant electricity authority in relation to the matter.
312307	Planning, Development and Infrastructure (General) Regulations 2017	r78(2)	54. Underground Main Areas 54.2 The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area.
312308	Planning, Development and Infrastructure (General) Regulations 2017	r81(4)	55. Width of Roads and Thoroughfares 55.1 The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.
312309	Planning, Development and Infrastructure (General) Regulations 2017	r81(5)	55. Width of Roads and Thoroughfares 55.2 The power pursuant to Regulation 81(5) of the General Regulations to





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			subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate.
312310	Planning, Development and Infrastructure (General) Regulations 2017	r81(6)	55. Width of Roads and Thoroughfares 55.3 The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road.
312311	Planning, Development and Infrastructure (General) Regulations 2017	r82(1)	56. Road Widening 56.1 The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area.
312312	Planning, Development and Infrastructure (General) Regulations 2017	r83(1)	57. Requirement as to Forming of Roads 57.1 The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division.
312313	Planning, Development and Infrastructure (General) Regulations 2017	r83(2)	57. Requirement as to Forming of Roads 57.2 The power pursuant to Regulation 83(2) of the General Regulations to form





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			the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road.
312314	Planning, Development and Infrastructure (General) Regulations 2017	r83(4)	57. Requirement as to Forming of Roads 57.3 The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road.
312315	Planning, Development and Infrastructure (General) Regulations 2017	r83(5)	57. Requirement as to Forming of Roads 57.4 The power pursuant to Regulation 83(5) of the General Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate.
312316	Planning, Development and Infrastructure (General) Regulations 2017	r83(6)	57. Requirement as to Forming of Roads 57.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations.
312317	Planning, Development and Infrastructure (General) Regulations 2017	r84(1)	58. Construction of Roads, Bridges, Drains and Services 58.1 The power pursuant to Regulation 84(1) of the General Regulations to require the roadway of every proposed road within the relevant division to be





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			constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate.
312318	Planning, Development and Infrastructure (General) Regulations 2017	r85(1)	59. Supplementary Provisions 59.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations.
312319	Planning, Development and Infrastructure (General) Regulations 2017	r85(2)	59. Supplementary Provisions 59.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the General Regulations to be carried out in a manner satisfactory to the delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work.
312320	Planning, Development and Infrastructure (General) Regulations 2017	r85(4)	59. Supplementary Provisions 59.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation are necessary and need to be laid under the surface of the proposed road, have been made.





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312321	Planning, Development and Infrastructure (General) Regulations 2017	r89(1)	60. General Provisions 60.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act.
312322	Planning, Development and Infrastructure (General) Regulations 2017	r89(3)	60. General Provisions 60.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which: 60.2.1 evidences the consent of the Council to an encroachment by a building over other land; and 60.2.2 sets out: 60.2.2.1 the date on which any relevant building was erected (if known); and 60.2.2.2 the postal address of the site.
312323	Planning, Development and Infrastructure (General) Regulations 2017	r89(6)(b)	60. General Provisions 60.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations.





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312324	Planning, Development and Infrastructure (General) Regulations 2017	r93(1)(b)	61. Notifications During Building Work 61.1 The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.
312325	Planning, Development and Infrastructure (General) Regulations 2017	r93(1)(c)	61. Notifications During Building Work 61.2 The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate.
312326	Planning, Development and Infrastructure (General) Regulations 2017	r94(13)	62. Essential Safety Provisions 62.1 The power pursuant to Regulation 94(13) of the General Regulations to require compliance with Regulation 94(10) of the General Regulations if: 62.1.1 the essential safety provisions were installed 62.1.1.1 under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or 62.1.1.2 as part of a performance solution under the Building Code; or 62.1.2 the building has been the subject of a notice under Section 157 of the PDI





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			Act.
312327	Planning, Development and Infrastructure (General) Regulations 2017	r102(3)	<p>63. Classification of Buildings</p> <p>63.1 The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by:</p> <p>63.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification.</p>
312328	Planning, Development and Infrastructure (General) Regulations 2017	r102(4)	<p>63. Classification of Buildings</p> <p>63.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.</p>
312329	Planning, Development and Infrastructure (General) Regulations 2017	r102(5)	<p>63. Classification of Buildings</p> <p>63.3 The power pursuant to Regulation 102(5) of the General Regulations, if an application under Regulation 102 of the General Regulations is made in respect of</p>





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			<p>an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).</p>
312330	Planning, Development and Infrastructure (General) Regulations 2017	r102(6)	<p>63. Classification of Buildings</p> <p>63.4 The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act:</p> <p>63.4.1 the maximum number of persons who may occupy the building (or part of the building); and</p> <p>63.4.2 if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.</p>
312331	Planning, Development and Infrastructure (General) Regulations 2017	r103(2)	<p>64. Certificates of Occupancy</p> <p>64.1 The power pursuant to Regulation 103(2) of the General Regulations to, require the following documentation:</p> <p>64.1.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied;</p> <p>64.1.2 if the application relates to the construction or alteration of part of a building</p>





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			<p>and further building work is envisaged in respect of the remainder of the building, such evidence as the delegate may reasonably require to show:</p> <p>64.1.2.1 in the case of a building more than 1 storey - that the requirements of any relevant Ministerial building standard have been complied with; or</p> <p>64.1.2.2 in any other case - that the building is suitable for occupation.</p>
312332	Planning, Development and Infrastructure (General) Regulations 2017	r103(3)	<p>64. Certificates of Occupancy</p> <p>64.2 The power pursuant to Regulation 103(3) of the General Regulations, to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under Regulation 103(2)(a) of the General Regulations if:</p> <p>64.2.1 the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and</p> <p>64.2.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation.</p>





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312333	Planning, Development and Infrastructure (General) Regulations 2017	r103(4)	64. Certificates of Occupancy 64.3 The power pursuant to Regulation 103(4) of the General Regulations if: 64.3.1 a building is: 64.3.1.1 to be equipped with a booster assembly for use by a fire authority; or 64.3.1.2 to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and 64.3.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the PDI Act, to not grant a certificate of occupancy unless or until the delegate has sought a report from the fire authority as to whether those facilities have been installed and operate satisfactorily and to seek such a report from the fire authority.
312334	Planning, Development and Infrastructure (General) Regulations 2017	r103(5)	64. Certificates of Occupancy 64.4 The power pursuant to Regulation 103(5) of the General Regulations if a report is not received from the fire authority within 15 business days, to presume that the fire authority does not desire to make a report.
312335	Planning, Development and Infrastructure (General) Regulations 2017	r103(6)	64. Certificates of Occupancy 64.5 The power pursuant to Regulation 103(6) of the General Regulations to have regard to any report received from a fire authority under Regulation 103(4) of the





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			General Regulations before the delegate issues a certificate of occupancy.
385344	Planning, Development and Infrastructure (General) Regulations 2017	r103(6a)	64. Certificates of Occupancy 64.6 The power pursuant to Regulation 103(6a) of the General Regulations, on receipt of a notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, to determine that building work will be inspected by an authorised officer.
312336	Planning, Development and Infrastructure (General) Regulations 2017	r103(9)	64. Certificates of Occupancy 64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy: 64.7.1 if: 64.7.1.1 there is a change in the use of the building; or 64.7.1.2 the classification of the building changes; or 64.7.1.3 building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m ² is about to commence, or is being or has been carried out; or 64.7.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment, and the delegate considers that in the circumstances the certificate should be revoked and a new certificate sought; or





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312337	Planning, Development and Infrastructure (General) Regulations 2017	r103(9)	<p>64. Certificates of Occupancy</p> <p>64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy:</p> <p>64.7.2 if the delegate considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or</p>
312338	Planning, Development and Infrastructure (General) Regulations 2017	r103(9)	<p>64. Certificates of Occupancy</p> <p>64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy:</p> <p>64.7.3 if a schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10) of the General Regulations; or</p>
312339	Planning, Development and Infrastructure (General) Regulations 2017	r103(9)	<p>64. Certificates of Occupancy</p> <p>64.7 The power pursuant to Regulation 103(9) of the General Regulations to revoke a certificate of occupancy:</p> <p>64.7.4 if the delegate considers:</p> <p>64.7.4.1 that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or</p> <p>64.7.4.2 that a condition attached to the certificate of occupancy has not been</p>





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			met, or has been contravened, or is no longer appropriate.
312340	Planning, Development and Infrastructure (General) Regulations 2017	r109(1)(b)	65. Mining Production Tenements 65.1 The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement.
312341	Planning, Development and Infrastructure (General) Regulations 2017	r111(2)	66. Register of Land Management Agreements (Section 193) 66.1 The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act.
312342	Planning, Development and Infrastructure (General) Regulations 2017	r111(3)	66. Register of Land Management Agreements (Section 193) 66.2 The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate.
312343	Planning, Development and Infrastructure	r112(1)	67. Authorised Officers and Inspections





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	(General) Regulations 2017		67.1 The power pursuant to Regulation 112(1) of the General Regulations to appoint at least 1 authorised officer under Section 210(1)(b) of the PDI Act: 67.1.1 who is an accredited professional who is: 67.1.1.1 an Accredited professional - building level 1; or 67.1.1.2 an Accredited professional - building level 2; or 67.1.1.3 an Accredited professional - building level 3; or 67.1.1.4 an Accredited professional - building level 4; or 67.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or 67.1.3 who holds an approval from the Chief Executive.
312302	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	68. Calculation of Assessment of Fees 68.1 The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal): 68.1.1 to require the applicant to provide such information as the delegate may





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			<p>reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and</p> <p>68.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority).</p>
312303	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(2)	<p>68. Calculation of Assessment of Fees</p> <p>68.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.</p>
312304	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(3)	<p>68. Calculation or Assessment of Fees</p> <p>68.3 The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of Regulations.</p>
312305	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	<p>69. Waiver or Refund of Fee</p> <p>69.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>69.1.1 waive the payment of the fee, or the payment of part of the fee; or</p> <p>69.1.2 refund the whole or a part of the fee.</p>





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385345	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl5(1)	<p>70. Requirements in Relation to Preparing an Engagement Plan</p> <p>70.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instruments (PD2), to prepare a community engagement plan that:</p> <p>70.1.1 meets the principles and performance outcomes of the Charter;</p> <p>70.1.2 describes the persons or bodies to be consulted;</p> <p>70.1.3 outlines any relevant previous engagement undertaken to inform the proposal;</p> <p>70.1.4 describes the evaluation framework for the engagement.</p>
385346	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl5(2)	<p>70. Requirements in Relation to Preparing an Engagement Plan</p> <p>70.2 The power pursuant to clause 5(2) of PD2 to submit the community engagement plan to the Commission for approval with the exception of an amendment to the Code and a Design Standard.</p>
385348	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl6(2)	<p>71. Requirements in Relation to Preparing an Engagement Report Following Consultation</p> <p>71.1 The power pursuant to clause 6(2) of PD2 to set out in the report:</p> <p>71.1.1 details of the engagement undertaken and how that engagement met the agreed community engagement plan, and reasons for variations, if any to that plan;</p>





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			71.1.2 the outcome of the engagement including a summary of the feedback made; 71.1.3 the response to the details of, and reasons for, changes to the proposal to prepare or amend a designated instrument when compared to the proposal that was engaged on, and to specifically indicate: 71.1.3.1 where changes are proposed to the designated instrument based on the engagement; and 71.1.3.2 any other changes proposed based on additional investigations or information not available when the proposal was released for engagement.
385349	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl6(3)	71. Requirements in Relation to Preparing an Engagement Report Following Consultation 71.2 The power pursuant to clause 6(3) of PD2 to, in the engagement report also include an evaluation of the effectiveness of the engagement that considers whether: 71.2.1 the principles of the Charter have been achieved; and 71.2.2 all mandatory requirements identified in the Charter have been met where the consultation category is applicable.
385350	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(1)	72. Requirements in Relation to Initiating a Code Amendment Pursuant to Section 73 of the Act 72.1 The power pursuant to clause 7(1) of PD 2 to provide a proposal to the Commission to initiate a code amendment that sets out: 72.1.1 Scope - an explanation of the reasons for the preparation of the amendment





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			<p>and a description of the changes in circumstance leading the need for the amendment and the range of issues to be addressed in the amendment;</p> <p>72.1.2 Code Modules - an outline of any overlay, general policy, zone or subzones being considered for amendment and/or the intended spatial application of an overlay, general policy, zone or subzone over an identified area, or draft instructions for the proposed amendments;</p> <p>72.1.3 Area Affected - A map or description of the area affected by the proposed amendment;</p> <p>72.1.4 State Planning Policies - an identification of the relevant key state planning policies and a statement of assessment of the amendment's consistency with those policies;</p> <p>72.1.5 Regional Plans - An indication of how the matters or issues proposed to be addressed by the amendment will relate to the relevant regional plan and any relevant infrastructure planning;</p> <p>72.1.6 Infrastructure Provision -</p> <p>72.1.6.1 an explanation of any infrastructure provision that is required and how the infrastructure provision will be provided; and</p> <p>72.1.6.2 an indication whether it is likely that an infrastructure agreement or agreements will need to be entered into in connection with the code amendment process, identifying the tools that will be used for this process;</p> <p>72.1.7 Joint Planning Board Comments - that the Council has discussed the proposal with the relevant Regional Planning Board;</p> <p>72.1.8 Consultation – information regarding any other consultation that has</p>





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			<p>occurred;</p> <p>72.1.9 in relation to designating a place as a place of local heritage value or a heritage area - a heritage review prepared by a heritage architect or historian or similar occupation in accordance with the Commission's guidelines prepared under Section 67(2)(c) of the PDI Act;</p> <p>72.1.10 in relation to designating a tree a significant tree - an assessment of the tree against the criteria under Section 68(1)(a) of the PDI Act;</p> <p>72.1.11 in relation to designating a stand of trees to be significant trees – an assessment of the trees against the criteria under Section 68(1)(b) of the PDI Act.</p>
385351	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl7(2)	<p>72. Requirements in Relation to Initiating a Code Amendment Pursuant to Section 73 of the Act</p> <p>72.2 The power pursuant to clause 7(2) of PD2 to, in addition, provide:</p> <p>72.2.1 Timetable - an outline of the proposed timetable for each step of the process (ensuring that the process is completed within reasonable time limits), and a commitment on the part of the Council that it will take steps to update this timetable if it appears at any stage that the Council will require an extension;</p> <p>72.2.2 Investigations - an outline of the investigations and justifications that will be undertaken (and those that may have already been undertaken) and the form that those investigations will take in order to address the strategic and social, economic and environmental issues of the proposed amendment, or an explanation and summary of the investigations undertaken and how these support the amendment.</p>





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385352	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl8(1)	73. Requirements in Relation to Preparation of the Draft Proposal Prior to Consultation and Decision 73.1 The power pursuant to clause 8(1) of PD 2 to, prior to consultation, provide to the Department: 73.1.1 instructions that set out the intent of the proposed policy amendment for the purposes of the Department writing the draft Code Policy for the Council; 73.1.2 any maps in an industry standard GIS format to enable the production version of mapping to be prepared and returned to the Council; 73.1.3 in relation to heritage lists a local heritage data sheet and a significant trees data sheet.
385353	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl8(2)	73. Requirements in Relation to Preparation of the Draft Proposal Prior to Consultation and Decision 73.2 The power pursuant to clause 8(2) of PD2, if amendments are proposed to the consultation versions, to provide to the Department: 73.2.1 instruction to write the amendments to the Code Policy; 73.2.2 amendments to the maps in an industry standard GIS format to enable the production version of mapping to be prepared and returned to the Council.
385354	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl9(1)	74. Requirements in Relation to Preparation of the Draft Proposal for Consultation 74.1 The power pursuant to clause 9(1) of PD2 to, for engagement purposes, support a code amendment by the following information:





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			74.1.1 an explanation about why and how the Code is proposed to be amended; 74.1.2 an assessment of the amendment against the relevant provisions of State Planning Policies and the relevant regional plan; 74.1.3 if any amendment is not fully consistent with the State Planning Policies or the region plan, to so specifically identify that and include an explanation setting out the reason or reasons for the inconsistency; 74.1.4 an explanation and summary of the investigations undertaken and how these support the amendment; 74.1.5 an explanation of any infrastructure provision that is required and how the infrastructure will be provided.
385355	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl11(1)	75. Requirements in Relation to Complying Changes Under Section 75 75.1 The power pursuant to clause 11(1) of PD2, in relation to a proposal to agree to a complying change, to provide the following information to the department: 75.1.1 a reference to the documentation and recommendation in relation to the proposed amendment in the relevant regional plan; 75.1.2 a summary of the consultation in accordance with the Charter that has occurred in relation to the proposal including reference to the Engagement Report prepared for the regional plan and any additional consultation that has occurred; 75.1.3 instructions that set out the intent of the proposed policy amendment for the purposes of the department writing the draft Code Policy for the Council; 75.1.4 any maps in an industry standard GIS format to enable the production





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
			version of mapping to be prepared and returned to the Council.
385356	State Planning Commission Practice Direction - 2 Preparation and Amendment of Designated Instruments	cl12(1)	<p>76. Requirements in Relation to Early Commencement Under Section 78</p> <p>76.1 The power pursuant to clause 12(1) of PD2, in relation to a request for a code amendment to come into operation without delay, to provide to the department:</p> <p>76.1.1 an explanation about how early commencement is required to counter applications for undesirable development (development that would detract from, negate the object of the amendment) during consultation and consideration of the code amendment;</p> <p>76.1.2 instructions that set out the intent of the proposed policy amendment for the purposes of the Department writing the draft Code Policy for the Council;</p> <p>76.1.3 any maps in an industry standard GIS format to enable the production version of mapping to be prepared and returned to the Council.</p>
385357	State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019	cl6(3)(b)	<p>77. Responsibility to Undertake Notification</p> <p>77.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority's reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act.</p>
385358	State Planning Commission Practice Direction (Council Inspections) 2020	cl2(2)	<p>78. Mandatory Inspections</p> <p>78.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission</p>





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ID	Delegation Source	Provision	Item Delegated
			<p>Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection:</p> <ul style="list-style-type: none"> 78.1.1 primary structural elements; 78.1.2 structural framing and roof trusses; 78.1.3 wet areas and waterproofing; 78.1.4 barriers to prevent falls; 78.1.5 cladding; 78.1.6 egress provisions; 78.1.7 bushfire protection systems; 78.1.8 passive and active fire safety elements; 78.1.9 private bushfire shelters; and 78.1.10 performance solutions.
385359	State Planning Commission Practice Direction (Council Inspections) 2020	cl3(2)	<p>79. Additional Inspections</p> <p>79.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9.</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
385360	State Planning Commission Practice Direction (Council Inspections) 2020	cl4(3)	80. Inspections Generally 80.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate.
385361	State Planning Commission Practice Direction (Council Inspections) 2020	cl1(2)	81. General Requirements 81.1 The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9.
385362	State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020	cl5(2)	82. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building 82.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings 2020 (PD10) to, agree to partial occupancy of a partially completed multistorey building.





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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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)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>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.</p>
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)	<p>1. Environment and Food Production Areas – Greater Adelaide</p> <p>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.</p>
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)	<p>2. Related Provisions</p> <p>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.</p>
312347	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and	s99(3)	<p>2. Related Provisions</p> <p>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</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
	Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		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.
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,	s118(2)(a)	4. Building Consent 4.2 The power pursuant to Section 118(2)(a) of the PDI Act to seek the





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ID	Delegation Source	Provision	Item Delegated
	Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		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)	<p>4. Building Consent</p> <p>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:</p> <p>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:</p> <p>4.3.1.1 that:</p> <p>(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</p> <p>(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</p> <p>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.</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
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)	<p>4. Building Consent</p> <p>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.</p>
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)	<p>4. Building Consent</p> <p>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.</p>
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)	<p>4. Building Consent</p> <p>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.</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
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)	<p>4. Building Consent</p> <p>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:</p> <p>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</p> <p>4.7.2 such compliance is certified by a building certifier.</p>
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)	<p>4. Building Consent</p> <p>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</p>
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)	<p>4. Building Consent</p> <p>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):</p> <p>4.9.1 the variance; and</p>





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ID	Delegation Source	Provision	Item Delegated
			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.
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	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





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ID	Delegation Source	Provision	Item Delegated
	Relevant Authority (Instrument B);		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	s119(9)	5. Application and Provision of Information 5.5 The power pursuant to Section 119(9) of the PDI Act to:





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ID	Delegation Source	Provision	Item Delegated
	Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		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.
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	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.





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ID	Delegation Source	Provision	Item Delegated
	Relevant Authority (Instrument B);		
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	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:





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ID	Delegation Source	Provision	Item Delegated
	Relevant Authority (Instrument B);		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.
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)





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ID	Delegation Source	Provision	Item Delegated
			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)	<p>7. Referrals to Other Authorities or Agencies</p> <p>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.</p>
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)	<p>7. Referrals to Other Authorities or Agencies</p> <p>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.</p>
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)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>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).</p>
312376	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and	s124(5)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>8.2 The power pursuant to Section 124(5) of the PDI Act, if the Commissioner</p>





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ID	Delegation Source	Provision	Item Delegated
	Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		<p>determines that the proposed development involves the creation of fortification, to:</p> <p>8.2.1 if the proposed development consists only of the creation of fortifications – refuse the application;</p> <p>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.</p>
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)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>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.</p>
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)	<p>8. Proposed Development Involving Creation of Fortifications</p> <p>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.</p>
312379	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and	s126(1)	<p>9. Determination of Application</p> <p>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</p>





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ID	Delegation Source	Provision	Item Delegated
	Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		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,	s128(2)(d)	11. Variation of Authorisation 11.1 The power pursuant to Section 128(2)(d) of the PDI Act to approve an





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ID	Delegation Source	Provision	Item Delegated
	Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.
312384	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s133(3)	<p>12. Saving Provisions</p> <p>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.</p>
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)	<p>13. Requirement to Up-grade</p> <p>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.</p>
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)	<p>13. Requirement to Up-grade</p> <p>13.2 The power pursuant to Section 134(1) of the PDI Act, if:</p> <p>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</p> <p>13.2.1.2 a change of classification of a building; and</p> <p>13.2.2 the building is, in the opinion of the delegate, unsafe, structurally unsound</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
			<p>or in an unhealthy condition,</p> <p>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.</p>
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)	<p>13. Requirement to Up-grade</p> <p>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.</p>
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)	<p>13. Requirement to Up-grade</p> <p>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:</p> <p>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</p> <p>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</p>
312389	Instrument of Delegation under the Planning,	s134(4)	<p>13. Requirement to Up-grade</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
	Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);		<p>13.5 The power pursuant to Section 134(4) of the PDI Act if:</p> <p>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</p> <p>13.5.2 the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities,</p> <p>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).</p>
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)	<p>13. Requirement to Up-grade</p> <p>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:</p> <p>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</p> <p>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.</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
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)	<p>14. Urgent Building Work</p> <p>14.1 The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.</p>
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)	<p>15. Cancellation of Development Authorisation</p> <p>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.</p>
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)	<p>15. Cancellation of Development Authorisation</p> <p>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.</p>
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)	<p>16. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>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.</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
312395	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B);	s235(2)	<p>16. Professional Advice to be Obtained in Relation to Certain Matters</p> <p>16.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.</p>
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>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
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</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
			<p>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>
312400	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>19.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p>
312401	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</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
			<p>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>19.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>19.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p> <p>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</p> <p>19.1.4.3 provide an appropriate notice via the SA planning portal; and</p>
312402	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>19.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>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</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
			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





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ID	Delegation Source	Provision	Item Delegated
			under Division 3 of the General Regulations, of the withdrawal.
484389	Planning, Development and Infrastructure (General) Regulations 2017	r38(2)	<p>21. Withdrawing/Lapsing Applications</p> <p>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.</p>
312406	Planning, Development and Infrastructure (General) Regulations 2017	r38(3)	<p>21. Withdrawing/Lapsing Applications</p> <p>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:</p> <p>21.3.1 take reasonable steps to notify the applicant of the action under consideration; and</p> <p>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.</p>
312407	Planning, Development and Infrastructure (General) Regulations 2017	r40	<p>22. Court Proceedings</p> <p>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.</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
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.





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
312410	Planning, Development and Infrastructure (General) Regulations 2017	r45(2)	24. Building Matters 24.2 The power pursuant to Regulation 45(2) of the General Regulations, if a report is not received from the fire authority on a referral under Regulation 45(1) of the General Regulations within 20 business days, to presume that the fire authority does not desire to make a report.
312411	Planning, Development and Infrastructure (General) Regulations 2017	r45(3)	24. Building Matters 24.3 The power pursuant to Regulation 45(3) of the General Regulations to have regard to any report received from a fire authority under Regulation 45 of the General Regulations.
312412	Planning, Development and Infrastructure (General) Regulations 2017	r45(4)	24. Building Matters 24.4 The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority: 24.4.1 recommends against the granting of building consent; or 24.4.2 concurs in the granting of consent on conditions specified in its report, but the delegate: 24.4.3 proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or 24.4.4 does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form,





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
			on the grant of consent, to: 24.4.5 refer the application to the Commission; and 24.4.6 not grant consent unless the Commission concurs in the granting of the consent.
312413	Planning, Development and Infrastructure (General) Regulations 2017	r45(5)	24. Building Matters 24.5 The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under the PDI Act.
312414	Planning, Development and Infrastructure (General) Regulations 2017	r57(4)(a)	25. Notice of Decision (Section 126(1)) 25.1 The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.
312415	Planning, Development and Infrastructure (General) Regulations 2017	r60	26. Consideration of Other Development Authorisations 26.1 The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
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>
312418	Planning, Development and Infrastructure (General) Regulations 2017	r63(2)	<p>28. Urgent Work</p> <p>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.</p>
312419	Planning, Development and Infrastructure (General) Regulations 2017	r63(3)	<p>28. Urgent Work</p> <p>28.3 The power pursuant to Regulation 63(3) of the General Regulations to, for</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
			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)	<p>29. Variation of Authorisation (Section 128)</p> <p>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.</p>
484390	Planning, Development and Infrastructure (General) Regulations 2017	r99(4)	<p>30. Construction Industry Training Fund</p> <p>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.</p>
484391	Planning, Development and Infrastructure (General) Regulations 2017	r99(5)	<p>30. Construction Industry Training Fund</p> <p>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.</p>





**Instrument of Delegation under the Planning, Development and Infrastructure Act 2016,
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ID	Delegation Source	Provision	Item Delegated
312421	Planning, Development and Infrastructure (General) Regulations 2017	cl4(3) sch8	<p>31. Plans for Building Work</p> <p>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:</p> <p>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</p> <p>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,</p> <p>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.</p>
312422	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(1)	<p>32. Calculation or Assessment of Fees</p> <p>32.1 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):</p> <p>32.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a</p>





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ID	Delegation Source	Provision	Item Delegated
			<p>related set of regulations; and</p> <p>32.1.2 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).</p>
312423	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r5(2)	<p>32. Calculation or Assessment of Fees</p> <p>32.2 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.</p>
312424	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	f5(3)	<p>32. Calculation or Assessment of Fees</p> <p>32.3 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.</p>
312425	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	<p>33. Waiver or Refund of Fee</p> <p>33.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>33.1.1 waive the payment of the fee, or the payment of part of the fee; or</p> <p>33.1.2 refund the whole or a part of the fee.</p>





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





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





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
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
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	Receiving an objection or application in respect of a proposed road	relevant authority





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
	Act 1991	13(3)	process	
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





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
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
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





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
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	council





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
			components	
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





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of 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	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
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





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of Council
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





Roads (Opening and Closing) Act 1991

ID	Delegation Source	Provision	Item Delegated	Capacity of 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



**24.6 WULANDA RECREATION AND CONVENTION CENTRE - BRAND IDENTITY -
REPORT NO. AR21/28274**

Committee: Council
Meeting Date: 18 May 2021
Report No.: AR21/28274
CM9 Reference: AF20/446
Author: Heidi Gajic, Community Development and Engagement Officer
Authoriser: Barbara Cernovskis, Acting Chief Executive Officer
Summary: Wulanda Recreation and Convention Centre Brand Identity for consideration and endorsement.
Strategic Plan Reference: Goal 1: Our People
Goal 2: Our Location
Goal 3: Our Diverse Economy

REPORT RECOMMENDATION

1. That Council Report No. AR21/28274 titled 'Wulanda Recreation and Convention Centre - Brand Identity' as presented on 18 May 2021 be noted.
2. That Council endorses the Wulanda Recreation and Convention Centre Brand Identity package as presented.
3. That the Wulanda Recreation and Convention Centre Brand package be forwarded to Badge Constructions for inclusion in the facility signage package.



TYPE OF REPORT

Corporate

BACKGROUND

On 15 December 2020 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, Council are now working towards the operation of the facility in preparation for it's opening in Autumn 2022 including the development of a brand for the facility. A brief was prepared to guide the development of a brand identity for the Wulanda Recreation and Convention Centre that reflected the landmark nature of this facility and Boandik name. 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.

Reports were presented and noted at the Wulanda Recreation and Convention Centre Committee meetings on 9 March 2021 and the 13 April 2021 providing updates on the process.

Following the completion of a competitive Request for Quote process, KWP was contracted to provide design services and develop the brand identity, with the commitment to present a draft for feedback by 21 April 2021 before completing the final brand for endorsement at Council on 18 May 2021.

PROPOSAL

With construction of the facility underway the timeline for the brand development is compressed to ensure that 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.

At a Designated Informal Gathering on 28 April 2021, KWP presented 2 design directions for consideration and feedback, with the preference being to proceed with the development of direction 1 for the Wulanda Recreation and Convention Centre brand identity.

This report presents the preferred design as a complete brand identity which includes a logo in various formats and a style guide including approved fonts, colours and guidelines.

LEGAL IMPLICATIONS

Nil

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

Engagement of designers for development of the Wulanda Recreation and Convention Centre brand is in accordance with the following Council Policies:

[P415 Prudential Management](#)

[F225 Fraud and Corruption Prevention](#)

[R305 Risk Management Framework Policy](#)

[P420 Procurement and Disposal of Land and Assets Policy](#)

[P900 Public Interest Disclosure](#)

[R180 Records Management](#)

ECONOMIC IMPLICATIONS

The Wulanda Recreation and Convention Centre brand development is not included in the fixed price contract with Badge. A funding allocation exists within the current operational budget for ancillary actions associated with progressing the development of the Wulanda Recreation and Convention Centre. The brand development is being resourced within the existing operational budget on financial authority of the Chief Executive Officer.

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

Due to the cultural 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 commissioned local First Nations artist Belinda Bonney to create a painted work from which KWP may develop in collaboration with the artist a suite of digital design elements that are culturally appropriate and can be incorporated into the brand identity.

During the development of the brand directions, KWP met with Belinda Bonney, Serena Wong - Arts Culture and Development Officer and Ben Kilsby - Community Development and Engagement Officer to discuss and review draft brand designs which may incorporate elements from Belinda's artwork to further understand the spiritual meaning of artwork and ensure they are incorporated respectfully.

RESOURCE IMPLICATIONS

N/A

VALUE FOR MONEY

A Request for Quote process commenced 10 March 2021 for a period of 14 days inviting the submission of quotes and return schedules. Upon completion of the Request for Quote period, all submissions were evaluated in accordance with Council's procurement policy.



RISK IMPLICATIONS

N/A

EQUALITIES AND DIVERSITY IMPLICATIONS

As per cultural implications.

ENGAGEMENT AND COMMUNICATION STRATEGY

N/A

IMPLEMENTATION STRATEGY

The artwork by Boandik artist Belinda Bonney and three designers return briefs were presented to Elected Members at a briefing on 29 March 2021. Design agency KWP were selected to prepare and present a logo and brand concept to Council by 21 April 2021 for review and feedback.

On 28 April 2021, KWP presented two design directions including logos and brand concepts to Elected Members for feedback and review. Direction 1 was selected to be developed into a complete brand identity including logos and style guide to be presented to Council for endorsement at the 18 May 2021 Council meeting.

Following endorsement of the Wulanda Recreation and Convention Centre brand identity it will be forwarded to Badge Constructions for inclusion in facility signage package. The brand identify will then become the guidelines for the development of all collateral (digital and hardcopy) for the Wulanda Recreation and Convention Centre.

CONCLUSION AND RECOMMENDATION

That Council endorses the Wulanda Recreation and Convention Centre brand identity as presented in attachment 1.

ATTACHMENTS

1. Wulanda Recreation and Convention Centre - Brand Identity [↓](#)



MANIFESTO



There is a place where it all happens.
Where all can enjoy and cherish.
A new space built on ancient land.
Where you can share your passions.
Be part of something.
Connect.

Meet old friends and make new ones.
Exercise your body and mind.
Chase your dreams.
Reach your goals.
Be entertained. Be moved. Be inspired.
Live your life.
Do what you love.
And do it often.



MANIFESTO / POSITIONING LINE

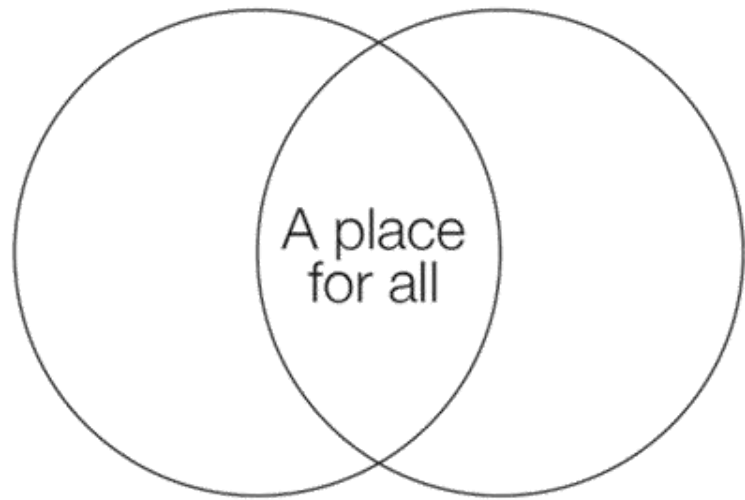


Wulanda Recreation and Convention Centre...

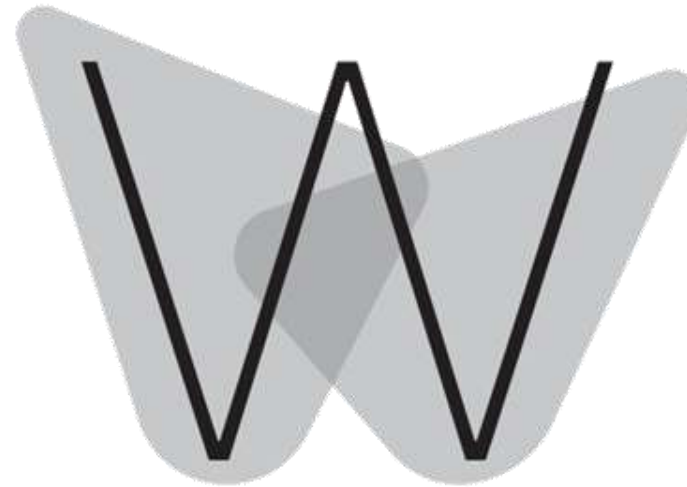
A place for all.



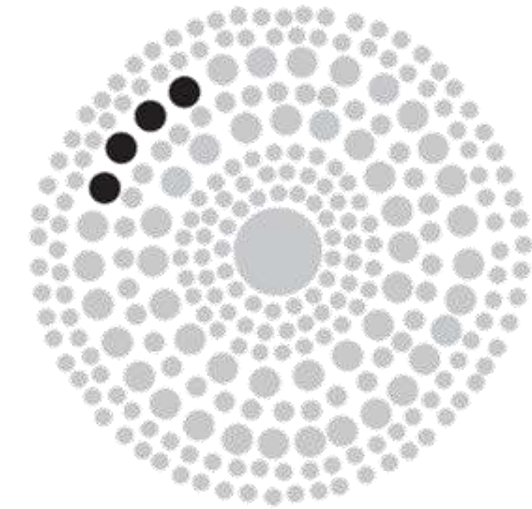
INSPIRATION



Connection



W for Wulanda



Symbol for waterways
from Belinda Bonney's artwork



LOGO



Wulanda
Recreation &
Convention
Centre



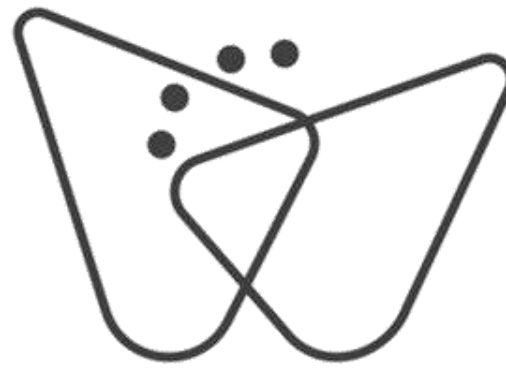
LOGO FORMATS



Primary versions



Wulanda
Recreation &
Convention
Centre



Wulanda
Recreation &
Convention
Centre

Secondary versions



Wulanda
Recreation &
Convention
Centre



Wulanda
Recreation &
Convention
Centre



LOGO WITH POSITIONING LINE

Primary versions



Wulanda
Recreation &
Convention
Centre
A place for all



Wulanda
Recreation &
Convention
Centre
A place for all

Secondary versions



Wulanda
Recreation &
Convention
Centre
A place for all



Wulanda
Recreation &
Convention
Centre
A place for all

Potential to introduce a shorter version when audiences are familiar with the Wulanda name



Wulanda
A place for all



Wulanda
A place for all



LOGO COLOURWAYS



Wulanda
Recreation &
Convention
Centre



Wulanda
Recreation &
Convention
Centre



Wulanda
Recreation &
Convention
Centre



Wulanda
Recreation &
Convention
Centre



Wulanda
Recreation &
Convention
Centre



Wulanda
Recreation &
Convention
Centre



Wulanda
Recreation &
Convention
Centre



Wulanda
Recreation &
Convention
Centre



COLOUR & TYPEFACE



Charcoal

Aqua blue

Stone

Inter font family

abcDEF123

abcDEF123

abcDEF123

abcDEF123

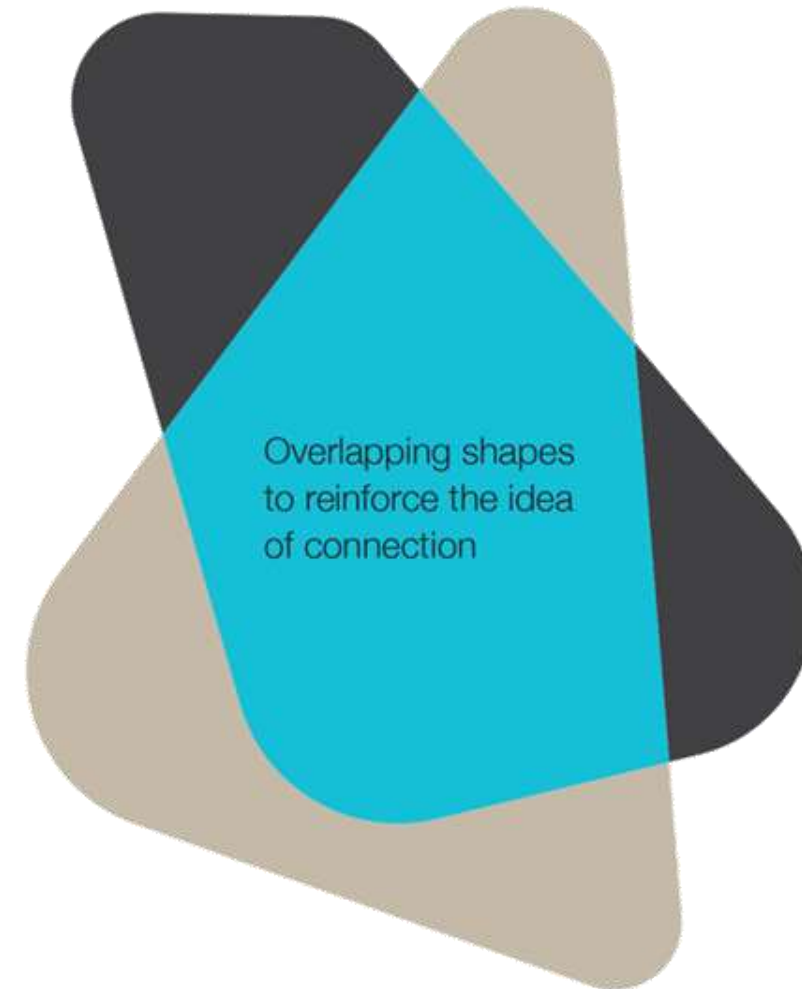
abcDEF123



GRAPHIC TREATMENT



Rounded corners
a key feature within the
Centre's environment



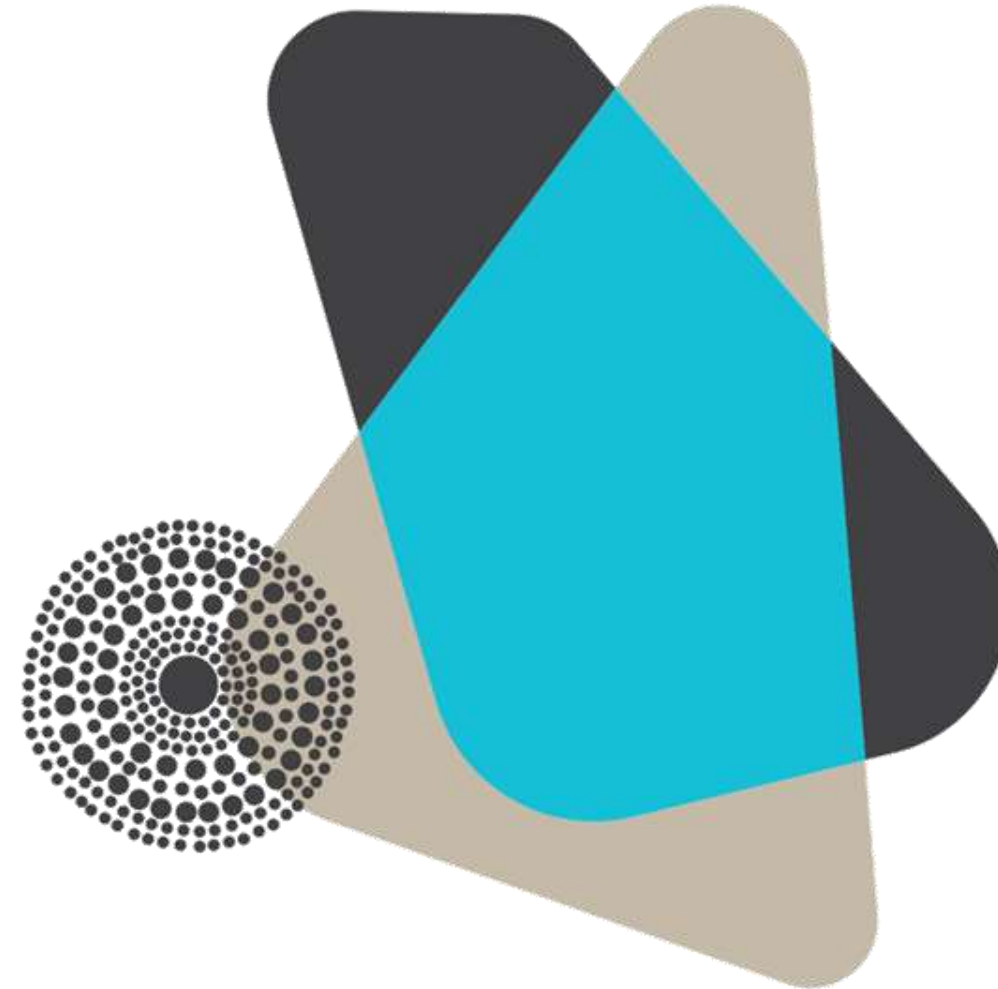
Overlapping shapes
to reinforce the idea
of connection



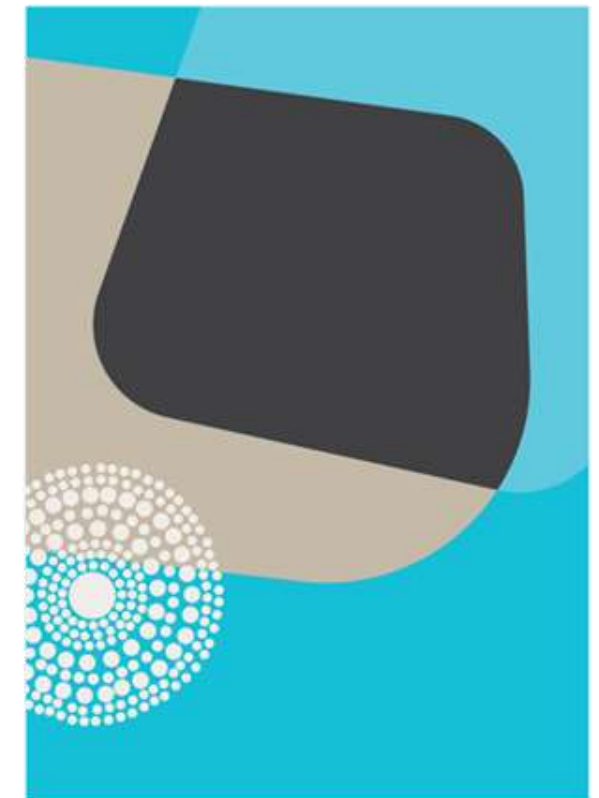
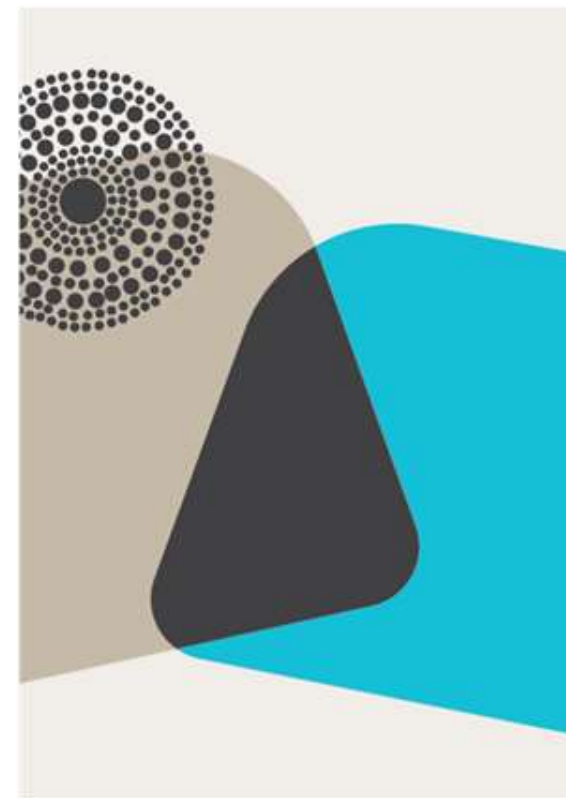
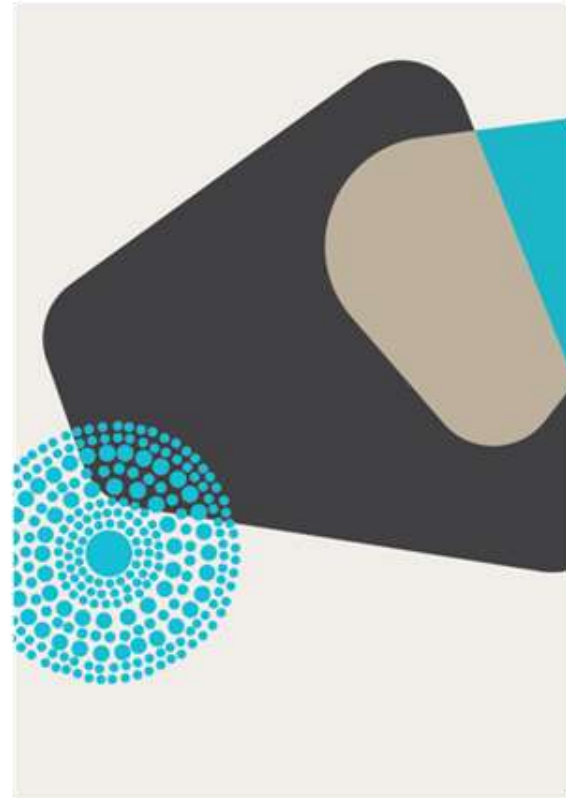
GRAPHIC TREATMENT



waterways
symbol



GRAPHIC TREATMENT



Graphics working together to create a distinctive visual,
recognisable even without showing any of the other assets.



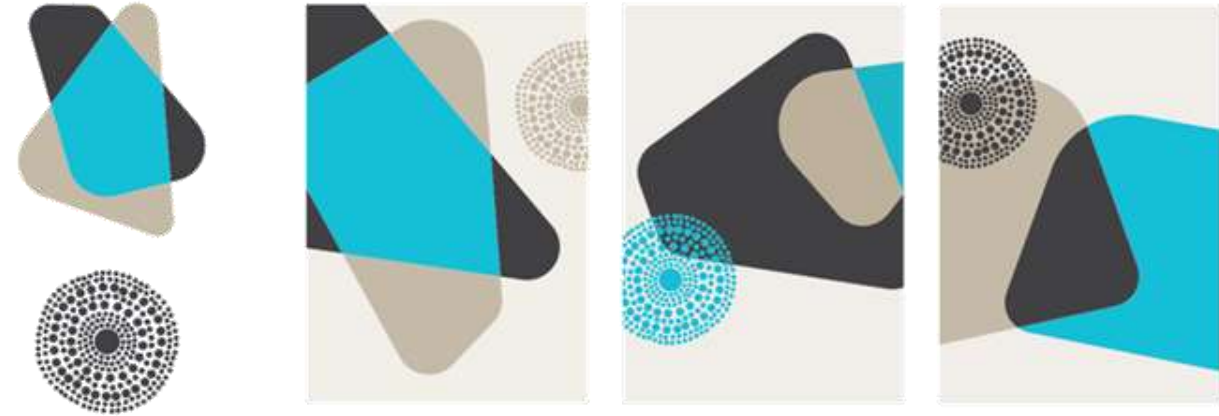
BRAND ASSETS OVERVIEW



Logo



Graphic Treatment



Colour



Type

abcDEF123
abcDEF123
abcDEF123
abcDEF123
abcDEF123

Photography



A FLEXIBLE IDENTITY SYSTEM



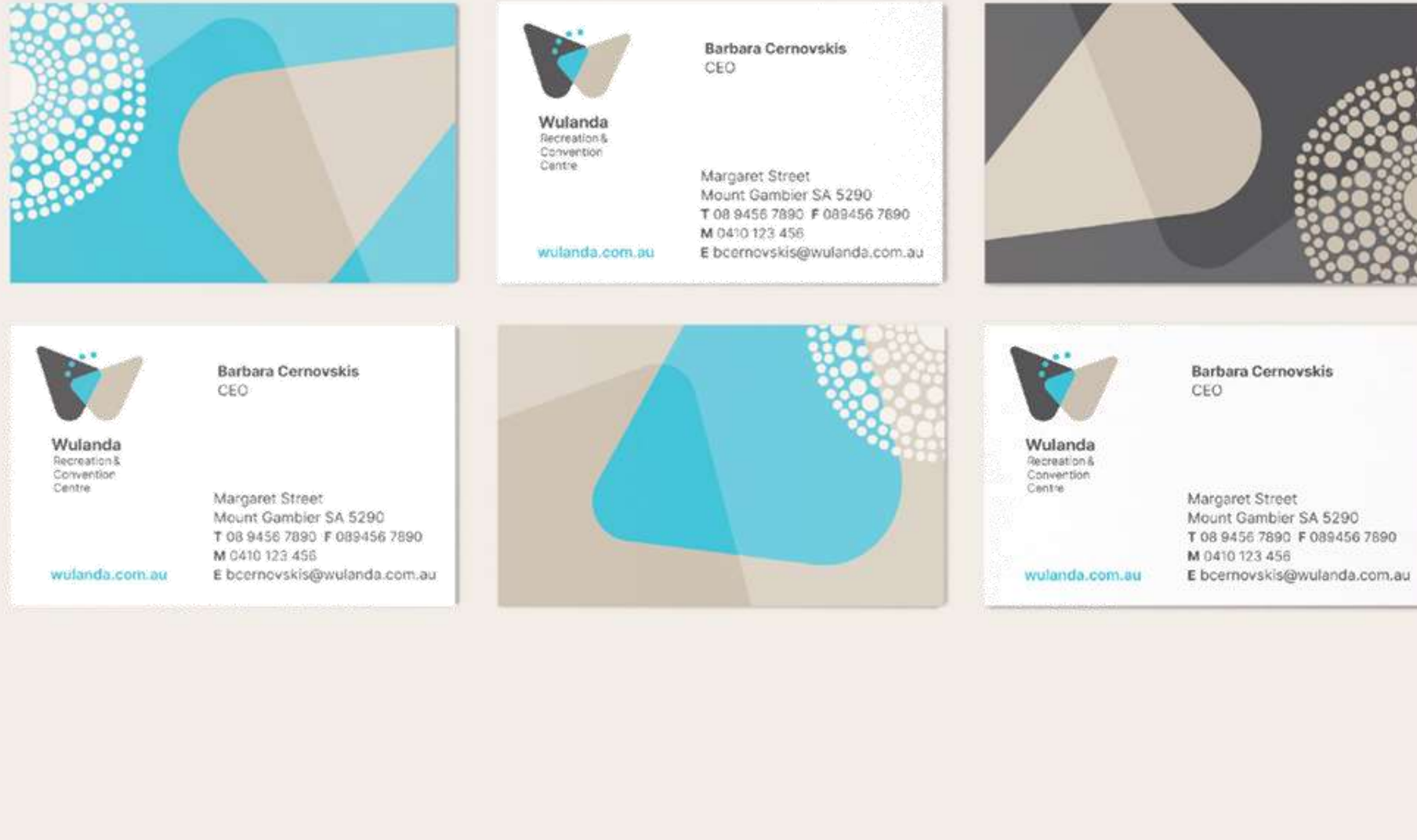
Brand assets can work together in different ways to provide tonal variations to communications.



EXPRESSIVE CONSERVATIVE



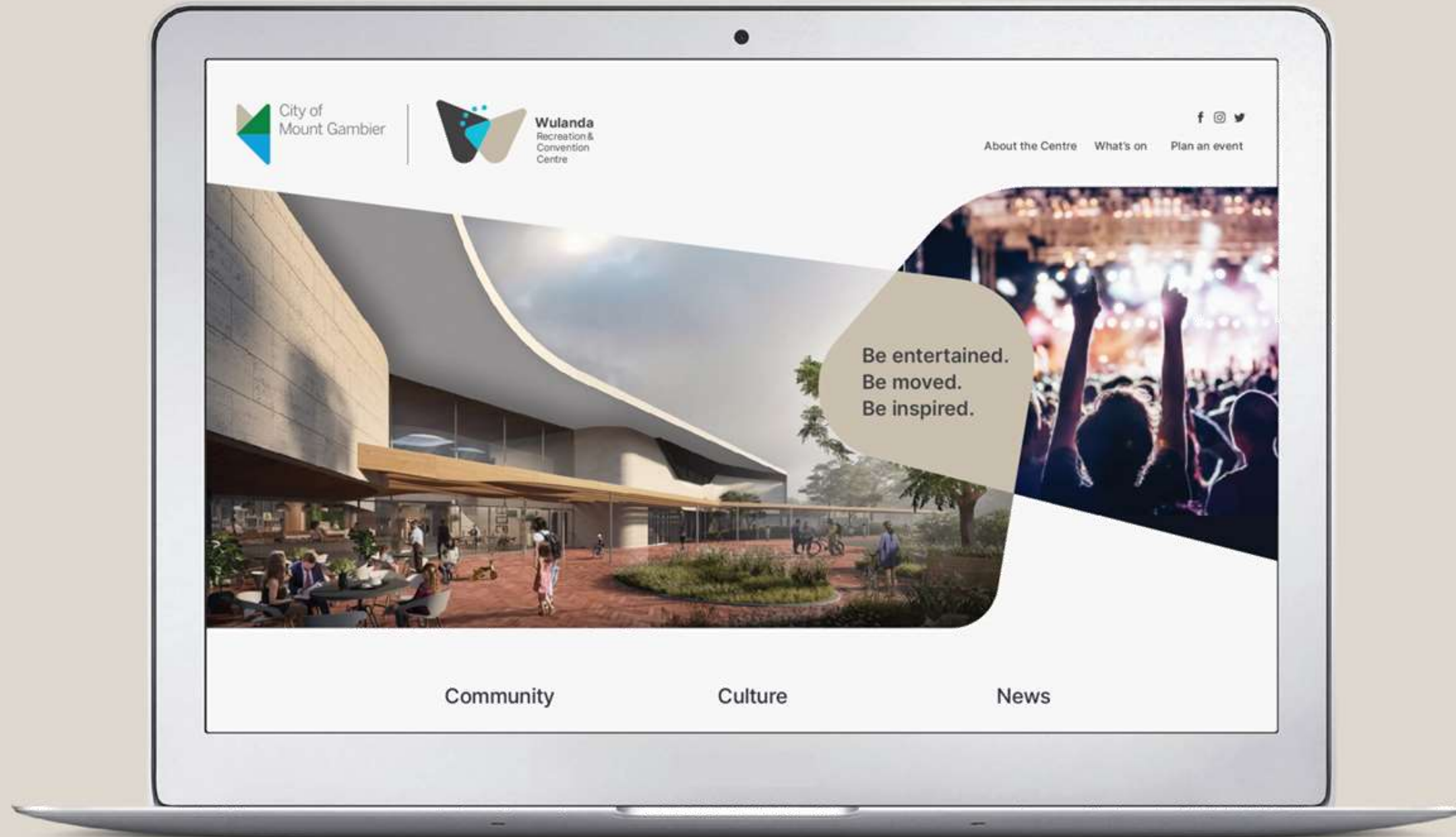
BUSINESS CARD & LANYARD



POSTERS



WEBSITE



MERCHANDISE



25 MOTIONS WITH NOTICE

25.1 NOTICE OF MOTION - RESIGNATION OF ECONOMIC & ENVIRONMENT COMMITTEE PRESIDING MEMBER

Meeting: Council
CM9 Reference: AF20/446
Member: Christian Greco, Councillor

I, Councillor Christian Greco, give notice that at the next Ordinary Meeting of Council to be held on 18 May 2021, I intend to move the following motion:

MOTION

1. That Council Report No. AR21/25923 titled 'Notice of Motion - Resignation of Economic & Environment Committee Presiding Member' as presented on 18 May 2021 be noted.
2. That the resignation of Cr Christian Greco from the position of Presiding Member of the Economic & Environment Committee be noted and accepted.
3. That a nomination process (and if necessary, a secret ballot) be conducted forthwith for the position of Economic and Environment Committee Presiding Member, as follows:
 - (a) The term of appointment for the Presiding Member of the Economic and Environment Committee be until the commencement of the next election caretaker period, or such earlier time as Council may determine.
 - (b) The Chief Executive Officer (or any other Senior Officer present) shall be the returning officer to count votes, draw lots (if/as necessary) and declare the ballot result.
 - (c) A nominee need not be present at the meeting but must have provided a written acceptance to the Chief Executive Officer prior to consideration.
 - (d) The Mayor may vote on the question of Presiding Member appointment.
 - (e) A Member not in his or her seat at the meeting does not vote.
 - (f) The candidate with the highest number of votes (or where two or more candidates receive the equal highest number of votes the first name drawn in a lot) shall be declared as being appointed to the position of Presiding Member.
 - (g) A division cannot be called for on the ballot result as declared.
 - (h) The Mayor may accept a motion to endorse the ballot result, however the motion shall have no effect on the ballot result as declared.

RATIONALE

In putting forward my interest for the role of Deputy Mayor I undertook to step down as the Presiding Member of the Economic & Environment Committee. I hereby notify Council of my formal resignation from this committee position, creating a vacancy.

I have attached an extract of clause 12.5 of Council's Conduct of Meetings Policy C410 together with relevant Motions for a process to be conducted to nominate and appoint my replacement.

I commend this Notice of Motion to Council.

ATTACHMENTS

1. Extract from Policy C410 Conduct of Meetings - Clause 12.5 [↓](#)



12.5 APPOINTMENT TO COMMITTEES AND OTHER BODIES AND ORGANISATIONS

This policy provision applies when Council has been requested or is required to nominate or appoint a Member or any other person to fill a vacant position on any Committee or as delegate/representative on an outside body or organisation.

Where these policy provisions are inconsistent with any legislative or statutory provisions or the Terms of Reference or other governing instrument of any Committee or other body or organisation, then those other provisions shall apply and override this policy (with the exception that Council may, subject to any statutory prohibitions, override the Terms of Reference of its own Committees)

The Chief Executive Officer shall notify Members of the request and/or requirements associated with the vacancy, including details of the Committee/Body/Organisation Terms of Reference and other relevant information, and will seek a written nomination of any Elected Member, Council Officer or other person with appropriate qualifications and/or experience.

Where Council is required under a legislative or some other requirement under Terms of Reference to seek community or independent nominees to Committee positions, then a public notice shall be published in a newspaper circulating in the area seeking interested persons to nominate within 21 days (or such other period as may be required). Such nominees may also be sought through a targeted process to identify suitable nominees.

The Chief Executive Officer shall present details of all nominees for vacant positions to the next available Council meeting together with a recommendation and draft resolutions that Council may endorse a secret ballot voting process and appoint the Chief Executive Officer (or any other Senior Officer present at the meeting) as Returning Officer to declare the result and draw lots (if/as necessary).

The following shall apply to the appointment of Committee Members and delegates/representatives on other bodies and organisations:

- A nominee need not be present at the meeting, but must provide a written acceptance to the Chief Executive Officer prior to consideration.
- Candidate nominees should display the qualities sought to fill the vacant position including relevant skills, experience and interests.
- Prior to commencing the secret ballot process, by passing a resolution, Council:
 - i. may determine not to nominate or appoint any person to fill a vacancy.
 - ii. should determine the term to apply to the nomination/appointment, that may survive the next general/periodic election.
- The Mayor may vote on the question of position appointments to Committee's and other bodies and organisation's.
- A Member not in his or her seat at the meeting does not vote.
- The candidate with the highest number of votes (or where two or more candidates receive the equal highest number of votes the first name drawn in the lot) shall be declared as being nominated/appointed to the vacant position.
- A division cannot be called for when a vote on the question of appointing a person to fill a vacant position is taken.
- The Mayor may (but is not required to) accept a motion to endorse the filling of the vacant position however any failure or variation of the motion shall be of no effect on the result of the secret ballot.
- Council may determine to appoint proxies/deputies to certain positions to ensure representation in the absence of selected members/delegates/representatives.



25.2 NOTICE OF MOTION - WULANDA RECREATION AND CONVENTION CENTRE MEMBERSHIP

Meeting: Council
CM9 Reference: AF20/446
Member: Steven Perryman, Councillor

I, Councillor Steven Perryman, give notice that at the next Ordinary Meeting of Council to be held on 18 May 2021, I intend to move the following motion:

MOTION

1. That Council Report No. AR21/28693 titled 'Notice of Motion - Wulanda Recreation and Convention Centre Membership' as presented on 18 May 2021 be noted.
2. That, pending further review of Council's committee structure, meeting schedule and membership at an Elected Member Workshop to be convened with the incoming Chief Executive Officer, the membership of the Council's Wulanda Recreation and Convention Centre Committee be amended by replacing the words '*eight Councillors*' with '*up to eight Councillors*' in clause 5.1 of the Committee Terms of Reference.
3. That I, Cr Perryman, resign from the Wulanda Recreation and Convention Centre Committee effective immediately, with resulting membership of the committee comprising seven Councillors.

RATIONALE

At a previous Council meeting I made comment about the membership of the Wulanda Recreation and Convention Centre Committee and my view that it is inappropriate for the whole Council to be on a Committee.

I would advise of my resignation, but I don't think that is sufficient in the circumstances as Council has endorsed by resolution the Committee Terms of Reference including membership as eight Councillors, so a resolution to amend the Terms of Reference would be required to give it effect.

Noting that an Elected Member Workshop is to be convened with the incoming Chief Executive Officer to review Council's committee structure, meeting schedule and membership of Standing Committees, including membership of the Wulanda Recreation and Convention Centre Committee, I present this motion to amend the Committee membership in the meantime to facilitate my resignation.

I commend this Notice of Motion to Council.

ATTACHMENTS

1. DRAFT Amended Terms of Reference - Wulanda Recreation and Convention Centre Committee - Proposed Membership Change 20/04/2021 [↓](#)





Wulanda Recreation and Convention Centre Committee

TERMS OF REFERENCE

A Committee of Council Established
pursuant to the provisions of Section 41
of the Local Government Act 1999.

Terms of Reference for the conduct of the business of the Wulanda Recreation and Convention Centre Committee were approved and adopted by the City of Mount Gambier at its meeting held on INSERT MEETING DATE.



Wulanda Recreation and Convention Centre Committee

The Wulanda Recreation and Convention Centre Committee has been established to:

- provide advice to assist Council in decision making on matters associated with the grant funding and development of the Wulanda Recreation and Convention Centre;
- conduct and/or assist with stakeholder and community engagement;
- assist with advocacy that supports Council's resolved position on the Wulanda Recreation and Convention Centre; and
- to provide strategic advice regarding the building and operationalisation of the Wulanda Recreation and Convention Centre.



Wulanda Recreation and Convention Centre Committee

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1 NAME

- 1.1 The name of the Council Committee shall be the Wulanda Recreation and Convention Centre Committee (in these Terms of Reference referred to as "the Committee").

2 INTERPRETATION

- 2.1 For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context:
- 2.1.1 "Act" means the Local Government Act 1999 and includes all Regulations and Schedules.
- 2.1.2 "Committee" means the Committee of Council established pursuant to clause 3.
- 2.1.3 "Committee Member" means the persons appointed by the Council to the Committee pursuant to clause 5.
- 2.1.4 "Commencement Date" means the date on which the Committee is established and becomes operative pursuant to clause 3.
- 2.1.5 "Council" means the City of Mount Gambier that established the Committee and to which the Committee reports.
- 2.1.6 "Presiding Member of the Committee of Council" means the person appointed to that position pursuant to clause 5.
- 2.1.7 "Observers" means those persons attending any meeting of the Committee of Council, but not having a vote on any matter to be determined by the Committee and not having been appointed as Committee Members.
- 2.1.8 "Sub-Committee" means a sub-committee established in accordance with the Act.
- 2.2 Any words, phrases or terms used in these Terms of Reference that are defined in the Act shall have the same meaning as are given in the Act.
- 2.3 A reference in these Terms of Reference to a "singular" includes a reference to the "plural" and a reference to a "plural" includes a reference to the "singular".
- 2.4 These Terms of Reference shall be interpreted in line with the provisions of the Act.
- 2.5 Notices
- 2.5.1 All communication to be given to the Committee shall be addressed to:
- Wulanda Recreation and Convention Centre
Committee PO Box 56
MOUNT GAMBIER SA 5290
Email: city@mountgambier.sa.gov.au

3 ESTABLISHMENT

- 3.1 The Wulanda Recreation and Convention Centre Committee is established under Section 41 of the Local Government Act 1999.
- 3.2 The Committee will be established and become operative from the time a resolution of the Council is passed.
- 3.3 The Committee is established by the Council to provide considered advice to assist decision making on matters associated with the development of a Wulanda Recreation and Convention Centre.



4 OBJECTIVES

- 4.1 The Wulanda Recreation and Convention Centre Committee has been established to:
- provide advice to assist Council in decision making on matters associated with the grant application and development of the Wulanda Recreation and Convention Centre;
 - conduct and/or assist with stakeholder and community engagement;
 - assist with advocacy that supports Council's resolved position on the Wulanda Recreation and Convention Centre;
 - to provide strategic advice regarding the design and operationalisation of the Wulanda Recreation and Convention Centre; and
 - to make recommendations to Council on the future name of the Wulanda Recreation and Convention Centre.

5 MEMBERSHIP

- 5.1 Membership of the Committee will comprise up to eight Councillors.
- 5.2 The Mayor has Ex-Officio membership on this Committee.
- 5.3 The Committee has the right to co-opt individual members who have special expertise to assist the Committee under its objective. Such co-opted members have the right to attend meetings and participate in discussion but will have no voting rights on the Committee.
- 5.4 Council will appoint a Presiding Member.
- 5.5 Council reserves the right not to appoint any nominee, to remove and replace any co-opted member.

6 QUORUM

- 6.1 At all Meetings of the Committee a quorum must be present.
- 6.2 A quorum will be determined by dividing by 2 the number of Members formally appointed to the Committee ignoring any fraction and adding 1 (excluding Mayor as ex-officio).

7 MEETINGS OF THE COMMITTEE

- 7.1 The Committee shall hold ordinary meetings at least bi-monthly.
- 7.2 No business shall be transacted at any meeting of the Committee unless a quorum of Members is present.
- 7.3 The Presiding Member, when physically present, shall preside at all meetings of the Committee and at any other time the Committee shall appoint an Acting Presiding Member who shall preside at that meeting.
- 7.4 Each Member of the Committee including the Presiding Member present at any meeting of the Committee must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.
- 7.5 Each Member of the Committee including the Presiding Member present at any meeting of the Committee shall have one deliberate vote only.

8 PROCEDURES AT MEETINGS

- 8.1 The procedure to be observed in relation to the conduct of meetings of the Committee is in accordance with Local Government (Procedures at Meetings) Regulations 2013.



- 8.2 In accordance with s89 of the Act, insofar as a procedure is not prescribed by regulation, it shall be as determined by the Council, and insofar as a procedure is not determined by the Council, it shall be as determined by the Committee itself.

9 LIABILITY OF THE COMMITTEE

- 9.1 A liability incurred by the Committee rests against Council.
- 9.2 No liability attaches to a Member of the Committee for an honest act or omission by that Member of the Committee in the performance or discharge, or purported performance or discharge, of the Member's or the Committee's functions or duties.
- 9.3 All members of the committee are bound by the Council Member Code of Conduct as published in accordance with Section 63 of the Act.

10 DELEGATION

- 10.1 The Committee has no delegation to act with all recommendations of the Committee (and of any Sub-Committees established by the Committee) to be considered by final Council for final decision and resolution.

11 SUB-COMMITTEES

- 11.1 The Committee may establish a Sub-Committee to assist it in a matter directly related to the Committees objectives.
- 11.2 When establishing a Sub-Committee the Committee must set out the Terms of Reference for the Sub-Committee.
- 11.3 The Committee may appoint to a Sub-Committee Council Members who are not members of the Committee, Council Officers and members of the public with skills or expertise in a field relevant to the matters which the Sub-Committee is established to assist with.
- 11.4 A Sub-Committee established in accordance with this clause will report to the Committee and will have the same meeting notice, minute keeping and procedural obligations as the Committee as defined in the Act.
- 11.5 If a Sub-Committee Member is absent from 2 or more consecutive meetings of the Sub-Committee without an apology accepted by the Committee and Council then that Sub-Committee Members position shall be considered vacant.
- 11.6 If a Sub-Committee established under this Clause 14 fails to achieve quorum on 2 consecutive occasions then the Sub-Committee will be considered to be in recess and the Chief Executive Officer is to present a report to the Committee for consideration.

12 MINUTES OF THE COMMITTEE

- 12.1 The CEO or his appointee must cause minutes to be kept of the proceedings of the Committee.
- 12.2 Minutes of the Committee shall be available to all Members of the Committee, Council and the public.
- 12.3 The Minutes of the proceedings of a meeting are to comply with the requirements of the Act.
- 12.4 Minutes of the Committee Meeting shall be submitted for confirmation at the next meeting of the Committee and if confirmed, shall be signed by the Presiding Member or other person presiding at the subsequent meeting.



12.5 Minutes of the Committee Meeting and any recommendations (including the minutes and recommendations of any Sub-Committee established by the Committee) shall be submitted to Council and shall be of no effect until endorsed as a resolution of Council.

13 AMENDMENTS TO TERMS OF REFERENCE

13.1 It will be lawful for the Council by resolution to revoke, vary or add to any of the provisions of these Terms of Reference at its own discretion within the parameters of the Act and any other relevant legislation.

13.2 Notwithstanding 16.1 hereof before the Council resolves to revoke, vary or add to any of the provisions of these Terms of Reference it may, but will be under no obligation, to obtain the opinion of the Committee.

14 INTERPRETATION OF TERMS OF REFERENCE

14.1 Should there be any dispute as to the definition and/or interpretation of these Terms of Reference, or any part thereof or any irregularities whatsoever that are unable to be resolved by the Presiding Member then the Council shall determine the dispute and the decision of the Council shall be final and binding.

15 WINDING UP

15.1 The Council may cease the operation of the Committee and the Committee may make such recommendation to the Council on the completion of its function.

| [14 April](#) 2021



26 URGENT MOTIONS WITHOUT NOTICE



27 CONFIDENTIAL ITEMS OF COMMITTEES

27.1 CONFIDENTIAL ITEMS OF THE ECONOMIC AND ENVIRONMENT COMMITTEE HELD ON 3 MAY 2021

27.2 Sale of Land for Non-Payment of Rates

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 Mezinec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers B Cernovskis, D Barber, T Coote, M McDonald, M McCarthy, S McLean and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.2 AR21/12850 Sale of Land for Non-Payment of Rates.

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 item includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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 AR21/12850 Sale of Land for Non-Payment of Rates 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 the later of:- 12 months or the matter being settled.
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*.



27.3 Sale of Land for Non-Payment of Rates

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, M McDonald, M McCarthy, S McLean and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.3 AR21/13122 Sale of Land for Non-Payment of Rates.

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 item includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)..

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 6.2 AR21/13122 Sale of Land for Non-Payment of Rates 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 the later of:- 12 months or the matter being settled.
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*.



27.4 CONFIDENTIAL ITEMS OF THE WULANDA RECREATION AND CONVENTION CENTRE COMMITTEE HELD ON 11 MAY 2021

27.5 Project Control Group (PCG) Progress Report - As at 02/05/2021

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 Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers B Cernovskis, D Barber, T Coote, M McDonald, M McCarthy, S McLean and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.5 AR21/26211 Project Control Group (PCG) Progress Report - As at 02/05/2021.

The Council is satisfied that, pursuant to section 90(3) (b) and (d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which 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.

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 disclosure of information associated with this report could reasonably be expected to prejudice the commercial position of the third party as the present matter relates to the signed contracts between Council, BADGE, Turner and Townsend, Design Inc and Rider Levett Bucknall for the construction of the Wulanda Recreation and Convention Centre. The disclosure of this information at this time is considered on balance to be contrary to the public's interest as it would unreasonably expose the sensitive interest of the third party.



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 AR21/26211 Project Control Group (PCG) Progress Report - As at 02/05/2021 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) and (d) be kept confidential and not available for public inspection until 12 months after completion of the project.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



28 NEW CONFIDENTIAL ITEMS

Nil

29 MEETING CLOSE



COMMITTEE MINUTES

AND

REPORTS / ATTACHMENTS

**MINUTES OF CITY OF MOUNT GAMBIER ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER ON TUESDAY, 20 APRIL 2021 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Sonya Meziniec, Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood and Cr Paul Jenner

OFFICERS IN ATTENDANCE:	Acting Chief Executive Officer	- Ms B Cernovskis
	Acting General Manager City Infrastructure	- Mr M McDonald
	General Manager Share Services	- Mr D Barber
	General Manager City Growth	- Mr T Coote
	Manager Governance and Property	- Mr M McCarthy
	Media and Communications Coordinator	- Ms S McLean
	Executive Administration Officer	- Mrs M Telford

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 2021/91

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

That the apology from Cr Frank Morello and Cr Steven Perryman be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2021/92

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

That the minutes of the Ordinary Council meeting held on 16 March 2021, the Special Council meeting held on 11 March 2021, the Special Council Meeting held on 16 March 2021 and the Special Council meeting held on 23 March 2021 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

5 MAYORAL REPORT

- Weekly LCLGA Mayor's Virtual Meeting
- Paraquad SA Meeting
- Opening of Exhibitions at Riddoch Art and Cultural Centre: Subliminal and Shifting Art
- Radio Interview with 5GTR-FM
- Presentation to Year 4/5 Students at McDonald Park School
- Special Meeting of Council – Wulanda Recreation and Convention Centre
- Elected Members Workshop – Annual Budget Preparation
- Filming – Open Space Project
- Presentation at Limestone Coast Leadership Program
- Weekly LCLGA Mayor's Virtual Meeting
- Key 2 Real Estate – Official Opening
- Flag Off at City of Mount Gambier 8 Hour Pedal Prix
- Official Opening St John's Mount Gambier Centre
- Presentation Dinner – Lions Club of Blue Lake City Lioness Charter
- Attendance at Arrival of First QantasLink flight into Mount Gambier
- Meeting with James Morrison Music Academy
- Presentation by Mayor Martin to Mount Gambier High School Flexible Learning Students
- Stand Like Stone – Back to School Presentation
- Elected Members Workshop – Wulanda Branding – Return Brief
- Elected Members Workshop – Effects on the Timber Industry – China Ban – GTFIH
- Presentation of Awards - Easter Showjumping Festival – Blue Lake Sports Park
- People and Place Committee Meeting
- Elected Members Workshop – Annual Budget Preparation
- LCLGA General Meeting – Naracoorte Lucindale Council
- Elected Member Workshop – Strategic Planning
- RFDS Mount Gambier Support Group – Fundraiser Dinner at the Drome
- 60 Year Celebration of Kimberly-Clark Millicent Mill
- Meeting re Mount Gambier Private Hospital, Member for Mount Gambier, Member for Barker
- Wulanda Recreation and Convention Centre Committee Meeting
- Yazidi New Year Festival
- Members Workshop – Annual Budget Preparation
- Virtual Meeting LGA Sector Briefing with Premier Steven Marshall and Deputy Premier Vickie Chapman
- Radio Interview 5GTR-FM

RESOLUTION 2021/93

Moved: Mayor Lynette Martin

Seconded: Cr Ben Hood

That the Mayoral report made on 20 April 2021 be received.

CARRIED

6 REPORTS FROM COUNCILLORS

Cr Max Bruins	Royal Flying Doctor Service Fundraising Dinner
Cr Ben Hood	Royal Flying Doctor Service Fundraising Dinner
Cr Paul Jenner	2 Regional Roads Transport Meetings Group Training Employment Board Meeting

RESOLUTION 2021/94

Moved: Cr Christian Greco

Seconded: Cr Sonya Meziniec

That the reports made by Councillors on 20 April 2021 be received.

CARRIED**7 QUESTIONS WITH NOTICE**

Nil

8 QUESTIONS WITHOUT NOTICE

Nil

9 PETITIONS

Nil

10 DEPUTATIONS**10.1 DEPUTATION - MR TONY ELLETSON, LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION STARCLUB FIELD OFFICER AND LIMESTONE COAST REGIONAL SPORTS ACADEMY****RESOLUTION 2021/95**

Moved: Cr Ben Hood

Seconded: Cr Sonya Meziniec

1. That Council Report No. AR21/21960 titled 'Deputation - Mr Tony Elletson, Limestone Coast Local Government Association STARCLUB Field Officer and Limestone Coast Regional Sports Academy' as presented on 20 April 2021 be noted.

CARRIED

10.2 DEPUTATION- OLIVIA LUCY-ANNE LAUTERBACH AND IMOGEN MADELINE MARGARET LINES - POSSIBLE CHILDREN'S PLAYGROUND - MATTHEW FLINDERS RESERVE**RESOLUTION 2021/96**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That the deputation from Olivia Lucy-Anne Lauterback and Imogen Madeline Margaret Lines be noted.

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

Nil

12 ELECTED MEMBERS WORKSHOPS**12.1 ELECTED MEMBER WORKSHOP FROM 11/03/2021 TO 16/04/2021****RESOLUTION 2021/97**

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

1. That Council Report No. AR21/1604 titled 'Elected Member Workshop from 11/03/2021 to 16/04/2021' as presented on 20 April 2021 be noted.

CARRIED**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT****13.1 MEMBER TRAINING REQUEST - CR PAUL JENNER - PUBLIC LIGHTING WORKING GROUP WORKSHOP****RESOLUTION 2021/98**

Moved: Cr Max Bruins

Seconded: Cr Christian Greco

1. That Council Report No. AR21/22433 titled 'Member Training Request - Cr Paul Jenner - Public Lighting Working Group workshop' as presented on 20 April 2021 be noted.
2. That, having considered the cost and benefit to Council and having determined that attendance at Public Lighting Working Group workshop is directly or closely related to the performance or discharge of the roles or duties of a Member of Council;
 - (a) Council support the attendance of Cr Paul Jenner at the Public Lighting Working Group workshop in Adelaide on Friday 4 June 2021.
 - (b) Costs associated with travel and accommodation for attendance be reimbursed/borne by Council up to the value of \$500.

- (c) Cr Paul Jenner submit a written report for presentation at the Member Reports agenda item at the next practicable Council meeting, in accordance with Council Policy M500.

CARRIED

14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 16/03/2021

RESOLUTION 2021/99

Moved: Cr Paul Jenner
Seconded: Cr Christian Greco

1. That Council Report No. AR21/1581 titled 'Council Action Items - 16/03/2021' as presented on 20 April 2021 be noted.

CARRIED

15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS

16.1 MINUTES OF THE PEOPLE AND PLACE COMMITTEE HELD ON 6 APRIL 2021

RESOLUTION 2021/100

Moved: Cr Sonya Meziniec
Seconded: Cr Max Bruins

That the Minutes of the People and Place Committee meeting held on 6 April 2021 as attached be noted.

CARRIED

16.2 POLICY REVIEW - D230 - DONATIONS AUTHORITY TO APPROVE REQUESTS - REPORT NO. AR21/18417**RESOLUTION 2021/101**

Moved: Cr Max Bruins

Seconded: Cr Christian Greco

1. That People and Place Committee Report No. AR21/18417 titled 'Policy Review - D230 - Donations Authority to Approve Requests' as presented on 06 April 2021 be noted.
2. That the updated Council Policy D230 - Donations Authority to Approve Requests as attached to Report No. AR21/18417 be endorsed.

CARRIED**16.3 PROGRESS REPORT - SPORT, RECREATION AND OPEN SPACE STRATEGY - REPORT NO. AR21/18899****RESOLUTION 2021/102**

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

1. That People and Place Committee Report No. AR21/18899 titled 'Progress Report - Sport, Recreation and Open Space Strategy' as presented on 06 April 2021 be noted.

CARRIED**16.4 LOCAL GOVERNMENT INFRASTRUCTURE PARTNERSHIP PROGRAM - REPORT NO. AR21/18903****RESOLUTION 2021/103**

Moved: Cr Paul Jenner

Seconded: Cr Kate Amoroso

1. That People and Place Committee Report No. AR21/18903 titled 'Local Government Infrastructure Partnership Program' as presented on 06 April 2021 be noted.

CARRIED

17 WULANDA AND RECREATION AND CONVENTION CENTRE COMMITTEE MINUTES AND RECOMMENDATIONS**17.1 MINUTES OF THE WULANDA RECREATION AND CONVENTION CENTRE COMMITTEE HELD ON 13 APRIL 2021****RESOLUTION 2021/104**

Moved: Cr Ben Hood
Seconded: Cr Christian Greco

That the Minutes of the Wulanda Recreation and Convention Centre Committee meeting held on 13 April 2021 as attached be noted.

CARRIED**18 COUNCIL ASSESSMENT PANEL MINUTES****18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 18 MARCH 2021****RESOLUTION 2021/105**

Moved: Cr Paul Jenner
Seconded: Cr Max Bruins

That the Minutes of the Council Assessment Panel meeting held on 18 March 2021 as previously circulated be noted.

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

Nil

20 AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS**20.1 MINUTES OF THE AUDIT COMMITTEE HELD ON 12 APRIL 2021****RESOLUTION 2021/106**

Moved: Cr Sonya Mezinac
Seconded: Cr Christian Greco

That the Minutes of the Audit Committee meeting held on 12 April 2021 as attached be noted.

CARRIED

20.2 REVIEW OF TERMS OF REFERENCE - REPORT NO. AR21/20133**RESOLUTION 2021/107**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR21/20133 titled 'Review of terms of reference' as presented on 12 April 2021 be noted.
2. That the Audit Committee terms of reference be reviewed and presented to next meeting.

CARRIED**20.3 AUDIT COMMITTEE WORKS PROGRAM - REPORT NO. AR21/19856****RESOLUTION 2021/108**

Moved: Cr Sonya Meziniec

Seconded: Cr Kate Amoroso

1. That Audit Committee Report No. AR21/19856 titled 'Audit Committee Works Program' as presented on 12 April 2021 be noted.

CARRIED**20.4 QUARTERLY BUDGET REVIEW 2 - 2020/21 - REPORT NO. AR21/19238****RESOLUTION 2021/109**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR21/19238 titled 'Quarterly Budget Review 2 - 2020/21' as presented on 12 April 2021 be noted.
2. That the Audit Committee note the adoption of the following resulting from the second quarterly Budget Review for 2020-21:
 - 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**20.5 INTERNAL CONTROLS - PROPOSED BUDGET PROCESS IMPROVEMENTS - REPORT NO. AR21/19525**

RESOLUTION 2021/110

Moved: Cr Sonya Meziniec

Seconded: Cr Kate Amoroso

1. That Audit Committee Report No. AR21/19525 titled 'Internal Controls - Proposed Budget process improvements' as presented on 12 April 2021 be noted.

CARRIED**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 FUNDING LOCAL GOVERNMENT INFRASTRUCTURE PARTNERSHIP PROGRAM PROJECT****RESOLUTION 2021/111**

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

1. That Council Report No. AR21/21155 titled 'Funding Local Government Infrastructure Partnership Program Project' as presented on 20 April 2021 be noted.
2. Following receipt of an invitation to participate in the Local Government Finance Authority's LGIPP discounted loan package, Council authorises the execution of an annexure to Convertible Cash Advance Debenture (CAD) 104 loan agreement including authorising the Chief Executive Officer and Mayor to sign and affix Council's Common Seal to any documents to enact this decision, noting the effect of the annexure is that a discounted interest rate of 1.30% (being 0.75% off the Local Government Finance Authority's current standard variable rate of 2.05%) will apply to a portion (\$0.8M) of CAD 104 and is for a three-year term from date of establishment.

CARRIED**25 MOTIONS WITH NOTICE****25.1 NOTICE OF MOTION - WULANDA RECREATION AND CONVENTION CENTRE MEMBERSHIP**

The motion associated with Item 25.1 lapsed for want of a mover.

26 URGENT MOTIONS WITHOUT NOTICE

Nil

27 CONFIDENTIAL ITEMS OF COMMITTEES**27.1 CONFIDENTIAL ITEMS OF THE PEOPLE AND PLACE COMMITTEE HELD ON 6 APRIL 2021****27.2 ROAD OPENING PROCESS - PINEHALL AVENUE - REPORT NO. AR21/12277****RESOLUTION 2021/112**

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

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 and P Jenner and Council Officers B Cernovskis, M McDonald, D Barber, T Coote, M McCarthy, S McLean and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.2 AR21/12277 Road Opening Process - Pinehall Avenue.

The Council is satisfied that, pursuant to section 90(3) (a), (b), (d) and (i) 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

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.

- information relating to:
 - actual litigation, or
 - litigation that the Council or Council committee believes on reasonable grounds will take place,
 - involving the Council or an employee of the Council

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be considered relates to the compulsory acquisition of land for road opening purposes for which the owner has not engaged in negotiations and it is reasonably considered will result in litigation.

CARRIED

RESOLUTION 2021/113

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

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 AR21/12277 Road Opening Process - Pinehall Avenue 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 (i) be kept confidential and not available for public inspection until the acquisition of the subject land has been settled and any court actions finalised.
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

27.3 CONFIDENTIAL ITEMS OF THE AUDIT COMMITTEE HELD ON 12 APRIL 2021**27.4 TENDER FOR EXTERNAL AUDIT SERVICES FOR FY2022 TO FY2025 - REPORT NO. AR21/20765****RESOLUTION 2021/114**

Moved: Cr Sonya Meziniec

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 OAM L Martin, Councillors S Meziniec, K Amoroso, M Bruins, C Greco, B Hood and P Jenner and Council Officers B Cernovskis, M McDonald, D Barber, T Coote, M McCarthy, S McLean and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.4 AR21/20765 Tender for External Audit Services for FY2022 to FY2025.

The Council is satisfied that, pursuant to section 90(3) (k) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- 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 this item relates to the discussion and recommendation of tenders for external audit services.

CARRIED

RESOLUTION 2021/115

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

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 AR21/20765 Tender for External Audit Services for FY2022 to FY2025 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) (k) be kept confidential and not available for public inspection until two years after the recommendation of external audit services.
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

27.5 CONFIDENTIAL ITEMS OF THE WULANDA RECREATION AND CONVENTION CENTRE COMMITTEE HELD ON 13 APRIL 2021**27.6 WULANDA RECREATION AND CONVENTION CENTRE BRANDING - REPORT NO. AR21/19990****RESOLUTION 2021/116**

Moved: Cr Ben Hood

Seconded: Cr Paul Jenner

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 Mezinac, K Amoroso, M Bruins, C Greco, B Hood and P Jenner and Council Officers B Cernovskis, M McDonald, D Barber, T Coote, M McCarthy, S McLean and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.6 AR21/19990 Wulanda Recreation and Convention Centre Branding.

The Council is satisfied that, pursuant to section 90(3) (b) and (d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which 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.

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 disclosure of information associated with this report could benefit one or more participants bidding for the provision of Council services and prejudice Council's bargaining in this area. It would potentially be of detriment to the Council in achieving best value for the provision of services to release this information at this time. The disclosure of this information at this time is considered on balance to be contrary to the public's interest as it would prejudice the Council in obtaining best value services on behalf of our community.

CARRIED

RESOLUTION 2021/117

Moved: Cr Paul Jenner

Seconded: Cr Ben Hood

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 AR21/19990 Wulanda Recreation and Convention Centre Branding 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) and (d) be kept confidential and not available for public inspection until two years have elapsed. The information relating to the name of the successful provider and contract value is to be released to the public following the execution of a signed contract with the chosen company.
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**27.7 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 05/04/2021 - REPORT NO. AR21/20559****RESOLUTION 2021/118**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

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 and P Jenner and Council Officers B Cernovskis, M McDonald, D Barber, T Coote, M McCarthy, S McLean and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.7 AR21/20559 Project Control Group (PCG) Progress Report - As at 05/04/2021.

The Council is satisfied that, pursuant to section 90(3) (b) and (d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which 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.

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 disclosure of information associated with this report could reasonably be expected to prejudice the commercial position of the third party as the present matter relates to the signed contracts between Council, BADGE, Turner and Townsend, Design Inc and Rider Levett Bucknall for the construction of the Wulanda Recreation and Convention Centre.

The disclosure of this information at this time is considered on balance to be contrary to the public's interest as it would unreasonably expose the sensitive interest of the third party.

CARRIED

RESOLUTION 2021/119

Moved: Cr Ben Hood

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 5.2 AR21/20559 Project Control Group (PCG) Progress Report - As at 05/04/2021 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) and (d) be kept confidential and not available for public inspection until 12 months after completion of the project.
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

27.8 WULANDA RECREATION AND CONVENTION CENTRE - STAGE 3 COMMUNITY REFERENCE GROUP - MEMBERSHIP RECOMMENDATIONS - REPORT NO. AR21/16985

RESOLUTION 2021/120

Moved: Cr Ben Hood

Seconded: Cr Sonya Meziniec

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 and P Jenner and Council Officers B Cernovskis, M McDonald, D Barber, T Coote, M McCarthy, S McLean and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.8 AR21/16985 Wulanda Recreation and Convention Centre - Stage 3 Community Reference Group - Membership Recommendations.

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 contained and to be discussed includes personal affairs of the proposed Community Reference Group members.

CARRIED

RESOLUTION 2021/121

Moved: Cr Ben Hood

Seconded: Cr Sonya Meziniec

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 5.3 AR21/16985 Wulanda Recreation and Convention Centre - Stage 3 Community Reference Group - Membership Recommendations 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*.

CARRIED

28 NEW CONFIDENTIAL ITEMS**28.1 COUNTRY ARTS SA - SIR ROBERT HELPMANN THEATRE MASTER PLAN - REPORT NO. AR21/21895****RESOLUTION 2021/122**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

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 and P Jenner and Council Officers B Cernovskis, M McDonald, D Barber, T Coote, M McCarthy, S McLean and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 28.1 AR21/21895 Country Arts SA - Sir Robert Helpmann Theatre Master Plan.

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 matters for consideration include information provided in-confidence by another public authority thus creating a duty of confidence, as well as information that, if disclosed, could prejudice the commercial position of the Council in negotiations as well as confer an advantage on a third party with whom Council may be proposing to enter into a contractual arrangements.

CARRIED

RESOLUTION 2021/123

Moved: Cr Ben Hood
Seconded: Cr Sonya Meziniec

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 AR21/21895 Country Arts SA - Sir Robert Helpmann Theatre Master Plan 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 the proposal has been fully executed or 12 months after Council has abandoned any actions in relation to the proposal, 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*.

CARRIED

29 MEETING CLOSE

The Meeting closed at 6.58 p.m.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 18 May 2021.

.....
PRESIDING MEMBER

**MINUTES OF CITY OF MOUNT GAMBIER
ECONOMIC AND ENVIRONMENT COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON MONDAY, 3 MAY 2021 AT 5.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Christian Greco, Cr Max Bruins, Cr Paul Jenner, Cr Sonya Meziniec, Cr Frank Morello

OFFICERS IN ATTENDANCE:	Acting Chief Executive Officer	- Ms B Cernovskis
	Acting General Manager City Infrastructure	- Mr M McDonald
	General Manager City Growth	- Mr T Coote
	General Manager Shared Services	- Mr D Barber
	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 Christian Greco

Seconded: Cr Frank Morello

That the apology(ies) from Cr Ben Hood be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Mayor Lynette Martin

That the minutes of the Economic and Environment Committee meeting held on 2 November 2020 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

5 REPORTS

5.1 RESERVE - CORNER OF WEHL STREET NORTH AND WIRELESS ROAD WEST

COMMITTEE RECOMMENDATION

Moved: Cr Christian Greco
Seconded: Mayor Lynette Martin

1. That Economic and Environment Committee Report No. AR21/24351 titled 'Reserve - Corner of Wehl Street North and Wireless Road West' as presented on 03 May 2021 be noted.
2. Council engage a suitably qualified landscape architect to prepare a design for the development of the reserve as proposed by the developer in consultation with the developer and for the further consideration of Council prior to its implementation.
3. Council contribute towards the proposed development as part of the required Open Space Contribution associated with the land division as recently approved by Council.

AMENDMENT

Moved: Cr Max Bruins
Seconded: Cr Paul Jenner

1. That Economic and Environment Committee Report No. AR21/24351 titled 'Reserve - Corner of Wehl Street North and Wireless Road West' as presented on 03 May 2021 be noted.
2. Council engage a suitably qualified landscape architect up to the value of \$10,000 to prepare a design for the development of the reserve as proposed by the developer in consultation with the developer and for the further consideration of Council prior to its implementation.
3. That the designs and quotes from the landscape architect be presented as a report to Council to assess any financial contribution.

The Amendment was put and

CARRIED

The Amendment became the Motion

COMMITTEE RESOLUTION

Moved: Cr Max Bruins
Seconded: Cr Paul Jenner

1. That Economic and Environment Committee Report No. AR21/24351 titled 'Reserve - Corner of Wehl Street North and Wireless Road West' as presented on 03 May 2021 be noted.
2. Council engage a suitably qualified landscape architect up to the value of \$10,000 to prepare a design for the development of the reserve as proposed by the developer in consultation with the developer and for the further consideration of Council prior to its implementation.
3. That the designs and quotes from the landscape architect be presented as a report to Council to assess any financial contribution.

CARRIED

6 CONFIDENTIAL ITEMS

6.1 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR21/12850

COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors C Greco, M Bruins, P Jenner, S Meziniec and F Morello and Council Officers B Cernovskis, D Barber, T Coote, M McDonald and S Wilson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 6.1 AR21/12850 Sale of Land for Non-Payment of Rates.

The Economic and Environment Committee 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 Economic and Environment 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 the item includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Sonya Meziniec

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 AR21/12850 Sale of Land for Non-Payment of Rates 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 the later of:- 12 months or the matter being settled.
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

6.2 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR21/13122

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Mayor Lynette Martin

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors C Greco, M Bruins, P Jenner, S Meziniec and F Morello and Council Officers B Cernovskis, D Barber, T Coote, M McDonald and S Wilson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 6.2 AR21/13122 Sale of Land for Non-Payment of Rates.

The Economic and Environment Committee 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 Economic and Environment 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 the item includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

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 6.2 AR21/13122 Sale of Land for Non-Payment of Rates 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 the later of:- 12 months or the matter being settled.
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 5.51 pm.

The minutes of this meeting were confirmed at the Economic and Environment Committee held on 5 July 2021.

.....
PRESIDING MEMBER

**15.2 RESERVE - CORNER OF WEHL STREET NORTH AND WIRELESS ROAD WEST –
REPORT NO. AR21/24351**

Committee:	Economic and Environment Committee
Meeting Date:	3 May 2021
Report No.:	AR21/24351
CM9 Reference:	AF20/456
Author:	Tracy Tzioutziouklaris, Manager Development Services
Authoriser:	Tim Coote, General Manager City Growth
Summary:	Council has received a request to develop the reserve on the corner of Wehl Street North and Wireless Road West as an Urban Nature Park
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 Economic and Environment Committee Report No. AR21/24351 titled 'Reserve - Corner of Wehl Street North and Wireless Road West' as presented on 03 May 2021 be noted.
2. Council engage a suitably qualified landscape architect to prepare a design for the development of the reserve as proposed by the developer in consultation with the developer and for the further consideration of Council prior to its implementation.
3. Council contribute towards the proposed development as part of the required Open Space Contribution associated with the land division as recently approved by Council.



TYPE OF REPORT

Other

BACKGROUND

As part of the land division to create the residential allotments within the subject locality of Wehl Street North and Wireless Road West the developer was required (by the Development Act) to either:

1. Provide 12.5% in area of the land to be developed to be vested in the Council to be held as public open space; or
2. Make a monetary contribution prescribed by the Development Regulations.

When this locality was first developed the developer provided an amount of land available to be developed as a reserve on the corner of Wehl Street North and Wireless Road West. This land has been vested in Council and the land has been maintained to a low standard with minimal improvements for a lengthy period of time.

It is highlighted that the development of this area had not been completed due to a strategically located piece of land being in different ownership.

PROPOSAL

The developer now owns all of the land within the subject locality and is now in a position to complete this area for residential development.

A land division has recently been approved creating 44 residential allotments (DA 381/D010/2020). A copy of the approved plan of division is attached for Members information.

As part of the approval for this land division the developer was required to pay \$137,104 into the Council Open Space Fund (44 allotment @ \$3,116/allotment) rather than the provision of additional land to be developed as open space.

The developer by letter dated 30th March, 2021 requested a meeting with Council to discuss a concept design for the reserve on the corner of Wehl Street North and Wireless Road West. A copy of the letter and a copy of the Concept design is also attached to this report for Members information and perusal. At this time the developer also requested if part of the open space fee could be reduced or contributed towards the proposed development of the reserve.

A meeting was held with the developer, the General Manager City Growth, Acting General Manager City Infrastructure, Manager Operations and Engineering and Manager Development Services on the 15th April, 2021 to discuss the proposal.

At this time the ability to develop the reserve as an urban nature park was discussed including the following features:

- A pond and overflow pond as part of the stormwater management for the area
- Nature play area; and
- Improved landscaping including trees, park seating

This would help to minimise the amount of regular maintenance required for the reserve including mowing and improve the amenity value and character of the subject locality.

Council is unable to reduce the payment to Council's Open Space Fund as this is a legislated requirement implemented as part of the development approval for the Land Division. However, Council is able to use the money within the Open Space Fund towards improvements and the development of public open spaces.



LEGAL IMPLICATIONS

The design of the proposed urban nature park will need to be prepared through the receipt of appropriate landscape design to ensure any features are suitable to be placed within a public place to minimise any risk to Council.

STRATEGIC PLAN

Open spaces are important as they provide places for people to meet, socialise, play and connect and access to these areas is associated with increased physical activity and improved mental health. The goals of the Strategic Plan which this proposal relates include Our People, Our Location and Our Diverse Economy and Our Climate, Natural Resources, Arts, Culture and Heritage. Prime references to the Strategic Plan include 1.2, 1.3, 1.4, 2.1, 3.2, 3.3, 4.2, 4.3 and 4.4.

COUNCIL POLICY

Council is currently working on the preparation of a Sport, Recreation and Open Spaces Strategy. This strategy is currently on community consultation/engagement.

ECONOMIC IMPLICATIONS

The development of the reserve will require an investment of money into the reserve. The benefits of undertaking an upgrade of this reserve will also have economic benefits through an improved urban environment and improved health and well being for the community.

ENVIRONMENTAL IMPLICATIONS

Open spaces and reserves play an important role in minimising environmental impacts through the planting of trees and the management of the quality of stormwater

SOCIAL IMPLICATIONS

Open spaces and reserves add value to the quality and amenity of the urban environment and provide opportunities for people to meet, socialise, play and connect.

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

Council is responsible for the ongoing maintenance of the reserve. The proposal to upgrade the reserve may involve a financial contribution from Council, however as part of the proposal it is hoped the final design could reduce the ongoing maintenance work required to be undertaken by Council.

Council currently uses money available through the Open Space Fund towards the upgrade of reserves and open spaces throughout the City.

VALUE FOR MONEY

There is no current budget allocation for the upgrade of this reserve. Council could use the open space contribution to be paid by the developer towards this project. Council could also negotiate an agreement with the developer to jointly undertake this project.

RISK IMPLICATIONS

Community risk can be managed through the development of an appropriate landscape design for a community/public space.

EQUALITIES AND DIVERSITY IMPLICATIONS

As public open space, the community as a whole is able to access and use the reserve. An appropriate landscape design would include ways to manage these implications.

ENGAGEMENT AND COMMUNICATION STRATEGY

N/A



IMPLEMENTATION STRATEGY

This would be managed by a project plan and proposed timeline for work upon the satisfactory development of an appropriate landscape design/plan.

CONCLUSION AND RECOMMENDATION

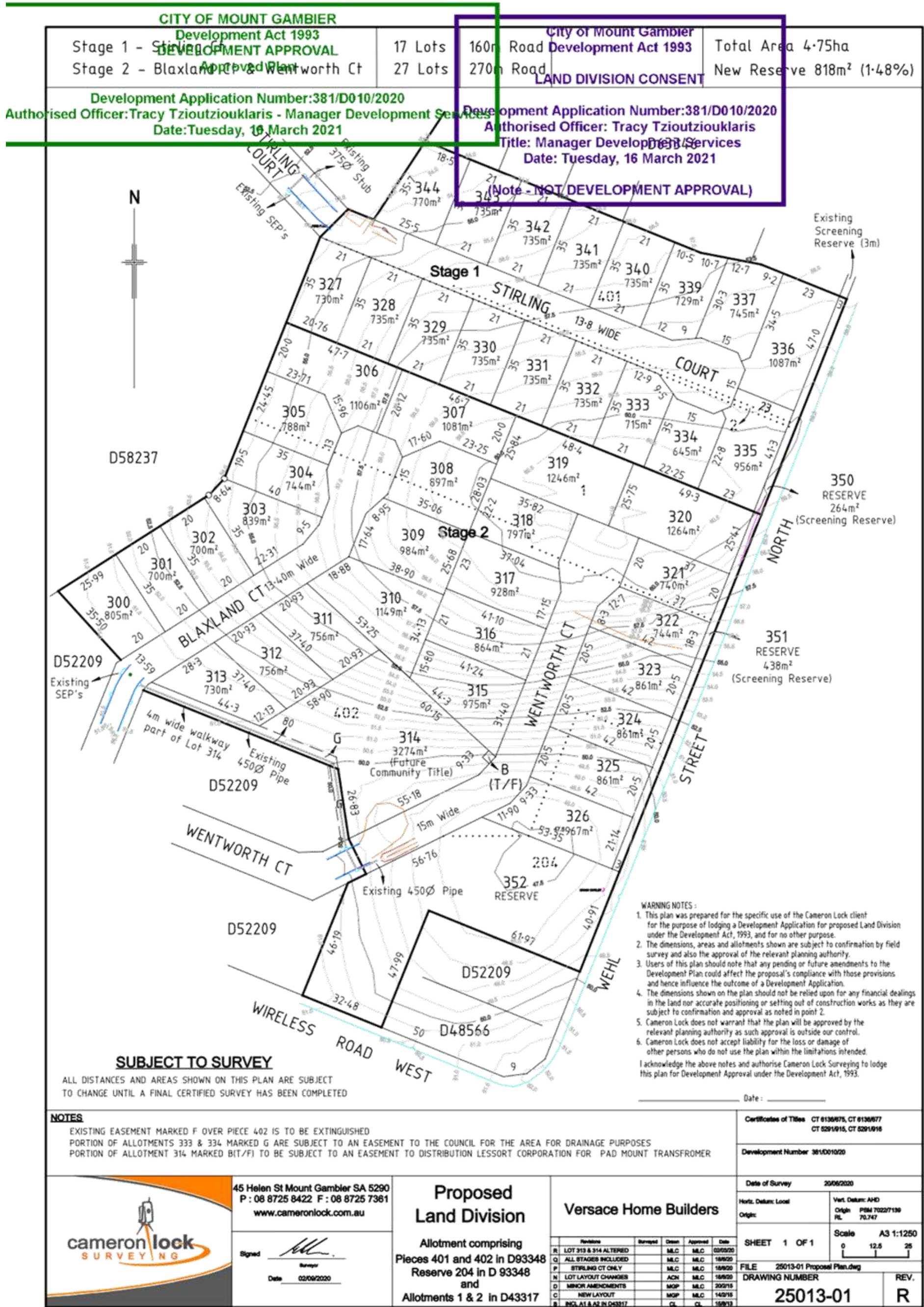
Open spaces and reserves are an important asset throughout the City. Council needs to determine if it is willing to upgrade the existing reserve as approached by the developer, and whether it is willing to contribute towards the proposed development as part of the required Open Space Contribution associated with the land division as recently approved by Council.

Prior to proceeding with the development of the reserve, Council engage a suitably qualified landscape architect to develop a concept plan and design for the reserve including costs in consultation with the developer, Versace Home Builders.

ATTACHMENTS

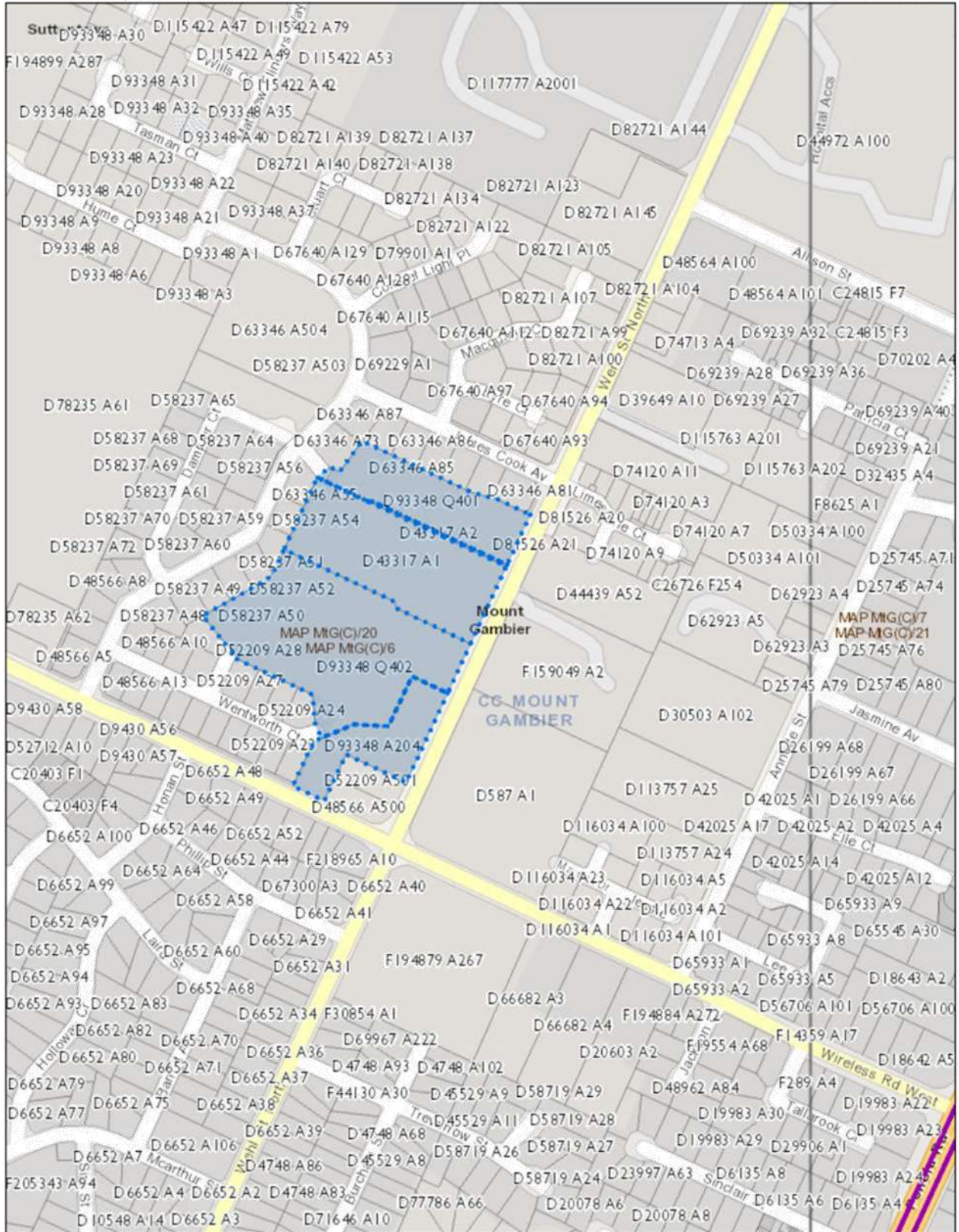
1. Approved Plans - DA 381/0393/2020 - DA 381/D010/2020 - 211 Wehl Street North, Mount Gambier
2. Request to Meet - Reserve - Corner of Wehl Street North and Wireless Road West, Mount Gambier - Versace Home Builders
3. Concept Plan - Reserve - Corner of Wehl Street North and Wireless Road West, Mount Gambier - Versace Home Builders





This product was generated by PLB Pro

Date created: September 8, 2020



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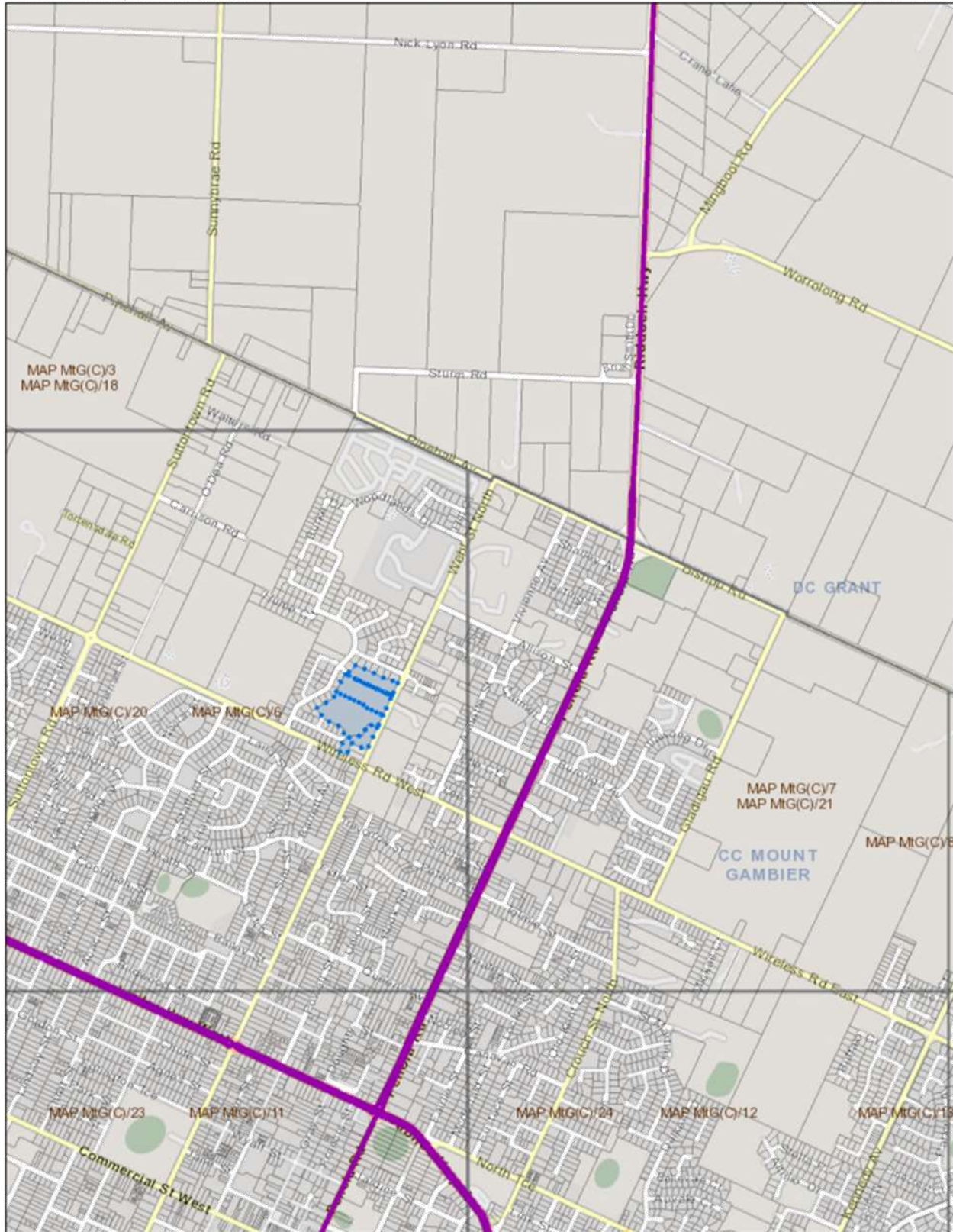
PLB Pro - developed by DPTI GIS Office

DPTI.GISOffice@sa.gov.au



This product was generated by PLB Pro

Date created: September 8, 2020



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DPTI.GISOffice@sa.gov.au



GOVERNMENT ADMINISTRATIVE INTERESTS

- **Land Division interests**

381/D009/99 - withdrawn

- No Environmental Protection Act interests
- No State Heritage interests
- No Aboriginal Heritage interests

Record on the Property Interests System for this property at the date of lodgement of the application

Other Government Departments may have administrative interests recorded but this has not been searched by the Planning Services Branch of the Department of Planning, Transport and Infrastructure

NOTE: The Certificate of Title should be checked for registered interests e.g. Land Management Agreements





Contact
Telephone
Email

Planning Services
7109 7016
dldptipdclearanceletters@sa.gov.au

State Commission
Assessment Panel

Level 5
50 Flinders Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

08 7109 7061

10 September 2020

Chief Executive Officer
City of Mount Gambier
PO Box 56
MOUNT GAMBIER SA 5290

Dear Sir/Madam

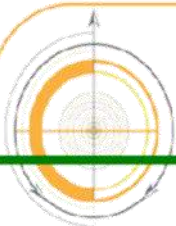
**Re: Proposed Development Application No. 381/D010/20 (ID 69192)
for Land Division by Caroem Pty Ltd**

I refer to the enclosed application received at this office and advise that the State Commission Assessment Panel (SCAP) will, within the prescribed time, forward to Council its report in accordance with Regulation 29 of the Development Regulations and any requirements under Section 33 (1) (c) of the Development Act.

Yours faithfully

A handwritten signature in blue ink that reads 'Biljana B.'.

Biljana Prokic
LAND DIVISION COORDINATOR – PLANNING SERVICES
as delegate of the
STATE COMMISSION ASSESSMENT PANEL



WRIGHT CIVIL ENGINEERING

CITY OF MOUNT GAMBIER
Development Act 1993
DEVELOPMENT APPROVAL
Approved Plan

Development Application Number:381/D010/2020
Authorised Officer:Tracy Tzioutziouklaris - Manager Development Services
Date:Tuesday, 16 March 2021

PRELIMINARY STORMWATER MANAGEMENT PLAN

PROJECT: PROPOSED DEVELOPMENT,
BLAXLAND, WENTWORTH, AND
STIRLING COURT DIVISION
MOUNT GAMBIER

REF: SCDD 075
PREPARED: TIM WRIGHT MIEAUST, CPENG
ISSUE: 1
DATE: NOVEMBER 2020

City of Mount Gambier
Development Act 1993

LAND DIVISION CONSENT

Development Application Number:381/D010/2020
Authorised Officer: Tracy Tzioutziouklaris
Title: Manager Development Services
Date: Tuesday, 16 March 2021

(Note - NOT DEVELOPMENT APPROVAL)

Wright Civil Engineering Pty Ltd
ABN 25 150 804 425

PO BOX 2243.
BAKERY HILL VIC 3354



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1.2	EPA Requirements	2
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	Appendix C Land Division Plan	
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1 Introduction

1.1 Background

The Blaxland, Wentworth and Stirling Court division creates 44 allotments, reserves, and road extensions north west of the intersection of Wireless Road West and Wehl Street North, Mount Gambier.

The aim of this report is to provide details on the ability of the site to manage the increased stormwater created by the division, and clarify ownership and maintenance obligations, in the form of a Preliminary Stormwater Management Plan.

The SWMP is developed to meet the performance criteria set out in the EPA publication 'EPA Guidelines for Stormwater Management in Mount Gambier'.

This is achieved by utilizing the natural limestone infiltration characteristics combined with the retention basin, infiltration bore and gross pollution traps to achieve 1:100 year retention (EPA require a minimum of 1:1 year retention) while also meeting the pollution reduction targets set out in the Guidelines.

1.2 EPA Requirements

The requirements of the EPA are outlined in their letter dated 13th April 2018, which also includes reference to:

- *EPA Guidelines for Stormwater Management in Mount Gambier* (EPA, 2007)
- *Water Sensitive Urban Design – Greater Adelaide Region Technical Manual* (Department of Planning and Local Government, 2010)
- *Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry* (EPA, 1999)

1.3 Information Provided

Our assessment is based on the following information provided:

- Proposed Land Division Plan (Cameron Lock, Rev O, June 2020)
- EPA letter 'Development Application Information Request', EPA Reference: 34906, Dated 21st October 2020
- Proposed Road and Drainage Works Plan, Overall Site Catchment Plan (Scott Campbell Design and Drafting, Rev 1, September 2020)
- Proposed Road and Drainage Works Plan, Concept Basin Design (Scott Campbell Design and Drafting, Rev 1, September 2020)



2 Assessment

2.1 Site Analysis

The proposed basin is in the South East corner of the estate, bounded by Wehl Street North, to the east, and Wireless Road West to the south.

The areas draining to the proposed retention basin are Catchments CA2, CA3, and CA4, while Catchment CA1 drains to an existing basin – refer to Figure 2.1 below. The total catchment to the proposed basin consists of 4.65 Ha of development area.

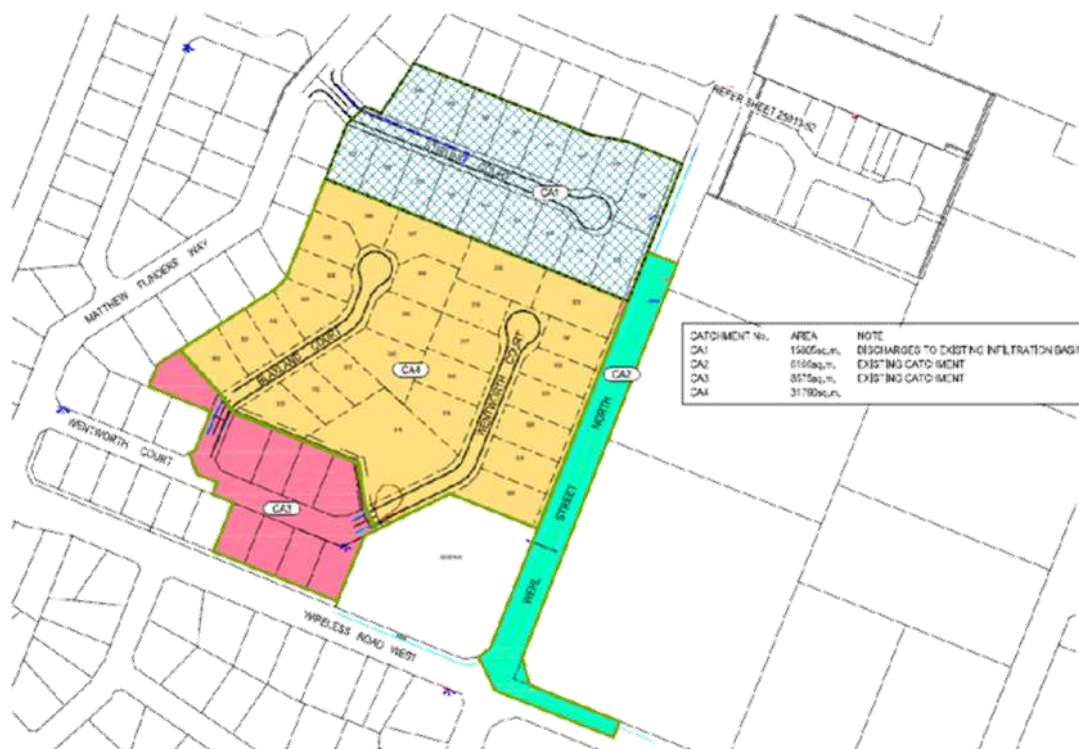


Figure 2.1 Wehl Street South East Basin Catchment Plan

The engineering survey of the existing basin has been examined to determine its height-area- storage relationship, as summarised in Table 2.1.

Table 2.1 Retention Basin Height-Area-Storage Relationship

Height (mAHD)	Surface Area (m ²)	Volume (m ³)
47.4	700	0
47.9	1024	430



2.2 Basin Design for Retention and Treatment

The proposed basin will provide both retention and stormwater treatment to be compliant with the *EPA Guidelines for Stormwater Management in Mount Gambier* (EPA, 2007). This basis of design calls for the following:

- Storage and disposal of 'everyday' minor rainfall events, up to the 1 year ARI 1 hour duration event, via infiltration through the basin floor
- Disposal of flows in excess of this threshold via a drainage bore, with sufficient storage within the basin to contain the 100 year ARI event.

A typical section of this arrangement is shown below.

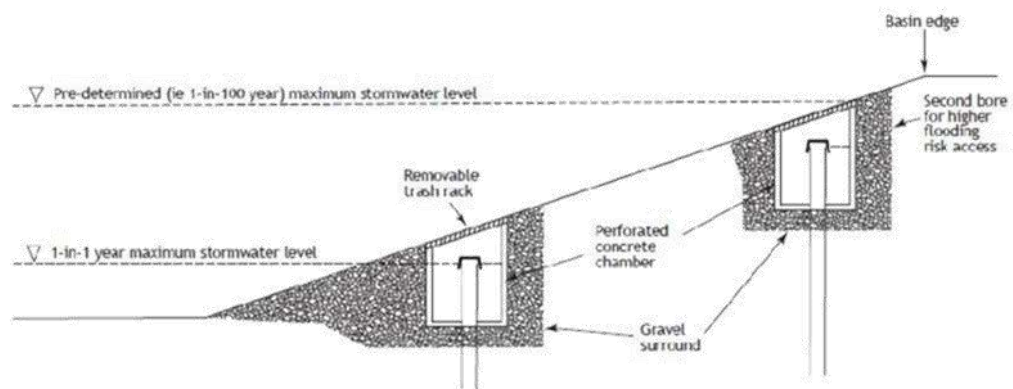


Figure 2.2 Retention Basin Typical Section (EPA, 2007)

For this Preliminary SWMP we have calculated the 1:100-year retention volume to be 403 m³. We propose to calculate the 1:1 volume during detailed design, which will set the level of the lower of the two bores shown in Figure 2.2 above.

- High Level Outlet (1:100-year event): To achieve retention volume of 403m³ for major rainfall events, is approximately 47.9 AHD.
- Low Level Outlet (1:1-year event): To be confirmed during detailed design (and reported in the Final SWMP)

To achieve the 1:100-year retention volume the basin will be approximately 200mm deep.

2.3 Evaluation

2.3.1 Minor storm retention, disposal by infiltration

A MUSIC stormwater model has been established to evaluate the long-term performance of the proposed arrangement.

6 minute rainfall data recorded at Mount Gambier Aerodrome (Station 026021, Jan 1942 – July 2010) was selected as an input to the model. The MUSIC model was established to reflect the basin as an infiltration basin, with overflows passing through a proposed gross pollutant trap (SPEL Stormceptor), with the receiving node representing the existing drainage bore.

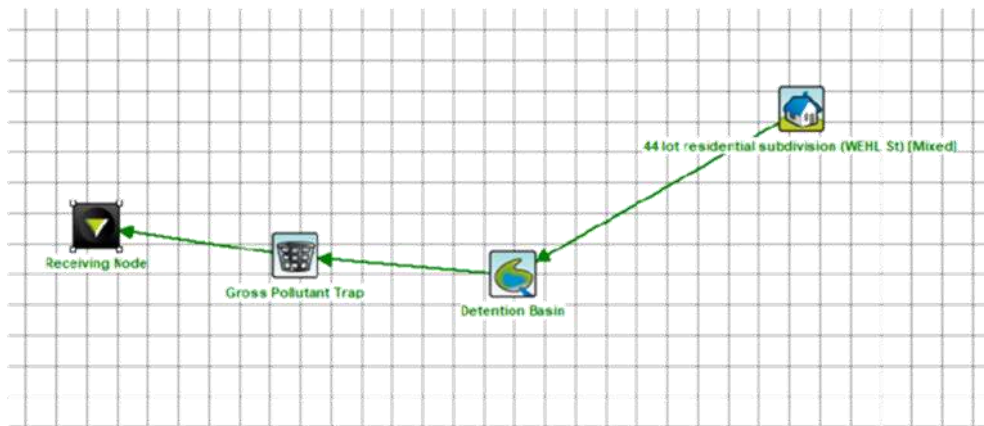


Figure 2.3 Meadows Estate MUSIC Model Arrangement

A conservative infiltration rate of 3.6 mm/hr was adopted for the basin. We believe the actual infiltration rates will be closer to 30mm/hr but will adopt 3.6mm/hr at this stage until we have the actual infiltration results.

The MUSIC model found that 69% of the total flow volume is disposed by infiltration (i.e. only 31% disposed via the drainage bore).

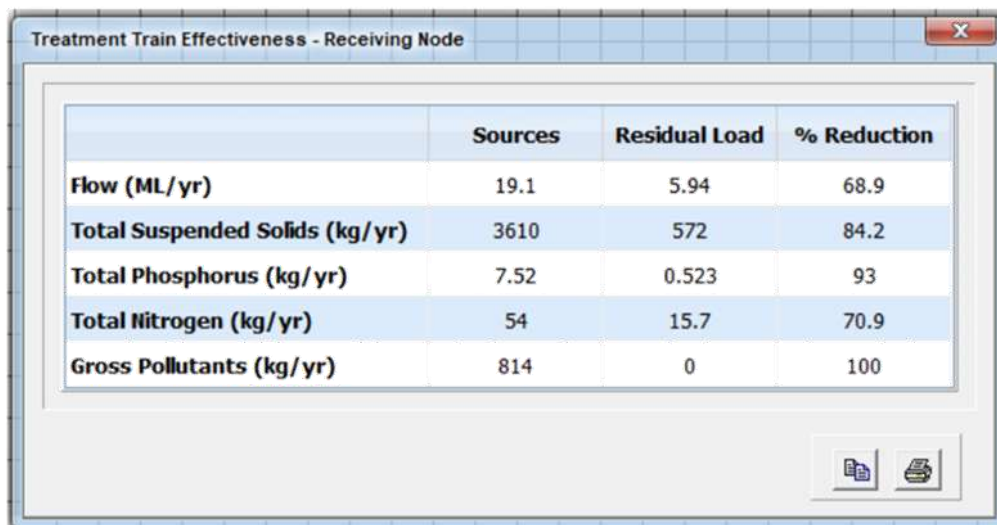
2.3.2 Water Quality Improvement

The MUSIC modelling results confirms that the water quality improvement prior to drainage bore discharge would be achieved as summarised in Table 2.2.

Table 2.2 Water Quality Improvement Summary

Pollutant	Reduction Achieved	EPA Target
Total Suspended Solids	84.2%	80%
Total Phosphorus	93%	60%
Total Nitrogen	70.9%	45%
Gross Pollutants	100%	90%





	Sources	Residual Load	% Reduction
Flow (ML/yr)	19.1	5.94	68.9
Total Suspended Solids (kg/yr)	3610	572	84.2
Total Phosphorus (kg/yr)	7.52	0.523	93
Total Nitrogen (kg/yr)	54	15.7	70.9
Gross Pollutants (kg/yr)	814	0	100

Figure 2.4 MUSIC Model Treatment Train Effectiveness at Receiving Node

2.3.3 Major Storm Retention

The proposed basin has a storage volume of 430m³ available at an AHD of 47.9m (0.2m deep).

Stormwater Retention computations have been carried out based on maintaining Pre-Development flows and determining the retention volume based on the site's Time of Concentration.

Please refer to Appendix C – Stormwater Retention Basin Layout Plan

And Appendix D – Catchment Spreadsheet

2.4 Maintenance Responsibilities

The existing basin and associated drainage assets will be under the care, control, and ownership of the City of Mount Gambier. There may be a 12 – 18-month maintenance period immediately after completion of works before the City of Mount Gambier accept ownership.

2.5 Construction

A preliminary Environmental Management Plan has been prepared to provide guidance on the measures that should be considered during construction to mitigate against adverse impacts during the land development and building construction stages.

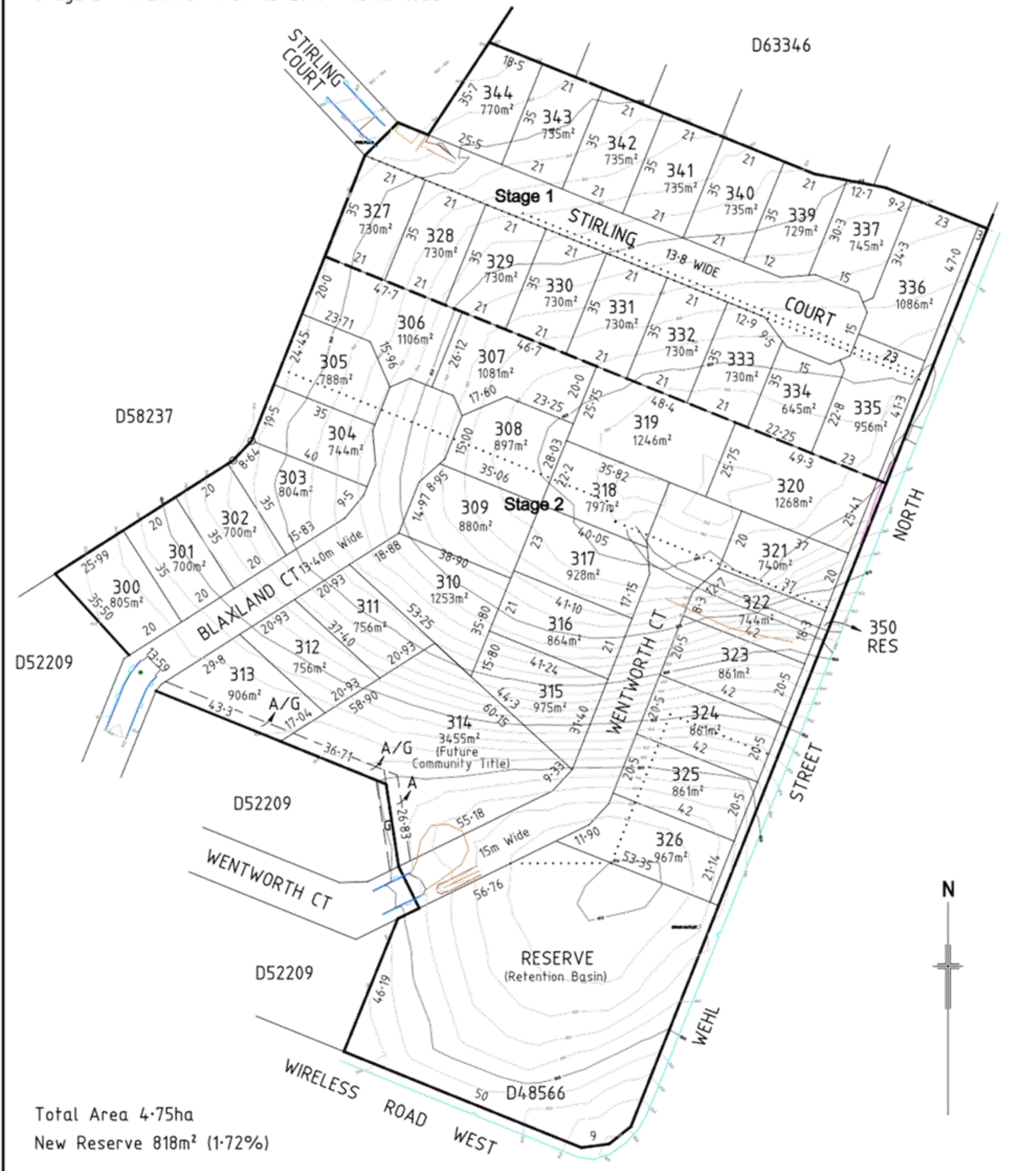
This plan is contained in Appendix B.

APPENDIX A

LAND DIVISION PLAN



Stage 1 - Stirling Ct 17 Lots 160m Road
 Stage 2 - Blaxland Ct 14 Lots 120m Road
 Stage 3 - Wentworth Ct 13 Lots 150m Road



Total Area 4.75ha
 New Reserve 818m² (1.72%)

NOTES

PORTION OF ALLOTMENTS 306, 328, & 338 MARKED F ARE SUBJECT TO AN EASEMENT TO THE DISTRIBUTION LESSOR CORPORATION FOR ELECTRICITY SUPPLY PURPOSES
 PORTION OF ALLOTMENTS 333 & 334 MARKED G ARE SUBJECT TO AN EASEMENT TO THE COUNCIL FOR THE AREA FOR DRAINAGE PURPOSES
 EXISTING EASEMENT MARKED F OVER PIECE 402 IS TO BE EXTINGUISHED



45 Helen St Mount Gambler SA 5290
 P : 08 8725 8422 F : 08 8725 7361
 www.cameronlock.com.au

Signed _____
 Date _____

Proposed Land Division

Allotment comprising
 Pieces 401 and 402 in D93348
 and
 Allotments 1 & 2 in D43317

Versace Home Builders

Revisions	Surveyed	Drawn	Approved	Date
O ALL STAGES INCLUDED		M.L.C.	M.L.C.	18/02/20
P STIRLING CT ONLY		M.L.C.	M.L.C.	18/02/20
N LOT LAYOUT CHANGES		ACH	M.L.C.	18/02/20
D MINOR AMENDMENTS		MGP	M.L.C.	20/2/15
C NEW LAYOUT		MGP	M.L.C.	14/2/15
B INCL A1 & A2 IN D43317		CL	CL	16/2/13
A ORIGINAL PLAN		CL	CL	14/2/13

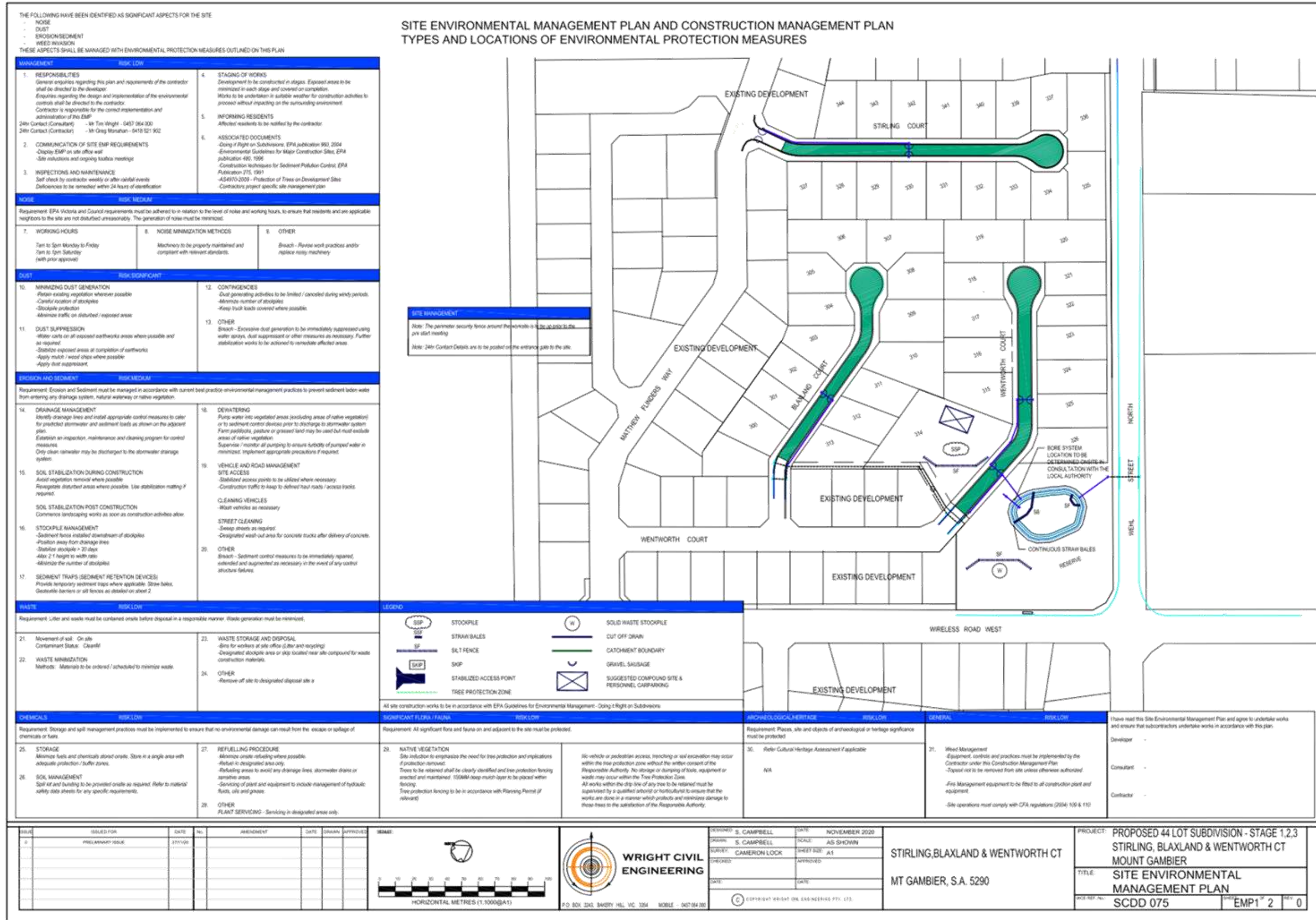
Date of Survey	11/7/14
Horiz. Datum:	Vert. Datum:
Origin:	Origin: BTH XXXXX _RL
SHEET 1 OF 1	Scale A3 1:1250 0 12.5 25
FILE 25013-01 Proposal Plan.dwg	REV. O
DRAWING NUMBER	25013-01

PROJECT

APPENDIX B

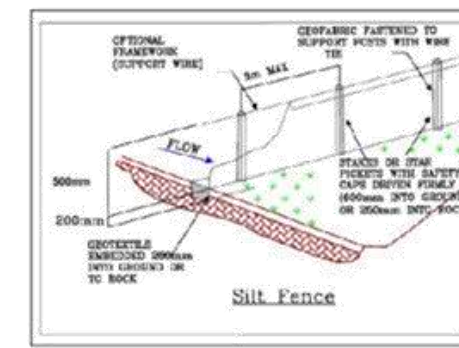
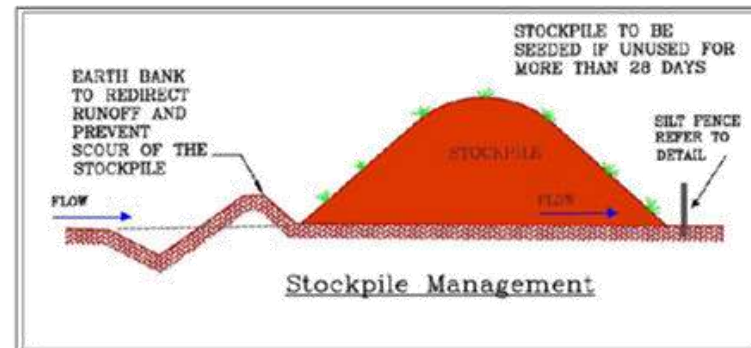
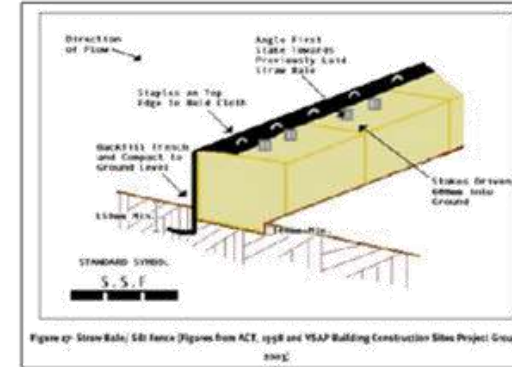
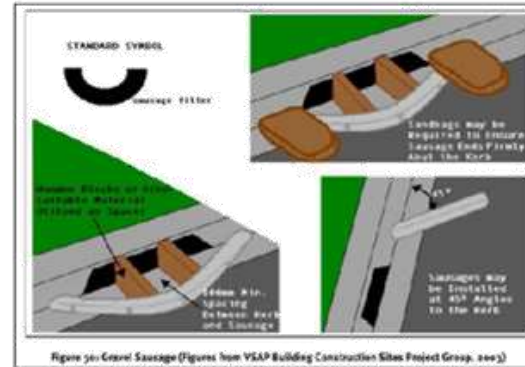
ENVIRONMENTAL MANAGEMENT PLAN





RISK ASSESSMENT CHECKLIST		
NOISE		
ISSUES	<ul style="list-style-type: none"> Nature of noise generating works: Construction Machinery / equipment Potential Noise Receptors: Residential Properties Proximity of works to noise receptors: Within 100metres 	LIKELIHOOD: CERTAIN CONSEQUENCE: MINOR OVERALL RISK: MEDIUM
DUST		
ISSUES	<ul style="list-style-type: none"> Dust Source: Construction activity eg: excavation, placement of soil etc. Potential Dust Receptors: Neighbouring Residents Proximity of works to dust receptors: Within 100metres Extent of exposed earth and duration of time exposed: Minimum area required for construction activity. Exposed area to be hydromulched on completion Wind Conditions: Predominantly westerly 	LIKELIHOOD: LIKELY CONSEQUENCE: SIGNIFICANT OVERALL RISK: SIGNIFICANT
EROSION AND SEDIMENT		
ISSUES	<ul style="list-style-type: none"> Erosion and Sediment Sources: Earthworks and trenching Potential Erosion and Sediment Receptors: Fallow Road Proximity of Works to Erosion and Sediment Receptors: Through and adjacent to site Extent of Exposed Earth and Duration of Time Exposed: Area under road, easement trenches and fill areas Exposure time: 4-6 weeks Soil Type and Consistency: Sands and clay Slope: 1:100 average Site Drainage Regime: Cut off drain to sediment control if required Rainfall: Approx 45mm per month on average Vehicle Movements On and Off Site: Regular and controlled 	LIKELIHOOD: LIKELY CONSEQUENCE: MODERATE OVERALL RISK: MEDIUM
WASTE		
ISSUES	<ul style="list-style-type: none"> Nature of Waste to be Generated: Construction material eg: pipe offcuts, concrete, wrappings etc. Presence of Waste On Site Prior to Work Commencement: Nil Quantity of Waste Anticipated: Minimal Potential Waste Receptors: Nil, contained onsite Proximity to Potential Waste Receptors: Nil 	LIKELIHOOD: RARE CONSEQUENCE: MINOR OVERALL RISK: LOW
CHEMICALS		
ISSUES	<ul style="list-style-type: none"> Types of Chemicals and Fuels Used and/or Stored On Site: Solvents, paint, grease, oil and fuel Quantities of Chemicals and Fuels Used and/or Stored On Site: Minimal, as required Potential Chemical Receptors: Nil Proximity to Potential Chemical Receptors: Nil 	LIKELIHOOD: RARE CONSEQUENCE: MINOR OVERALL RISK: LOW
SIGNIFICANT FLORA / FAUNA		
ISSUES	<ul style="list-style-type: none"> Types of Flora / Fauna: Native Trees Vulnerability of Flora / Fauna: High - to be removed Proximity of Flora / Fauna to Works: Close Work Activities Which May Threaten Flora / Fauna: Excavation and vehicle movements Potential Impacts on Flora / Fauna: Removal of trees on sewer line on Lot 16 	LIKELIHOOD: LIKELY CONSEQUENCE: MINOR OVERALL RISK: LOW
MICROBIOLOGICAL / HERITAGE		
ISSUES	<ul style="list-style-type: none"> Traditional Land Owners Consulted? Yes Survey or Assessment Conducted? Yes Probability of Encountering Archaeological / Heritage Items During Works: Unlikely Types of Archaeological / Heritage Items On Site: None Proximity of Archaeological / Heritage Items to Works On Site: None Work Activities Which May Threaten Archaeological / Heritage Items: Excavation Potential Impacts on Archaeological / Heritage Items: Minimal 	LIKELIHOOD: LIKELY CONSEQUENCE: MINOR OVERALL RISK: LOW

SITE ENVIRONMENTAL MANAGEMENT PLAN AND CONSTRUCTION MANAGEMENT PLAN
 TYPES AND LOCATIONS OF ENVIRONMENTAL PROTECTION MEASURES



NO.	ISSUED FOR	DATE	NO.	AMENDMENT	DATE	DRAWN	APPROVED
19	FINAL REPORT ISSUE	27/1/20					



DESIGNED: S. CAMPBELL	DATE: NOVEMBER 2020
DRAWN: S. CAMPBELL	SCALE: AS SHOWN
CHECKED: CAMERON LOCK	SHEET SIZE: A1
DATE:	DATE:

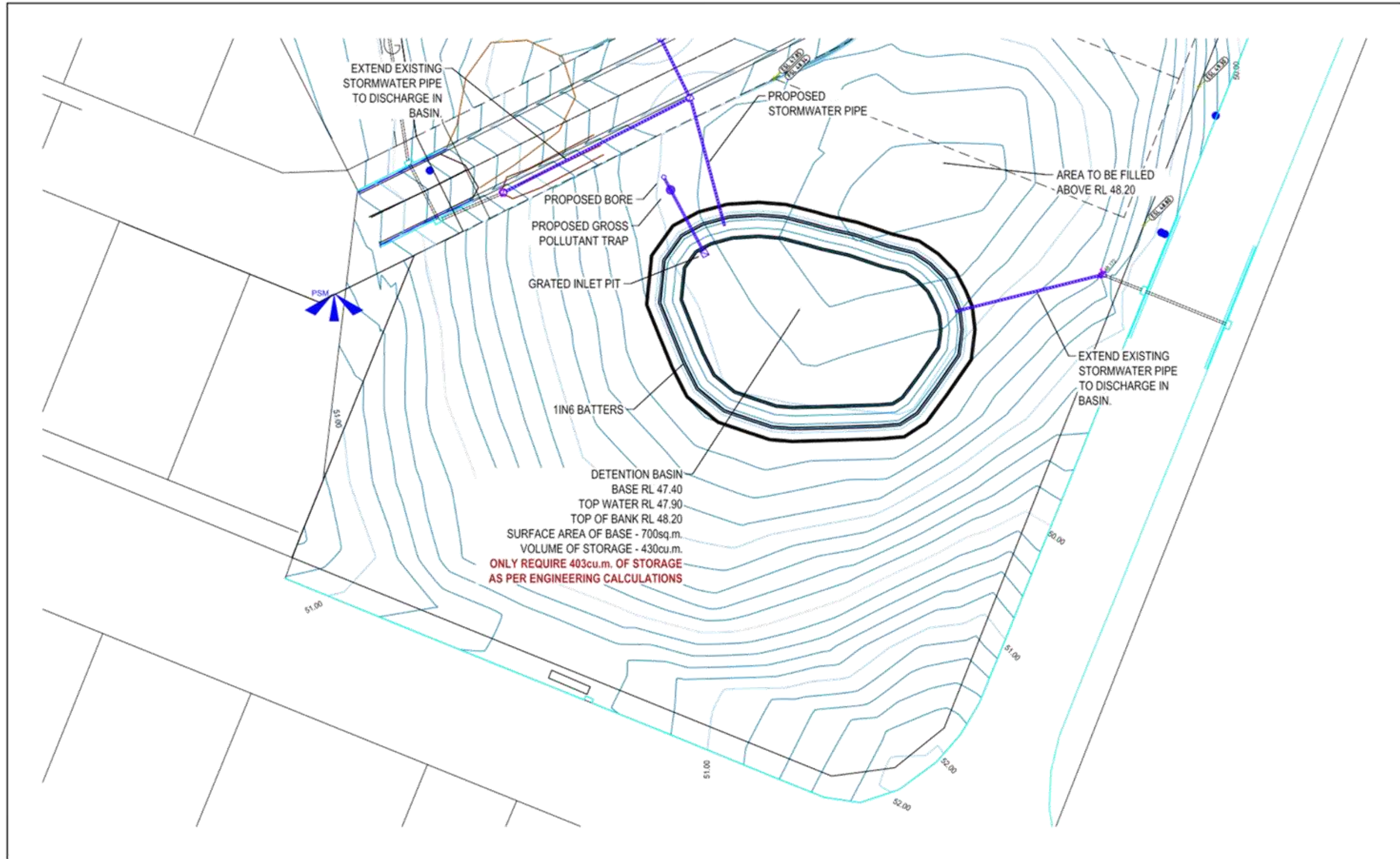
STIRLING, BLAXLAND & WENTWORTH CT
 MT GAMBIER, S.A. 5290

PROJECT: PROPOSED 44 LOT SUBDIVISION - STAGE 1,2,3 STIRLING, BLAXLAND & WENTWORTH CT MOUNT GAMBIER
TITLE: SITE ENVIRONMENTAL MANAGEMENT PLAN
PROJECT NO.: SCDD 075
REV: EMP2 2
REV: 0

APPENDIX C

STORMWATER RETENTION BASIN LAYOUT PLAN





 45 Helen St Mount Gambier SA 5290 P: 08 8725 8422 F: 08 8725 7361 www.cameronlook.com.au	Designed by: Scott Campbell Design & Drafting Pty. Ltd. Civil Design and Drafting Services 45 Branchline Court Miners Rest, Vic., 3352 Mobile: 0419 106 264 scott@sigpond.net.au	SCALE: HORIZONTAL METRES (1:250@A1)	STIRLING COURT PROPOSED ROAD & DRAINAGE WORKS DEVELOPMENT No. DA XXX/XXX/XX CONCEPT BASIN DESIGN	<table border="1"> <thead> <tr> <th>Revisions</th> <th>Surveyed</th> <th>Drawn</th> <th>Approved</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PRELIMINARY ISSUE</td> <td>CAMLOCK</td> <td>S.C.</td> <td>09/20</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Revisions	Surveyed	Drawn	Approved	Date	1	PRELIMINARY ISSUE	CAMLOCK	S.C.	09/20																Date of Field Survey: - Scale N/A Vert. Datum: SITE DATUM Horiz. Datum: SITE DATUM Origin: FILE 0000.dwg DRAWING NUMBER 25013-DB1 SHEET BD1 OF 1 REV 1
	Revisions	Surveyed	Drawn	Approved	Date																									
	1	PRELIMINARY ISSUE	CAMLOCK	S.C.	09/20																									



APPENDIX D

CATCHMENT SPREADSHEET



CATCHMENT SPREADSHEET: WEHL STREET NORTH, MOUNT GAMBIER

Catchment	Area m ²	Note
CA1	15805	Deedrages to existing infiltration basin
CA2	6136	Existing road reserve catchment
CA3	8575	Catchment from previous stage
CA4	31790	Current stage catchment
Total	46481	(not including CA1)

Lot No.	Size m ²
300	905
301	700
302	700
303	804
304	744
305	788
306	1106
307	1081
308	897
309	880
310	1253
311	756
312	756
313	906
314	3455
315	975
316	864
317	928
318	797
319	1246
320	1268
321	740
322	744
323	861
324	861
325	861
326	967
327	730
328	730
329	730
330	730
331	730
332	730
333	730
334	645
335	956
336	1086
337	745
338	729
340	735
341	735
342	735
343	735
344	770

Total lot area	39724	Pre-Development C =	0.3
Ave size	903	Post-Development C =	0.7

Detention calculations

Pre-Development
 Tc = 20min
 $R_{1,1} = 82 \text{ mm/hr}$
 Pre-Development Q = 318 L/s

Post-Development
 Lot = 6 min
 80m kerb = 80 sec = 1.33min
 200m pipe = 200 sec = 3.33min
 Tc = 10.7, say 15min
 $R_{1,1} = 115 \text{ mm/hr}$
 Post-Development Q = 1039 L/s

Detention Volume Calculation

Tc	Qpost	Qpre	T1	T2	Va	Vb	Vc
11	1039	318	3.4	18.6	330.2	72.8	403.0
0	0	0	0.0	0.0	0.0	0.0	0.0

Reserve Area = approx 80m x 80m = 6,400m²
 Volume of a pyramid: 50m x 50m x 0.5m deep = 417m³





30th March 2021

City of Mount Gambier
PO Box 56
MOUNT GAMBIER SA 5290

Attention: Tracy Tzioutziouklaris

Dear Tracy,

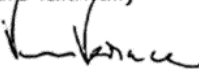
Re: Reserve – Corner of Wehl Street North & Wireless Road West

Further to our recent meeting and conversation about my concept design for the reserve on the corner of Wehl Street North and Wireless Road West for consideration; I would like to meet with yourself and any interested parties to discuss and negotiate options and workability for this reserve. I refer to the concept sketch I provided to you on Monday 29th March 2021.

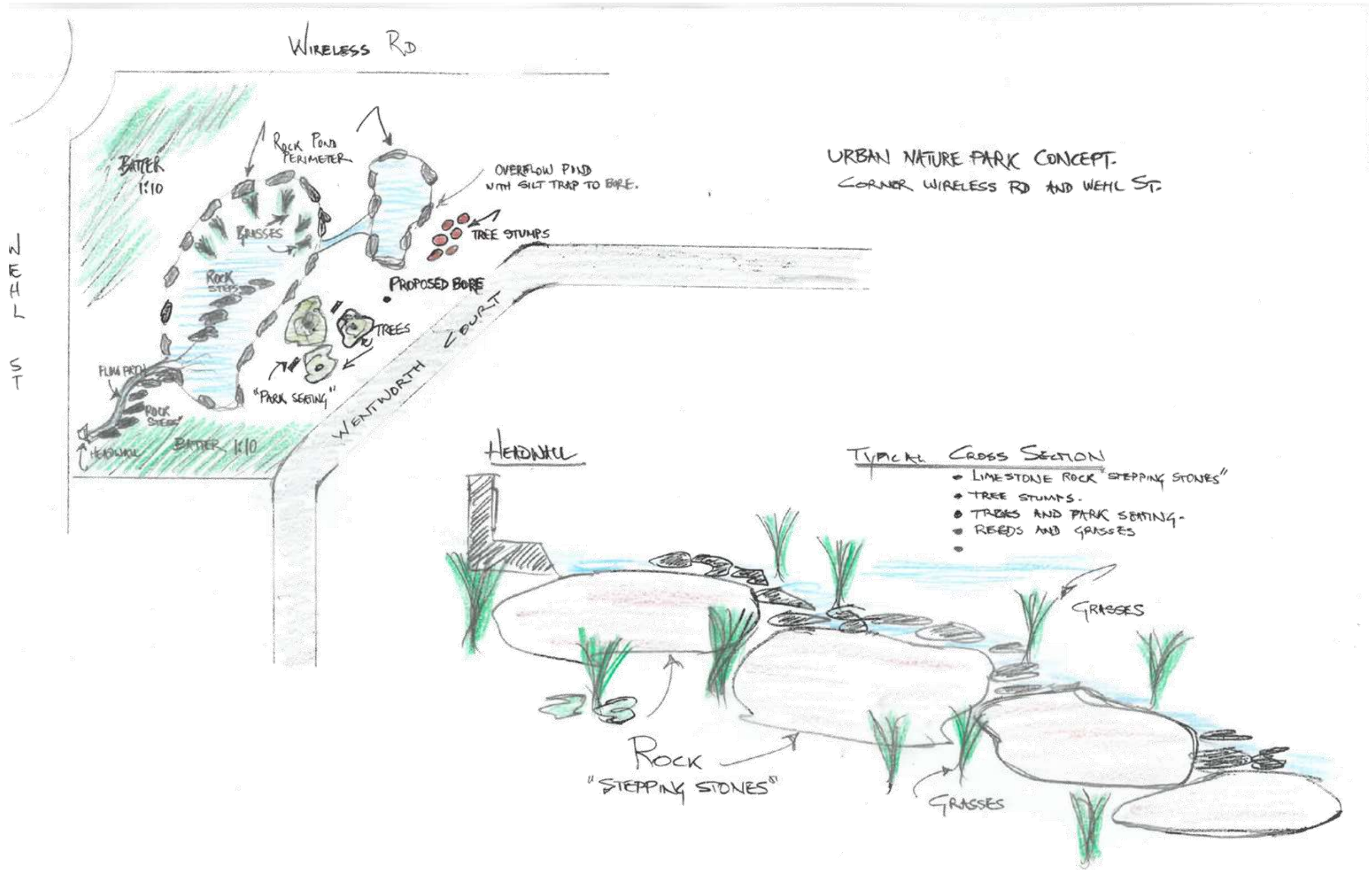
I also request consideration to a reduction in the Greenspace fee should this concept be received favourably.

Please give me a call on 0408 656 096 to arrange a time at your earliest convenience.

Yours faithfully


Vince Versace

Phone: (08) 8723 9944 **Fax:** (08) 8723 9933 **reception@versacehomebuilders.com** **www.versacehomebuilders.com**
Office: 199 Penola Road, Mount Gambier, SA 5290 **Postal:** P.O. Box 1183, Mount Gambier, SA 5290



**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, 11 MAY 2021 AT 5.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM) (arrived at 5:43 pm), Cr Ben Hood, Cr Kate Amoroso, Cr Max Bruins, Cr Paul Jenner, Cr Sonya Meziniec, Cr Frank Morello, Cr Steven Perryman (arrived at 5:38 pm)

OFFICERS IN ATTENDANCE:	Acting Chief Executive Officer	- Ms B Cernovskis
	General Manager Shared Services	- Mr D Barber
	Acting General Manager City Infrastructure	- Mr M McDonald

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 Kate Amoroso

Seconded: Cr Max Bruins

That the apology(ies) from Cr Christian Greco be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

That the minutes of the Wulanda Recreation and Convention Centre Committee meeting held on 13 April 2021 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

5 CONFIDENTIAL ITEMS

5.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 02/05/2021 – REPORT NO. AR21/26211

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, K Amoroso, M Bruins, P Jenner, S Meziniec, F Morello and S Perryman and Council Officers B Cernovskis, D Barber, M McDonald be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.1 AR21/26211 Project Control Group (PCG) Progress Report - As at 02/05/2021.

The Wulanda Recreation and Convention Centre Committee is satisfied that, pursuant to section 90(3) (b) and (d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
 - conducting business; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
 - to prejudice the commercial position of the person who supplied the information, or
 - to confer a commercial advantage on a third party

The 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 the disclosure of information associated with this report could reasonably be expected to prejudice the commercial position of the third party as the present matter relates to the signed contracts between Council, BADGE, Turner and Townsend, Design Inc and Rider Levett Bucknall for the construction of the Wulanda Recreation and Convention Centre. The disclosure of this information at this time is considered on balance to be contrary to the public's interest as it would unreasonably expose the sensitive interest of the third party.

CARRIED

Cr Steven Perryman entered the meeting at 5:38 pm.

Mayor Lynette Martin entered the meeting at 5:43 pm.

COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinac

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 5.1 AR21/26211 Project Control Group (PCG) Progress Report - As at 02/05/2021 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) and (d) be kept confidential and not available for public inspection until 12 months after completion of the project.
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

6 MEETING CLOSE

The Meeting closed at 5:59 pm.

The minutes of this meeting were confirmed at the Wulanda Recreation and Convention Centre Committee held on 8 June 2021.

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PRESIDING MEMBER